

1977 Assembly Bill 1220

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CHAPTER 418, Laws of 1977
(Vetoed in Part)

AN ACT to amend and revise chapter 20 of the statutes, and to make diverse other changes in the statutes relating to state finances and appropriations, constituting the budget review bill and making appropriations.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 1.025 of the statutes is amended to read:

1.025 United States jurisdiction in Adams county. The legislature consents to the conveyance by lease with option to purchase to the United States of the ~~youthful offenders~~ institution and the land on which it is located in the town of New Chester, Adams county, described as follows: The entire section 15, township 16 north, range 7 east of the fourth principal meridian, consisting of 640 acres, and upon the execution of said lease the state grants, cedes and confirms to the United States exclusive legislative jurisdiction over said place and tract, retaining concurrent jurisdiction solely to the extent that all legal process issued under the authority of the state may be served upon persons located on said place and tract. The authority ~~herein~~ granted in this section shall remain in effect for the duration of said lease and continue in effect in the event title passes to the United States at the termination of said the lease.

SECTION 2. 5.05 (2) of the statutes is amended to read:

5.05 (2) ~~The~~ In addition to the facial examination of reports and statements required under s. 11.21 (13), the board shall cause to have made an examination conduct an audit of all reports and statements which are required to be filed with it under on a sample basis to determine whether violations of ch. 11 have occurred. The board shall make official note in the file of a candidate, committee, group or individual under ch. 11 of any error or other discrepancy which the board discovers and shall inform the person submitting the report or statement.

SECTION 3. 5.15 (4) (a) of the statutes is amended to read:

5.15 (4) (a) The division order or resolution shall list the wards by number and designate the polling place ~~in~~ for each ward.

SECTION 3g. 13.106 (intro.), (1) and (2) of the statutes are renumbered 13.106 (1) (intro.), (a) and (b).

SECTION 3m. 13.106 (3) of the statutes is repealed.

SECTION 3p. 13.106 (4) to (6) of the statutes are renumbered 13.106 (1) (c) to (e), respectively.

SECTION 3t. 13.106 (2) of the statutes is created to read:

13.106 (2) Beginning with the 1975-77 biennium, the medical college of Wisconsin and the university of Wisconsin-Madison medical school shall report every other biennium to the governor and the joint committee on finance on the per student cost of medical education, in a consistent format and methodology to be developed in consultation with the medical education review committee under s. 39.16.

SECTION 4. 13.111 (2) of the statutes, as affected by chapter 196, laws of 1977, is amended to read:

13.111 (2) DUTIES. The joint committee on employment relations shall perform the functions assigned to it under ~~subch. II of ch. 230 and subch. V of ch. 111, subch. II of ch. 230 and s. 20.916.~~

SECTION 5. 13.48 (2) (g) of the statutes is created to read:

13.48 (2) (g) The commission shall review assessments on property of the state under s. 66.60 (4).

SECTION 5m. 13.48 (23) of the statutes, as created by chapter 29, laws of 1977, is amended to read:

13.48 (23) The building commission may lease space ~~constructed as a part of a~~ in state office building buildings for commercial use, including without limitation because of enumeration, retail, service and office uses. In doing so the commission shall consider the cost and fair market value of the space as well as the desirability of the proposed use. Such leases may be negotiated or awarded by competitive bid procedures. All such leases of ~~state constructed~~ space in state office buildings shall provide for payments in lieu of property taxes.

SECTION 5r. 13.565 (1) of the statutes is amended to read:

13.565 (1) ~~Prior~~ Except as provided under s. 144.25 (3) (b) 1, prior to the establishment of any rules relating to animal waste treatment, the state agency proposing the rules shall submit the rules to the senate and assembly committees on agriculture. A public hearing shall be held before the committees to review the proposed rules. The rules shall enter into effect only upon approval as a joint resolution by each house of the legislature.

SECTION 5s. 13.565 (3) of the statutes, as created by chapter (Senate Bill 409), laws of 1977, is repealed.

SECTION 5t. 13.625 (1) (b) 3 and (3) of the statutes, as created by chapter (Senate Bill 286), laws of 1977, are amended to read:

13.625 (1) (b) 3. Food, meals, beverages, money or any other thing of pecuniary value, except as provided in par. (c).

(3) No candidate for an elective state office, elective state official or other officer or employe of the state may solicit or accept anything of pecuniary value from a lobbyist or principal, ~~or officer or employe of an agency whose name is on file with the secretary of state pursuant to s. 13.695~~ except as permitted under subs. (1) (c) and (2) and s. ~~13.695 (4) and~~ 19.49.

SECTION 5u. 13.695 (1) (intro.) and (c) (intro.) and 1 of the statutes, as created by chapter (Senate Bill 286), laws of 1977, is amended to read:

13.695 (1) (intro.) Each agency shall file with the secretary of state on or before ~~April 15, July 15, October 15 and January 15~~ January 30 and July 30 a statement which identifies the officers and employes of the agency who are paid a salary and whose regular duties include attempting to influence legislative action. The statement shall be attested by the agency head or such person's designee. Each statement shall contain the following information, which shall be current to within ~~15~~ 30 days of the filing deadline, and cover the period since the last date covered in the previous statement:

(c) (intro.) The total amount of expenditures made and obligations incurred for lobbying by the agency and by each officer or employe thereof during the reporting period, for each category under subs. 1 to 5. If any single expenditure made or obligation incurred within categories under subs. 1, ~~2~~ and 5 exceeds \$100 in any reporting period, the expenditure or obligation shall be itemized by the name and address of the recipient and the date and amount of the expenditure made or obligation incurred.

1. Salaries, fees and retainers, to the extent not expended or incurred within the categories under subs. ~~2 to~~ 4 and 5.

SECTION 5v. 13.695 (1) (c) 2 of the statutes, as created by chapter (Senate Bill 286), laws of 1977, is repealed.

SECTION 5w. 13.695 (4) of the statutes, as created by chapter (Senate Bill 286), laws of 1977, is amended to read:

13.695 (4) No officer or employe of an agency who is identified in a statement filed pursuant to this section may engage in the prohibited practices set forth in s. 13.625 (1) (a) or (d), or use state funds to engage in the practices set forth in s. 13.625 (1) (b) or ~~(e) to make campaign contributions as defined in s. 11.01 (5).~~

SECTION 5wm. 13.70 (2) of the statutes, as affected by chapter (Senate Bill 286), laws of 1977, is amended to read:

13.70 (2) An agency which files a statement under s. 13.695 and an employe of such agency who is named in a statement are not subject to ~~licensing or license suspension or revocation under s. 13.63, registration under s. 13.64 or the reporting requirements of ss. 13.67 and 13.68 s. 13.625, 13.63, 13.64, 13.67 or 13.68 except as provided in s. 13.695.~~

SECTION 5x. 13.83 (6) of the statutes is created to read:

13.83 (6) COURTS COMMITTEE. (a) The council shall in each biennium create a committee on courts.

(b) The committee shall make recommendations for the development and revision of a statutory formula for the creation and elimination of courts based on work load data. The committee may also make recommendations for legislation directing the administrative director of courts to apply the formula when preparing budgetary requests for the court system.

(c) All judges, municipal justices, clerks of court, registers in probate and other officers or employes of the courts shall comply with all requests made by the committee for information and statistical data relative to the work of the courts and of such offices.

SECTION 6e. 13.94 (2) of the statutes is repealed and recreated to read:

13.94 (2) STATE AUDITOR, QUALIFICATIONS. To be eligible for appointment as state auditor a person shall have training equivalent to that represented by graduation from a college or university with work in accounting, finance, economics, statistics, program evaluation, business management or such other subjects as are determined by the joint committee on legislative organization to be appropriate.

SECTION 6m. 13.95 (1) (f) of the statutes is created to read:

13.95 (1) (f) In connection with the duties enumerated in this subsection, have access to any computerized data bases of state agencies which are required to aid the bureau in the performance of its duties, except that any statutory requirements regarding privacy of individuals' records shall be observed in providing such access.

SECTION 7. 14.017 (3) (f) and (h) of the statutes are amended to read:

14.017 (3) (f) The council shall select from among its members a ~~chairman~~ chairperson.

(h) Committees required to perform the functions of the council shall include members of the council and other persons appointed by the ~~governor~~ chairperson. In the case where advisory councils are mandated in federal or state health and health-related legislation, such advisory councils shall be committees of the health policy council, and shall be so constituted as to meet the requirements of the appropriate laws, rules and regulations, except that the governor may specifically exempt any mandated advisory committee from this requirement.

SECTION 8. 14.017 (5) of the statutes is created to read:

14.017 (5) COUNCIL ON CRIMINAL JUSTICE. (a) There is created in the office of the governor a council on criminal justice. Section 15.09 (1) and (3) to (8) applies to the council. The council shall consist of the governor and not more than 33 other

members who are residents of the state and who are representatives of the criminal justice system including law enforcement agencies; the judiciary, prosecutorial and defense counsel; adult correctional and rehabilitative agencies; juvenile justice agencies; state and general local government; public and private agencies relating to the criminal justice system; and private citizens. The membership shall include an appropriate geographic balance. Members, other than the governor, shall be appointed for staggered 2-year terms and shall serve at the pleasure of the governor.

(b) The governor shall serve as chairperson of the council and shall designate a first vice chairperson to preside in the governor's absence and a 2nd vice chairperson to preside in the absence of both the governor and the first vice chairperson.

(c) The governor may create appropriate committees necessary for the operation and function of the council on criminal justice. The governor shall prescribe duties and the purpose of the committees.

(d) The governor shall appoint an executive director who shall serve at the pleasure of the governor. The executive director shall be responsible for the administration of funds received under the omnibus crime control and safe streets act of 1968, P.L. 90-351, and the juvenile justice and delinquency prevention act of 1974, P.L. 93-415, and the implementation of s. 14.27. The executive director shall appoint all other staff under ch. 230.

Vetoed
in Part

SECTION 8m. 14.017 (5) of the statutes, as created by chapter (this act), laws of 1977, is repealed.

SECTION 9. 14.22 of the statutes is repealed.

SECTION 10. 14.27 of the statutes is created to read:

14.27 Council on criminal justice. The council on criminal justice shall:

(1) Serve as the state planning agency under the omnibus crime control and safe streets act of 1968, P.L. 90-351, and the juvenile justice and delinquency prevention act of 1974, P.L. 93-415.

(2) At the request of the governor, advise and assist in developing policies, plans, programs and budgets for improving the coordination, administration and effectiveness of the criminal justice system in the state.

(3) Prepare a state comprehensive criminal justice improvement plan on behalf of the governor. The plan shall be submitted to the joint committee on finance in accordance with s. 16.54 and to the appropriate standing committees of each house of the legislature as determined by the presiding officer of each house. The plan shall be updated periodically and shall be based on an analysis of the state's criminal justice needs and problems.

(4) Establish goals, priorities and standards for the reduction of crime and the improvement of the criminal justice system in this state.

(5) Recommend appropriate legislation in the criminal justice field to the governor and the legislature.

(6) Encourage local and regional comprehensive criminal justice planning efforts.

(7) Conduct evaluation studies involving programs and projects funded in whole or in part by the state aimed at reducing crime and delinquency and improving the administration of justice.

(8) Conduct other studies, evaluations, crime data analyses and reports to be submitted to the governor or the legislature as requested by the governor.

(9) Cooperate with and render technical assistance to state agencies and units of local government and public or private agencies relating to the criminal justice system.

(10) Apply for contracts or receive and expend for its purposes any appropriation or grant from the state, a political subdivision of the state, the federal government or any other source, public or private, in accordance with the statutes.

(11) Collect from any state or local governmental entity information, data, reports, statistics, or other material which is necessary to perform the council's duties and functions.

(12) Prepare a quarterly report of state agency funding under the omnibus crime control and safe streets act of 1968, P.L. 90-351, and the juvenile justice and delinquency prevention act of 1974, P.L. 93-415. The quarterly reports shall be submitted to the legislature.

(13) Perform other duties necessary to carry out the functions provided by executive order.

SECTION 10m. 14.27 of the statutes, as created by chapter (this act), laws of 1977 is repealed.

SECTION 11. 14.39 of the statutes is created to read:

14.39 Conditional acceptance of filing fees. Before actually filing any document by making an endorsement on that document, the secretary of state may accept and deposit the filing fee submitted with that document upon the condition that if subsequent examination of the document establishes that it does not meet the requirements for filing, the fee may be refunded and upon the condition that if a discrepancy in the amount of the fee is subsequently discovered the secretary of state may then demand further payment of a shortage or refund an overpayment subject to s. 20.905 (3).

SECTION 13. 14.85 (title), (1) (intro.), (2) (intro.) and (3) (intro.) of the statutes are amended to read:

14.85 (title) Mississippi river parkway commission. (1) (intro.) The governor shall appoint a state employe or official to serve as the Mississippi river parkway ~~planning~~ commission secretary. The secretary or a designee shall:

(2) (intro.) There is created a Mississippi river parkway ~~planning~~ commission consisting of 10 members chosen as follows:

(3) ~~(intro.)~~ The ~~planning~~ commission shall select its own chairman and shall:

SECTION 14. 14.85 (4) of the statutes is renumbered 14.85 (4) (b) and amended to read:

14.85 (4) (b) The members of the ~~planning~~ commission and the secretary shall serve without compensation but the secretary shall be paid for actual and necessary expenses from the appropriation under s. ~~20.355~~ 20.395 (6) (qd) on vouchers approved by the governor.

SECTION 15. 14.85 (4) (a) of the statutes is created to read:

14.85 (4) (a) The operating expenses of the commission and the annual membership dues for the commission shall be paid from the appropriation under s. 20.395 (6) (qd).

SECTION 16. 15.04 (1) (a) and (c) of the statutes, as affected by chapter 196, laws of 1977, are amended to read:

15.04 (1) (a) *Supervision.* Except as provided in ~~s. ss.~~ ss. 15.03 and 440.03 (2), plan, direct, ~~co-ordinate~~ coordinate and execute the functions vested in ~~his~~ the department or independent agency.

(c) *Advisory bodies.* ~~In~~ Except as provided in s. 440.03 (2), in addition to any councils specifically created by law, create and appoint such councils or committees as the operation of ~~his~~ the department or independent agency requires. Members of councils and committees created under this general authority shall serve without compensation, but may be reimbursed for their actual and necessary expenses incurred in the performance of their duties and, if such reimbursement is made, such reimbursement in the case of an officer or employe of this state who represents ~~his~~ an agency as a member of such a council or committee shall be paid by the agency which pays ~~his~~ the officer's or employe's salary.

SECTION 16m. 15.07 (5) (p) of the statutes is created to read:

15.07 (5) (p) Public members of the agricultural lands preservation board, \$10 per day but not to exceed \$600 per year.

SECTION 17. 15.08 (5) of the statutes is amended to read:

15.08 (5) GENERAL POWERS. Each examining board ~~may~~:

(a) May compel the attendance of witnesses, administer oaths, take testimony and receive proof concerning all matters within its jurisdiction. ~~It shall~~

(b) Shall formulate rules for its own guidance and for the guidance of the trade or profession to which it pertains, and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular trade or profession.

SECTION 18. 15.08 (5) (c) of the statutes is created to read:

15.08 (5) (c) May limit, suspend or revoke, or reprimand the holder of, any license, permit or certificate granted by the examining board.

SECTION 18m. 15.101 (1m) of the statutes is created to read:

15.101 (1m) DIVISION OF NATURAL RESOURCES HEARINGS. The division of natural resources hearings shall have the program responsibilities specified for the division under s. 227.012.

SECTION 19. 15.101 (3) of the statutes is created to read:

15.101 (3) DEPOSITORY SELECTION BOARD. The depository selection board shall have the program responsibilities specified for the board under s. 34.045.

SECTION 19m. 15.103 (2) of the statutes is created to read:

15.103 (2) DIVISION OF NATURAL RESOURCES HEARINGS. There is created a division of natural resources hearings which is attached to the department of administration under s. 15.03. The administrator of the division shall be appointed by the secretary of the department of administration in the classified service.

SECTION 20. 15.105 (3) of the statutes is created to read:

15.105 (3) DEPOSITORY SELECTION BOARD. There is created a depository selection board which is attached to the department of administration under s. 15.03. The depository selection board shall consist of the state treasurer, the secretary of administration and the executive director of the investment board or their designees.

SECTION 20m. 15.137 (5) of the statutes is created to read:

15.137 (5) FERTILIZER RESEARCH COUNCIL. There is created in the department of agriculture, trade and consumer protection a fertilizer research council consisting of the following members:

(a) *Nonvoting members.* The secretary of the department of agriculture, trade and consumer protection and the dean of the college of agricultural and life sciences at the university of Wisconsin-Madison, or their designees, shall serve as nonvoting members.

(b) *Voting members.* Six voting members shall be appointed jointly by the secretary of the department of agriculture, trade and consumer protection and the dean of the college of agricultural and life sciences at the university of Wisconsin-Madison, to serve for 3-year terms. Three of the members shall be industry representatives selected from a list of candidates provided by the fertilizer industry. Three members shall represent farmers who are crop producers. No voting member may serve more than 2 consecutive 3-year terms.

SECTION 20n. 15.137 (5) of the statutes is repealed.

SECTION 20s. 15.165 (2) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

15.165 (2) GROUP INSURANCE BOARD. There is created a group insurance board which is attached to the division of municipal and state government under s. 15.03. The board shall consist of the governor, the attorney general ~~and~~ the secretary of administration and the secretary of employment relations or their designees, the commissioner of insurance, and ~~3~~ 4 persons appointed for 2-year terms, of whom one shall be an insured member of the Wisconsin state employees union ~~and~~, one shall be an insured state-employed member of the state teachers retirement system and one shall be an insured employe of a local unit of government.

SECTION 21. 15.177 (1) of the statutes, as created by chapter 196, laws of 1977, is amended to read:

15.177 (1) COUNCIL ON AFFIRMATIVE ACTION. There is created in the department of employment relations a council on affirmative action consisting of 15 members appointed for ~~5-year~~ 3-year terms. A majority of the members shall be public members and a majority of the members shall be minority persons, women and persons with a handicap appointed with consideration to the appropriate representation of each group.

SECTION 21m. 15.341 (2) and (3) of the statutes, as affected by chapter (Senate Bill 409), laws of 1977, are repealed and recreated to read:

15.341 (2) LAKE SUPERIOR COMMERCIAL FISHING BOARD. The Lake Superior commercial fishing board shall have the program responsibilities specified for the board under s. 29.33.

(3) LAKE MICHIGAN COMMERCIAL FISHING BOARD. The Lake Michigan commercial fishing board shall have the program responsibilities specified for the board under s. 29.33.

SECTION 21r. 15.345 of the statutes, as affected by chapter (Senate Bill 409), laws of 1977, is repealed and recreated to read:

15.345 Same; attached boards. (1) LAKE SUPERIOR COMMERCIAL FISHING BOARD. There is created a Lake Superior commercial fishing board attached to the department of natural resources under s. 15.03.

(a) The board shall be composed of 5 members who reside in counties contiguous to Lake Superior appointed by the governor to serve at the governor's pleasure.

(b) The 5 members shall include:

1. Three licensed, active commercial fishers.
2. One licensed, active wholesale fish dealer.
3. One state citizen.

~~(c) Appointments to the board shall be made from nominations received from the department of natural resources and the fisheries industries.~~

Vetoed
in Part

(2) LAKE MICHIGAN COMMERCIAL FISHING BOARD. There is created a Lake Michigan commercial fishing board attached to the department of natural resources under s. 15.03.

(a) The board shall be composed of 7 members who reside in counties contiguous to Lake Michigan appointed by the governor to serve at the governor's pleasure.

(b) The 7 members shall include:

1. Five licensed, active commercial fishers; of these, 2 shall represent the fisheries of southern Green Bay and 3 the fisheries of northern Green Bay and Lake Michigan proper.
2. One licensed, active wholesale fish dealer.
3. One state citizen.

~~(c) Appointments to the board shall be made from nominations received from the department of natural resources and the fisheries industries.~~

Vetoed
in Part

SECTION 24. 15.40 (1) of the statutes, as affected by chapter 196, laws of 1977, is renumbered 440.03 (2) and amended to read:

440.03 (2) Section 15.04 (1) (a) and (c) does not apply to the department of ~~regulation and licensing~~ but the secretary may create an administrative council for the department consisting of representatives of the division of nurses and the examining boards attached to the department.

SECTION 25. 15.40 (2) of the statutes, as affected by chapters 29 and 196, laws of 1977, is renumbered 440.035.

SECTION 26. 15.40 (3) of the statutes, as affected by chapter 29, laws of 1977, is renumbered 440.04, and 440.04 (intro.), as renumbered, is amended to read:

440.04 (title) **Duties of the secretary.** (intro.) The secretary ~~of regulation and licensing~~ shall:

SECTION 27. 15.40 (4) of the statutes is renumbered 440.045 and amended to read:

440.045 (title) **Disputes.** Any dispute between a the division of nurses or any examining board and the secretary shall be arbitrated by the governor or his the governor's designee after consultation with the disputants.

SECTION 28. 15.403 (1) (a) (intro.) of the statutes is repealed and recreated to read:

15.403 (1) (a) (intro.) *Board of nursing.* A board of nursing is created to consist of the administrator of the division and the following members appointed for staggered 4-year terms: 5 registered nurses, including one with training and current employment in nursing service administration and one with experience in administration or teaching in a nursing education program; 2 licensed practical nurses; and 2 public members not engaged in any occupation or profession concerned with the delivery of physical or mental health care.

SECTION 29. 15.403 (1) (a) 1.c and f of the statutes are repealed.

SECTION 30. 15.405 (2) (intro.) and (a) of the statutes, as affected by chapter 29, laws of 1977, are amended to read:

15.405 (2) EXAMINING BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS, DESIGNERS AND LAND SURVEYORS. (intro.) There is created an examining board of architects, professional engineers, designers and land surveyors in the department of regulation and licensing. Any professional member appointed to the examining board shall have engaged in the practice of the profession of architecture, professional engineering, the design of engineering systems or land surveying, for at least 10 years and shall have been in responsible charge of architectural, professional engineering, designing of engineering systems or land surveying work for at least 5 years. The examining board shall consist of 16 members appointed for staggered 3-year terms: 3 architects, 3 professional engineers, 3 designers ~~and~~, 3 land surveyors, and 4 public members. ~~The 3 architects, the 3 professional engineers, 3 designers and the 3 land surveyors shall be appointed by the labor and industry review commission for staggered 3-year terms. Public members shall be appointed by the governor for staggered 3-year terms.~~ No ~~appointed~~ member may serve more than 2 consecutive terms.

(a) In operation, the examining board shall be divided into an architect section, an engineer section, a designer section and a land surveyor section. Each section shall consist of the 3 members of the named profession appointed to the examining board ~~by the labor and industry review commission~~ and one public member appointed to the section ~~by the governor~~. The board shall elect its own officers, and shall meet at least twice annually.

SECTION 31. 15.405 (5) of the statutes is amended to read:

15.405 (5) CHIROPRACTIC EXAMINING BOARD. There is created a chiropractic examining board in the department of regulation and licensing. The chiropractic examining board shall consist of 5 members, appointed for staggered 6-year terms. Four members shall be graduates from a school of chiropractic, be licensed to practice chiropractic in this state and shall have been practitioners of chiropractic in this state for the 3 years immediately preceding appointment. One member shall be a public member. Persons appointed to the examining board shall not be officers or employes of, or be financially interested in, any school or college of chiropractic. In lieu of a per diem, the secretary may receive such additional compensation as the examining board directs, but not to exceed \$4,000 annually.

SECTION 32. 15.405 (14) to (16) of the statutes are amended to read:

15.405 (14) **BARBERS EXAMINING BOARD.** There is created a barbers examining board in the department of regulation and licensing. The barbers examining board shall consist of ~~5~~ 6 members appointed for staggered 3-year terms. ~~Each member~~ Five members shall have engaged in the practice of barbering in this state for at least 5 years immediately preceding appointment and must remain a practicing ~~barber~~ barbers for the duration of the term. One member shall be a public member. No member may succeed himself or herself for more than one term.

(15) **COSMETOLOGY EXAMINING BOARD.** There is created a cosmetology examining board in the department of regulation and licensing. The cosmetology examining board shall consist of ~~7~~ 8 members appointed for staggered 3-year terms. ~~Each member~~ Seven members shall be a licensed ~~cosmetologist~~ cosmetologists who ~~has~~ have practiced in this state for at least 5 years immediately prior to appointment. One member shall be a public member. No person may be appointed to the examining board who is in any way connected with or has a financial interest in any cosmetology school.

(16) **FUNERAL DIRECTORS AND EMBALMERS EXAMINING BOARD.** There is created a funeral directors and embalmers examining board in the department of regulation and licensing. The funeral directors and embalmers examining board shall consist of ~~4~~ 5 members appointed for staggered 3-year terms. ~~Each member~~ Four members shall have had at least 5 years' experience immediately preceding appointment in the preparation and disposition of dead human bodies and in the practice of embalming. One member shall be a public member.

SECTION 33. 15.407 (2) (b) to (d) and (g) to (j) of the statutes are repealed.

SECTION 34. 15.407 (2) (e) and (f) of the statutes are renumbered 15.407 (2) (b) and (c) and amended to read:

15.407 (2) (b) ~~Two persons~~ One public member appointed by the governor for a 2-year term.

(c) ~~Two physicians in full-time private practice and 2~~ Three physician's assistants selected by the medical examining board for staggered 2-year terms.

SECTION 35. 15.915 (2) of the statutes is amended to read:

15.915 (2) **LABORATORY OF HYGIENE BOARD.** There is created in the university of Wisconsin system a laboratory of hygiene under the direction and supervision of the laboratory of hygiene board. The board shall consist of the president of the university of Wisconsin system, the ~~vice chancellor for health sciences~~ of the university of Wisconsin-Madison, the secretary of health and social services and an employe of the department of health and social services appointed by such secretary, the secretary of natural resources and an employe of the department of natural resources appointed by such secretary, and the director of the laboratory a representative of local public health agencies, but not from the department of health and social services, appointed by the governor for a 3-year term, or their designees, none of whom shall be employes of the laboratory. The director of the laboratory shall serve as a nonvoting member of the board.

SECTION 36. 16.008 of the statutes, as affected by chapter 196, laws of 1977, is renumbered 16.006.

SECTION 37. 16.008 of the statutes is created to read:

16.008 Payment of special charges for extraordinary police service to state facilities.

(1) In this section "extraordinary police services" means those police services which are in addition to those being maintained for normal police service functions by a municipality or county and are required because of an assemblage or activity which is or threatens to become a riot, civil disturbance or other similar circumstance, or in which mob violence occurs or is threatened.

(2) The state shall pay for extraordinary police services provided directly to state facilities, as defined in s. 70.119 (3) (e), in response to a request of a state officer or agency responsible for the operation and preservation of such facilities. Municipalities

or counties which provide extraordinary police services may submit claims to the claims board for actual additional costs related to wage and disability payments, pensions and worker's compensation payments, damage to equipment and clothing, replacement of expendable supplies, medical and transportation expense and other necessary expenses. The clerk of the municipality or county submitting a claim shall also transmit an itemized statement of charges and a statement which identifies the facility served and the person who requested the services. The board shall obtain a review of the claim and recommendations from the agency responsible for the facility prior to proceeding under s. 16.007 (3), (5) and (6).

SECTION 39g. 16.50 (3) of the statutes, as affected by chapters 29 and 196, laws of 1977, is amended to read:

16.50 (3) LIMITATION ON INCREASE OF FORCE AND SALARIES. No department, except the legislature or the courts, may increase the pay of any employe, expend money or incur any obligation except in accordance with the estimate that is submitted to the secretary as provided in sub. (1) and ~~which is~~ approved by the secretary or the governor. No additional positions above the number authorized through the biennial budget, budget review process or other legislative act may be granted without the approval of the joint committee on finance, except for positions created from funds received under s. 16.54 or 20.001 (2) (b) or (c). The secretary may withhold, in total or in part, the funding for any position, as defined in s. 230.03 (11), as well as ~~funds~~ the funding for part-time or limited term employes until such time as the secretary determines that the filling of the position or the expending of funds is consistent with the intent of the legislature as established by law or in budget determinations, or the intent of the joint committee on finance acting under s. 13.101 or as otherwise provided by law, or the intent of the governor acting under s. 16.54 or creating positions funded under s. 20.001 (2) (b) or (c). Until such release of funding occurs, recruitment or certification for the position may not be undertaken. The secretary shall submit a quarterly report to the joint committee on finance of any additional positions created under s. 16.54 or 20.001 (2) (b) or (c). No pay increase may be approved unless it is at the rate or within the pay ranges prescribed in the compensation plan or as published in a collective bargaining agreement under subch. V of ch. 111. At the request of the secretary of the department of employment relations, the secretary may authorize the temporary creation of pool or surplus positions under any source of funds if the secretary of the department of employment relations determines that temporary positions are necessary to maintain adequate staffing levels for high turnover classifications, in anticipation of attrition, to fill positions for which recruitment is difficult. Surplus or pool positions authorized by the secretary shall be reported quarterly to the joint committee on finance ~~along in~~ conjunction with the report required under s. ~~16.50 (4)~~ 16.54 (8).

SECTION 39r. 16.505 of the statutes, as created by chapter 196, laws of 1977, is amended to read:

16.505 Position authorization. (1) No position, as defined in s. 230.03 (11), regardless of funding source or type, may be created unless authorized by one of the following:

(a) The legislature by law or in budget determinations, ~~or by the~~

(b) The joint committee on ~~financing~~ finance acting under s. 13.101 or as otherwise provided by law, ~~or by the~~

(c) The governor acting under s. 16.54 or creating positions funded under s. 20.001 (2) (b) or (c).

(2) If the secretary determines that the expenditure estimate established under s. 16.50 (1) for any agency so warrants, the secretary may require an agency to seek prior approval to expend funds for any position, including limited term employment. The secretary may also require any agency to comply with the procedures for entering position information for limited term employes into the informational system established under s. 16.004 (7).

SECTION 40. 16.51 (7) of the statutes is amended to read:

16.51 (7) AUDIT CLAIMS FOR EXPENSES IN CONNECTION WITH PRISONERS. Receive, examine, determine and audit claims, duly certified and approved by the department of health and social services, from the county clerk of any county in behalf of ~~such the~~ county, which are presented for payment to reimburse ~~such the~~ county for certain expenses incurred or paid by it in reference to all matters growing out of actions and proceedings involving prisoners in state prisons, as defined in s. 53.01, including ~~such~~ prisoners transferred to ~~central state hospital~~ a mental health institute for observation or treatment, when ~~such the~~ proceedings are commenced in counties in which ~~such the~~ prisons are located by a district attorney or by the prisoner as a ~~post-conviction~~ postconviction remedy or a matter involving ~~his the prisoner's~~ status as a prisoner. Expenses shall only include ~~such the~~ amounts as were necessarily incurred and actually paid and shall be no more than the legitimate cost would be to any other county had the offense or crime occurred therein.

SECTION 41. 16.52 (5) (a) of the statutes is amended to read:

16.52 (5) (a) On July 31 of each fiscal year all outstanding encumbrances entered for the previous fiscal year shall be transferred by the secretary as encumbrances against the appropriation for the current fiscal year, and an equivalent prior year appropriation balance shall also be forwarded to the current year by the secretary. Payments made on previous year encumbrances forwarded shall be charged to the current fiscal year. All other charges incurred during any previous fiscal year, and not evidenced by encumbrances, which are presented for payment between August 1 in any fiscal year and July 31 in the next succeeding fiscal year shall be entered as charges in the fiscal year in which said August 1 falls; ~~but such charges shall not be paid if they exceed the unencumbered appropriation balance as of July 31 of the fiscal year preceding the year of payment.~~ This paragraph may be waived in whole or in part by the secretary with the advice of the state auditor on other than general purpose revenue appropriations.

SECTION 42. 16.52 (6) (a) of the statutes is amended to read:

16.52 (6) (a) All purchase orders, contracts, or printing orders shall, before any liability is incurred thereon, be submitted to the secretary for his or her approval as to legality of purpose and sufficiency of appropriated and allotted funds therefor. In all cases the date of the contract or order ~~shall govern~~ governs the fiscal year to which the ~~contract or order is~~ contract or order is chargeable, ~~unless the secretary determines that the purpose of the contract or order is to prevent lapsing of appropriations or to otherwise circumvent budgetary intent.~~ Upon such approval, the secretary shall immediately encumber all contracts or orders, and indicate the fiscal year to which they are chargeable.

SECTION 43. 16.52 (11) of the statutes is created to read:

16.52 (11) SECRETARY TO ALLOCATE DEPARTMENTAL CENTRAL SERVICES COSTS. The secretary may allocate and charge, and may prescribe the procedures for departments to allocate and charge, the central services costs of the department of administration or of individual departments to selected federal grants or contracts. The charges to departments for the central services costs incurred by the department of administration and the indirect costs incurred by the departments in the administration of federally-aided programs under grants or contracts shall be made in accordance with the procedures adopted by the secretary.

SECTION 44. 16.53 (1) (ca) of the statutes, as affected by chapter 196, laws of 1977, is amended to read:

16.53 (1) (ca) *Supervision of expenditures.* All ~~agencies~~ departments shall diligently review and supervise the travel expenditures of their employes and may adopt reasonable rules governing such expenditures. Such rules shall be consistent with the uniform guidelines established under s. 20.916 (8). Each claim shall be approved by the employe's appointing authority, as defined in s. 230.03 (4), or the appointing authority's authorized representative. The approval shall represent the concurrence with the accuracy, necessity and reasonableness of each expense. Claims so approved shall be audited by the department of administration in accordance with par. (a).

SECTION 45. 16.53 (9) of the statutes is amended to read:

16.53 (9) TRANSFER OF FUNDS APPROPRIATED. Whenever an appropriation has been made from the general fund in the state treasury to any other fund therein, the secretary ~~in his discretion~~ may withhold the transfer of such appropriation or any part thereof from the general fund until the ~~same is~~ moneys required to pay outstanding claims are duly audited and disbursed. Such authority is not limited to the fiscal year of the appropriation if the liability is properly recognized and recorded.

SECTION 46. 16.535 (1) (c) of the statutes is created to read:

16.535 (1) (c) "Headquarters city" includes the area within the city or village limits, if any, where an employe's permanent work site is located and the area within a radius of 15 miles from the employe's permanent work site.

SECTION 47. 16.535 (3) and (6) (a) of the statutes are amended to read:

16.535 (3) MEALS. ~~Employes~~ Subject to the limitation prescribed in sub. (7) (b), employes shall be reimbursed for all reasonable amounts expended for their own meals incurred in the performance of their official duties. ~~Any department may establish maximum amounts to be expended for meals.~~ Receipts for meals are not required except for any unusual amount, which must be accompanied by a receipt and full explanation of the reasonableness of such expense.

(6) (a) *Scheduled air travel.* Reimbursement for air travel shall be limited to the fare for the lowest jet class available. Only if other classes are not available or on the approval of the department head or ~~his~~ such person's representative shall ~~may~~ an employe travel first class. If no other class is available, the employe shall obtain a statement from the carrier that a lower class was not available. ~~Employes shall submit tax exemption certificates when purchasing an airline ticket, and all reimbursement for air travel shall be at the tax exempt rate.~~

SECTION 48. 16.535 (7) (a) and (b) of the statutes are amended to read:

16.535 (7) (a) Each voucher claim for travel expenses shall be approved by the head of the employe's ~~department or agency or his delegated authority~~ that person's designee. Such approval ~~shall represent~~ represents concurrence with the necessity and reasonableness of each expense. ~~Out-of-state travel and expenses in an employe's headquarter city must be approved by the head of the department or agency.~~ Such approval shall accompany the travel voucher. The expense voucher shall be audited by the agency financial office and then submitted to the department of ~~administration~~ for final audit before payment.

(b) The department of ~~administration~~ shall may not approve for payment any travel vouchers which exceed the maximum travel schedule amounts ~~specified in the guidelines which are established pursuant to~~ under s. 20.916 (8), except in unusual circumstances when accompanied by a receipt and full explanation of the reasonableness of such expense.

SECTION 49. 16.54 (9) of the statutes is amended to read:

16.54 (9) The department of administration shall coordinate the development of a statewide indirect cost allocation plan to be used by all ~~state agencies~~ departments as part of their indirect cost allocation plans prepared as part of the federal grant application process. All departments shall prepare individual, specific, indirect cost allocation plans in accordance with federal regulations and procedures established by the secretary. Departments shall annually file a copy of their updated indirect cost allocation plans with the secretary. The secretary may modify any plan to bring it into compliance with applicable state laws or procedures established under s. 16.52 or this section, and to maintain consistency between the plans of the various departments.

SECTION 50. 16.61 (2) (a) of the statutes is renumbered 16.61 (2) (b) and amended to read:

16.61 (2) (b) "Public records" means all books, papers, maps, photographs, films, recordings, or other documentary materials or any copy thereof, regardless of physical form or characteristics, made, or received by any agency of the state or its officers or

employees in connection with the transaction of public business ~~and retained by that agency or its successor as evidence of its activities or functions because of the information contained therein,~~ except the records and correspondence of any member of the state legislature.

SECTION 51. 16.61 (2) (b) and (c) of the statutes are renumbered 16.61 (2) (d) and (a), respectively.

SECTION 52. 16.61 (2) (c) of the statutes is created to read:

16.61 (2) (c) "Records series" means documents, volumes or folders that are arranged under a single filing system, or are kept together as a unit because they relate to a particular subject, result from the same activity, or have a particular form.

SECTION 53. 16.61 (3) (b) and (e) of the statutes are amended to read:

16.61 (3) (b) Upon the request of any state agency, county, town, city, village or school district, may order upon such terms as the board finds necessary to safeguard the legal, financial and historical interests of the state in public records, the destruction, reproduction by microfilm or other process, temporary or permanent retention or other disposition of public records.

(e) ~~Shall~~ May establish the minimum period of time for retention before destruction of any city, town or village record.

SECTION 54. 16.61 (4) of the statutes is repealed and recreated to read:

16.61 (4) APPROVAL FOR DISPOSITION OF RECORDS. All public records made or received by or in the custody of a state agency shall be and remain the property of the state. Such records may not be disposed of without the written approval of the board. State agencies shall submit records disposal authorizations for all public records series in their custody to the board for its approval within one year after each record series has been received or created unless a shorter period of retention is authorized by law, in which case authorization shall be submitted within that period. The board is authorized to alter retention periods for all records series; but if retention for a certain period is specifically required by law, the board may not decrease the length of that period.

SECTION 55. 16.62 (2) of the statutes is repealed.

SECTION 56. 16.62 (3) of the statutes, as affected by chapter 29, laws of 1977, is renumbered 16.62 (2).

SECTION 58. 16.71 (intro.) and (1) of the statutes are consolidated and amended to read:

16.71 (title) Purchasing; powers. The department of administration shall purchase and may delegate to special designated agents the authority to purchase: ~~(1) All~~ all necessary materials, supplies, equipment, all other permanent personal property and miscellaneous capital, and contractual services and all other expense of a consumable nature for all ~~state~~ offices. All such materials, services and other things and expense furnished to any such office shall be charged to the proper appropriations of the ~~offices~~ departments to ~~whom~~ which furnished, as provided in s. 20.505.

SECTION 59. 16.71 (2) to (4) of the statutes are repealed.

SECTION 60. 16.72 (2) of the statutes is renumbered 16.72 (2) (a).

SECTION 61. 16.72 (2) (b) of the statutes is created to read:

16.72 (2) (b) The department shall prepare or review specifications for all materials, supplies, equipment, other permanent personal property and contractual services not purchased under standard specifications. Such "nonstandard specifications" may be generic or performance specifications, or both, prepared to describe in detail the article which the state desires to purchase either by its physical properties or programmatic utility. When appropriate for such nonstandard items or services, trade names may be used to identify what the state requires, but wherever possible 2 or more trade names shall be designated and the trade name of any Wisconsin producer, distributor or supplier shall appear first.

SECTION 62. 16.75 (1) (a) of the statutes is amended to read:

16.75 (1) (a) All orders awarded or contracts made by the department for all materials, supplies, equipment and contractual services, except as otherwise provided in subs. ~~(3)~~ (2), ~~(6)~~ and (7), shall be awarded to the lowest responsible bidder, taking into consideration the location of the institution or agency, the quantities of the articles to be supplied, their conformity with the specifications, the purposes for which they are required and the date of delivery; but preference shall always be given to materials, supplies, equipment and contractual services of Wisconsin producers, distributors, suppliers and retailers. Bids shall be received only in accordance with such ~~standard~~ specifications as are adopted by the department as provided in this subsection. Any or all bids may be rejected. Each bid, with the name of the bidder, shall be entered on a record, and each record with the successful bid indicated shall, after the award or letting of the contract, be opened to public inspection. Where a low bid is rejected, a complete written record shall be compiled and filed, giving the reason in full for such action. Any waiver of sealed, advertised bids as provided in sub. (6) shall be entered on a record kept by the department and open to public inspection.

SECTION 62m. 16.75 (2) of the statutes, as created by chapter (Assembly Bill 523), laws of 1977, is renumbered 16.75 (4).

SECTION 63. 16.75 (2) (b) of the statutes is created to read:

16.75 (2) (b) When the department determines that utility services are available only from a sole source as a result of regulation or of a natural monopoly, these services may be obtained without compliance with the usual procedure under this section.

SECTION 64. 16.75 (3) of the statutes is renumbered 16.75 (2) (a) and amended to read:

Vetoed
in Part

~~16.75 (2) (a) When the department of administration believes that it is to the best interests of the state to purchase certain patented or proprietary articles, other than printing and stationery, it may purchase said such articles without compliance with the usual statutory procedure under this section. All equipment shall be purchased from the lowest and best bidder as determined by the bids and a comparison of the detailed specifications submitted with the bids, and after due advertisement as heretofore provided. Where the low bid or bids are rejected, a complete written record shall be compiled and filed, giving the reasons in full for such action.~~

SECTION 65. 16.75 (4) of the statutes is renumbered 16.75 (3) and amended to read:

16.75 (3) The department of administration may let contracts in excess of funds available. Except in the cases to which s. 18.10 (1) applies, any such contract shall state in substance that its continuance beyond the limits of funds already available ~~shall be~~ is contingent upon appropriation of the necessary funds. Contracts, except those specified in s. 16.76 (2), may be for any term deemed to be in the best interests of the state but the terms and provisions for renewal or extension, if any, shall be incorporated in the bid specifications and the contract document.

SECTION 66. 16.75 (6) of the statutes is renumbered 16.75 (6) (a) and amended to read:

16.75 (6) (a) Subsections (1) to (5), except as to their requirements in connection with printing and stationery, ~~shall do not be deemed to~~ apply to the purchase of supplies, materials or equipment from the federal government or any agency thereof and, with the approval of the governor, may be waived with respect to purchases from private sources when such action is deemed to be in the best interests of the state. Each individual waiver shall be entered on a record as specified in sub. (1), which shall be open to public inspection.

SECTION 67. 16.75 (6) (b) of the statutes is created to read:

16.75 (6) (b) The governor may issue a general waiver covering a fiscal year or any shorter period of time under this subsection with respect to purchase of specified

materials, supplies, equipment and contractual services, except printing and stationery, from private sources when the governor deems such action to be in the best interest of the state, and may impose such conditions and restrictions on the waiver as he or she deems appropriate or necessary. Each general waiver shall be entered on a record, as specified in sub. (1), which shall be open to public inspection.

SECTION 68. 16.765 (2) (a) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

16.765 (2) (a) In connection with the performance of work under this contract, the contractor agrees not to discriminate against any employe or applicant for employment because of age, race, religion, color, handicap, sex, physical condition, developmental disability as defined in s. 51.01 (5) or national origin. This provision shall include, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor further agrees to take affirmative action to ensure equal employment opportunities ~~for persons with disabilities~~. The contractor agrees to post in conspicuous places, available for employes and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of the nondiscrimination clause.

SECTION 69. 16.84 (11) of the statutes is amended to read:

16.84 (11) Prepare, publish and enforce or have enforced rules of conduct for the several buildings for which the department has managing authority. Any person found guilty of violating one of these rules shall, unless the rule violated prescribes a lesser penalty, be fined not more than \$100 or imprisoned not more than 30 days, or both.

SECTION 70. 16.855 (8) of the statutes is repealed.

SECTION 71. 16.87 of the statutes is amended to read:

16.87 Approval of contracts by secretary and governor; audit. Every contract for engineering or architectural service and every contract involving an expenditure of \$2,500 or more for construction work to be done for, or furnished to the state, or any department, board, commission or officer thereof, shall be exempt from the requirements of ss. 16.705 and 16.75, and shall, before it becomes valid or effectual for any purpose, have indorsed thereon in writing the approval thereof of the secretary or a designated assistant, and all such contracts over \$15,000 shall also have approval of the governor; and no payment or compensation for work done under any contract involving \$2,500 or more, except highway contracts, shall be made unless the written claim therefor is audited and approved by the secretary or a designee. Any change orders to contracts requiring approval under this section shall require prior approval by the secretary or a designated assistant, and any such change orders over \$15,000 shall also have the approval of the governor.

SECTION 72. 16.965 of the statutes is created to read:

16.965 Aerial photographic survey. (1) The department shall make an aerial photographic survey of the state to provide the basis for state planning, and resource and forestry management. In order to carry out this responsibility, the department:

(a) Shall consult with the department of natural resources, the department of transportation and the state cartographer, and may consult with other potential users of the photographic products resulting from the survey, to determine the scope and character of the survey.

(b) May contract with other state agencies or nongovernmental entities to carry out the photographic imagery acquisition phases of the survey and to prepare specific photographic products for use by federal, state and local agencies and the general public.

(2) After consultation with the department of transportation and the state cartographer, the department shall select the photographic products to be sold by the department of transportation under s. 85.10 (3). The department shall also determine

the price at which the products are sold. The sale price shall be established annually at a level which represents the cost of producing the photographic products sold under s. 85.10 (3) and a reasonable portion of the costs incurred under this section and s. 85.10.

SECTION 73. 16.966 of the statutes is created to read:

16.966 1980 decennial census. The department may contract with the U.S. bureau of the census for the acquisition by the department of those block statistics not routinely furnished by the U.S. bureau of the census from the 1980 U.S. decennial census of population and housing that the department requires for planning and redistricting purposes. Payments under the contract shall be made from the appropriation under s. 20.865 (2) (f).

SECTION 74. Subchapter IX of chapter 16 of the statutes is created to read:

CHAPTER 16

SUBCHAPTER IX

TELECOMMUNICATIONS

16.99 Telecommunications operations and planning. (1) **DEFINITION.** In this section, "telecommunications" mean all services and facilities capable of transmitting, switching or receiving information in any form, by wire, radio or other electronic means.

(2) **POWERS AND DUTIES.** The department shall ensure maximum utility, cost-benefit and operational efficiency of all telecommunications systems and activities of this state, and those which interface with cities, counties, other states and the federal government. The department, with the assistance and cooperation of all other departments, shall:

(a) Develop and maintain a statewide long-range telecommunications plan, which will serve as a major element for budget preparation, as guidance for technical implementation and as a means of ensuring the maximum use of shared systems by departments when this would result in operational or economic improvements or both.

(b) Develop policy, standards and technical and procedural guidelines to ensure a coordinated and cost-effective approach to telecommunications system acquisition and utilization.

(c) Maintain a comprehensive inventory of all state-owned or leased telecommunications equipment and services.

(d) Monitor overall state expenditures for telecommunications systems and prepare an annual financial report on such expenditures.

(e) Review the operation of all telecommunications systems of this state to ensure technical sufficiency, adequacy and consistency with goals and objectives.

(f) Perform the functions of agency telecommunications officer for those departments with no designated focal point for telecommunications planning, coordination, technical review and procurement.

SECTION 75. 17.01 (13) (intro.) of the statutes is amended to read:

17.01 (13) (intro.) Resignations shall be made in writing, shall be addressed and delivered to the officer or body prescribed in this section and shall take effect, in the case of an officer whose term of office continues by law until ~~his~~ the officer's successor is chosen and qualifies, upon the qualification of ~~his~~ the officer's successor; and in the case of other officers, at the time indicated in the written resignation, or if no time is therein indicated, then upon delivery of the written resignation. If the governor makes a provisional appointment under s. 17.20 (2) and the appointee files the required oath of office, the appointee qualifies for office, unless the appointment is withdrawn or rejected. Delivery of a resignation shall be made by leaving a copy of ~~the written resignation thereof~~ with the officer to whom it is required to be addressed and delivered at ~~his~~ the officer's public office or ~~his~~ the officer's usual place of business, or if required to be addressed and delivered to a body, by leaving a copy with the

following officer at ~~his~~ the officer's public office or ~~his~~ the officer's usual place of business:

SECTION 76. 17.026 (2) of the statutes, as affected by chapters 29 and 187, laws of 1977, is amended to read:

17.026 (2) The supreme court shall establish the procedure to be used in determining whether a temporary vacancy exists, including provisions for convening by voluntary and involuntary petition and for determining that a temporary vacancy no longer exists. When a temporary vacancy is found to exist, the incumbent judge shall continue to receive the salary and other benefits to which entitled, and the person appointed to serve temporarily shall for the period of temporary service receive salary and other benefits computed at the rate of the incumbent judge's salary as specified in s. 20.923 (2) (a) 2, 3 or 4, and benefits, ~~to~~. If the incumbent judge is a circuit or county judge, the salary and benefits, other than county supplements, shall be vouchered against the appropriation under s. 20.625 (1). The person appointed shall not receive county supplements paid as provided in ss. 753.016 (2), 753.071 and 754.07 (2). If the incumbent judge is a court of appeals judge, the salary and benefits shall be vouchered against the appropriation under s. 20.660 (1).

SECTION 76m. 17.026 (2m) of the statutes is created to read:

17.026 (2m) The compensation paid under sub. (2) to any person filling a temporary vacancy who is a retired justice or judge is not subject to s. 41.11 (12) but the combined amount of compensation paid under sub. (2) and any other judicial compensation together with retirement annuities under the Wisconsin retirement fund, the Milwaukee county retirement fund and other state, county, municipal or other Wisconsin governmental retirement funds, social security or other federal retirement funds received by him or her during any one calendar year shall not exceed compensation paid by the state and the counties to any circuit judge.

SECTION 77. 17.14 (1) (h) of the statutes is created to read:

17.14 (1) (h) Failure or refusal to deny claims for exemption or to terminate exemptions pursuant to direction of the secretary of revenue under s. 70.337 (4).

SECTION 78. 17.20 (2) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

17.20 (2) INTERIM VACANCIES; TERMS. Vacancies occurring ~~during the recess of the legislature~~ in the office of any officer normally nominated by the governor, and with the advice and consent of the senate appointed, ~~shall~~ may be filled by a provisional appointment by the governor for the residue of the unexpired term, if any, subject to confirmation by the senate ~~at the next regular session thereof if the term for which the person was so appointed has not expired~~. Any such appointment ~~subject to confirmation by the senate~~ shall be in full force until acted upon by the senate, and when confirmed by the senate shall continue for the residue of the unexpired term, if any, or until a successor is chosen and qualifies. A provisional appointee may exercise all of the powers and duties of the office to which such person is appointed during the time in which the appointee qualifies. Any appointment made under this subsection ~~on the days specified in s. 13.02 (1) for organization of a new legislature shall be invalid, but may be renewed after the office of the governor has been officially notified by a joint resolution that the new legislature has been organized which is withdrawn or rejected by the senate shall lapse. When a provisional appointment lapses, a vacancy occurs. Whenever a new legislature is organized, any appointments then pending before the senate shall be referred by the president to the appropriate standing committee of the newly organized senate.~~

SECTION 79. 18.08 (3) of the statutes is amended to read:

18.08 (3) Moneys of the capital improvement fund may be commingled only for the purpose of investment with other public funds, but they shall be invested only as provided in s. 25.17 (3) ~~(dg)~~ (b). All such investments shall be the exclusive property of such ~~the~~ fund and all earnings on or income from such investments shall be credited to such ~~the~~ fund and shall become available for any of the purposes under sub.

(2). However earnings from that portion created by self-amortizing projects may be transferred by resolution of the ~~state building~~ commission to the bond security and redemption fund to be used as provided in s. 18.09 (4).

SECTION 79m. 19.87 (4) of the statutes is created to read:

19.87 (4) Meetings of the senate or assembly committee on organization under s. 71.11 (44) (c) 3 or 77.61 (5) (b) 3 shall be closed to the public.

SECTION 80. 20.001 (2) (da) of the statutes is created to read:

20.001 (2) (da) *Segregated fund revenues - service*. "Segregated fund revenues - service" consists of moneys transferred between or within state agencies for the purpose of reimbursement for services rendered or materials purchased. These moneys are shown as expenditures in the appropriations of those agencies or activities receiving the service or material and also shown as segregated revenue in the appropriations of the agency or program providing the service or material.

SECTION 81. 20.002 (10) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

20.002 (10) EXCESS STATE MATCHING FUNDS. ~~All appropriations~~ If any appropriation that is made to match or secure federal funds are subject to the specific provision that if such funds are in excess of the amounts amount required to match or secure federal funds, the state agencies agency that is responsible for the administration of such programs funds shall promptly notify the federal aid management service of the department of administration which shall promptly notify the governor and the joint committee on finance of such excess matching funds. Either the governor or the committee may then order that such Such funds shall then be placed in unallotted reserve until and may not be released unless the release is first approved for release by the governor and the joint committee on finance acting under s. 13.101.

SECTION 82. At the appropriate place in the schedule in section 20.005 of the statutes, insert the following amounts for the purposes indicated:

		1977-78	1978-79
Vetoed in Part	20.255 Public instruction, department of		
	(1) EQUAL EDUCATIONAL OPPORTUNITIES		
	(dm) Wisconsin special Olympics GPR A	75,000	75,000
	(em) Gallery of famous black Americans GPR C	-0-	15,000
	20.370 Natural resources, department of		
	(1) RESOURCE MANAGEMENT		
	(b) State park operations -- supplemental GPR A	2,000	210,400
	(uk) Development of facilities SEG C	1,109,600	118,000
	(za) Reforestation SEG C	460,000	460,000
	(2) ENVIRONMENTAL STANDARDS		
	(fn) Aids - local water quality planning GPR B	-0-	106,000
	(4) WISCONSIN FUND		
	(a) Grant programs funding GPR A	-0-	61,700,000
	Allocated to programs GPR A	-0-	-61,700,000
	NET APPROPRIATION -0- -0-		
	(b) Point source water pollution abatement grant program GPR C	-0-	60,000,000
	(c) Nonpoint source water pollution abatement grant program GPR C	-0-	1,200,000
	(d) Solid waste management grant program GPR C	-0-	500,000
	(5) FIELD SERVICES		
	(f) Aids - Tri-creek watershed GPR A	-0-	216,600
	20.395 Transportation, department of		
	(5) TRANSPORTATION SYSTEMS		
	(qe) Municipal rail service grants SEG B	30,000	70,000
	(sd) Railroad right-of-way acquisition, general program operations, state funds SEG A	12,000	344,200
	(td) Railroad right-of-way acquisition, state funds SEG C	223,000	4,213,400

	(te)	Railroad property improvements loans, state funds	SEG C	-0-	2,200,000
20.435		Health and social services, Department of			
(2)	(bc)	MENTAL HEALTH SERVICES Senior companion program	GPR A	-0-	-0-
(4)	(fz)	FAMILY SERVICES displaced homemakers' center and services	GPR A	-0-	50,000
20.490		Wisconsin housing finance authority			
(1)		FACILITATION OF CONSTRUCTION OF HOUSING			
	(a)	Capital reserve fund deficiency	GPR C	-0-	-0-
(2)		HOUSING REHABILITATION LOAN PROGRAM			
	(a)	General program operations	GPR C	-0-	600,000
	(g)	Loan loss reserve fund	SEG C	-0-	-0-
20.505		Administration, department of			
(1)		ADMINISTRATIVE SUPERVISION AND MANAGEMENT SERVICES			
	(b)	Barker's Island project	GPR B	40,000	-0-
(5)		SPECIAL AND EXECUTIVE COMMITTEES			
	(d)	Governor's committee on Hispanic affairs	GPR A	-0-	25,000
(8)		NATURAL RESOURCES HEARINGS			
	(a)	General program operations	GPR A	-0-	-0-
20.512		Employment relations, department of			
(2)		AFFIRMATIVE ACTION			
	(a)	Council on affirmative action	GPR A	-0-	11,000
20.545		Local affairs and development, department of			
(2)		HOUSING ASSISTANCE			
	(d)	Housing rehabilitation	GPR C	-0-	4,500,000
20.765		Legislature			
(3)		LEGISLATIVE SERVICE AGENCIES			
	(em)	Legislative council, contractual studies	GPR C	-0-	30,000
20.855		Miscellaneous appropriations			
(1)		AERIAL PHOTOGRAPHIC SURVEY			
	(a)	Survey contracts and preparation of master sets	GPR C	350,000	-0-
	(u)	Survey contracts	SEG C	455,000	-0-
(2)		LOCAL ASSISTANCE PAYMENTS			
	(c)	Nonpoint source pollution aids	GPR B	-0-	50,000
(5)		STATE HOUSING AUTHORITY RESERVE FUND			
	(a)	Enhancement of credit of authority debt	GPR A	-0-	5,194,600
20.865		Program supplements			
(1)		EMPLOYEE COMPENSATION AND SUPPORT			
	(fn)	Physically handicapped supplements	GPR B	49,000	-0-
(2)		CONTRACTUAL SERVICES			
	(f)	1980 decennial census	GPR C	42,000	-0-
20.875		Reserve funds			
(1)		BUDGET STABILIZATION			
	(a)	Budget stabilization reserve	GPR A	-0-	58,800,000
(2)		TAX REFORM			
	(a)	Tax reform reserve	GPR A	-0-	80,000,000

SECTION 82m. 20.115 (1) (h) of the statutes is created to read:

20.115 (1) (h) *Fertilizer research funds.* All moneys collected under s. 94.64 (4) (am) to be used as provided in s. 94.64 (8m) for fertilizer research. From this

paragraph, 3.5% of the gross amount collected shall be transferred to the appropriation under s. 20.115 (1) (a) as reimbursement for administrative expenses incurred by the department in connection with the moneys collected under s. 94.64 (4) (am). Moneys may not be utilized for any other research or to influence either state or federal legislation.

SECTION 83. 20.135 (1) (w) of the statutes is created to read:

20.135 (1) (w) *Industrial building construction loan fund.* All moneys received in the industrial building construction loan fund, for the purpose of s. 560.07.

SECTION 83m. 20.135 (2) (q) of the statutes, as affected by chapter 29, laws of 1977, is repealed.

SECTION 84. 20.145 (1) (m) of the statutes is created to read:

20.145 (1) (m) *Federal aid.* All moneys received from the federal government as authorized by the governor under s. 16.54 for the purposes for which made and received.

SECTION 86. 20.165 (2) (h) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

20.165 (2) (h) *Scholarship programs.* All moneys collected under s. 440.07 for the educational and scholarship programs in the respective professions for which collected, except that all amounts collected under s. 440.07 prior to the effective date of this act (1977) shall be refunded under chapter ... (this act), laws of 1977, section 927 (41) (a).

SECTION 87. 20.165 (2) (m) of the statutes is created to read:

20.165 (2) (m) *Federal aid.* All moneys received from the federal government as authorized by the governor under s. 16.54 for the purposes for which made and received.

SECTION 88. 20.235 (4) (a) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

20.235 (4) (a) *General program operations.* The amounts in the schedule for support of those Wisconsin residents enrolled as full-time students in the pursuit of a doctor of dental surgery (D.D.S.) degree. An amount of \$3,300 per year in 1977-78 and \$3,450 in 1978-79 shall be disbursed under s. 39.46 for each Wisconsin resident enrolled as a full-time student. The maximum number of Wisconsin residents to be funded under this appropriation are as follows: in 1977-78, 500; and in 1978-79, 500.

SECTION 88m. 20.255 (1) (dm) of the statutes is created to read:

20.255 (1) (dm) *Wisconsin special Olympics.* The amounts in the schedule to provide funding for Wisconsin special Olympics, incorporated, to be used to offset their administrative costs and to ensure the growth of Wisconsin special Olympics, incorporated.

SECTION 88n. 20.255 (1) (em) of the statutes is created to read:

20.255 (1) (em) *Gallery of Famous Black Americans.* As a continuing appropriation, the amounts in the schedule to be provided as a grant to the Gallery of Famous Black Americans, 2768 N. Teutonia Avenue, Milwaukee, for the purpose of supporting educational programs and providing housing for gallery materials relating to black American heritage.

SECTION 89. 20.255 (1) (fo) of the statutes, as affected by chapter 29, laws of 1977, is repealed and recreated to read:

20.255 (1) (fo) *Supplemental state aid.* A sum sufficient for payments to school districts under s. 121.085.

SECTION 90. 20.255 (2) (i) of the statutes is created to read:

20.255 (2) (i) *Professional services center.* All moneys received from the sale or use of services and inventory items with such revenue to be used to carry out the purposes for which received.

SECTION 91. 20.285 (1) (a) of the statutes, as affected by chapter 29, laws of 1977, is repealed and recreated to read:

20.285 (1) (a) *General program operations.* 1. The amounts in the schedule for the purpose of the educational and related programs which are further allocated by organizational cluster as follows: [See Figure 20.285 (1) (a) 1 following]

Figure: 20.285 (1) (a) 1

Organizational Cluster		1977-78	1978-79
Doctoral campuses	GPR	131,730,100	133,747,200
	Academic fees	47,866,200	47,882,700
	Subtotal	(179,536,300)	(181,443,200)
University campuses	GPR	103,661,300	103,696,400
	Academic fees	40,622,300	40,622,300
	Subtotal	(144,283,600)	(144,318,700)
Center system	GPR	9,842,500	9,842,500
	Academic fees	3,502,100	3,502,100
	Subtotal	(13,344,600)	(13,344,600)
Extension	GPR	18,201,100	18,523,900
	Academic fees	714,500	714,500
	Subtotal	(18,915,600)	(19,238,400)
Central administration Systemwide	GPR	4,239,100	4,239,100
	GPR	4,204,200	5,490,900
	Academic fees	9,653,200	17,861,700
TOTAL	Subtotal	(13,857,400)	(23,352,600)
	GPR	271,878,300	275,540,000
	Academic fees	102,358,300	110,583,300
GRAND TOTAL		(374,236,600)	(386,123,300)

2. Transfers between the allocations under subd. 1 are permitted under s. 16.50. In addition, transfers between subprograms shall be reported quarterly to the department of administration. Funds for these subprograms shall be allocated as follows: [See Figure 20.285 (1) (a) 2 following]

Figure: 20.285 (1) (a) 2

Subprograms		1977-78	1978-79
Instruction	GPR	119,547,300	119,478,800
	Academic fees	102,358,300	110,583,300
	Subtotal	(221,905,600)	(230,062,100)
Research	GPR	18,144,800	18,319,000
Public service	GPR	15,889,100	16,015,700
Academic support Libraries and media Farm operations	GPR	27,433,500	28,310,400
	GPR	1,394,500	1,395,600
	Subtotal	(28,828,000)	(29,706,000)
Student and auxiliary services	GPR	18,192,800	17,865,100
	GPR	1,460,900	1,467,900
	Subtotal	(19,653,700)	(19,333,000)
Institutional support Physical plant Gen. op. and service	GPR	38,770,700	41,326,400
	GPR	31,044,700	31,361,100
	Subtotal	(69,815,400)	(72,687,500)
TOTAL	GPR	271,878,300	275,540,000
	Academic fees	102,358,300	110,583,300
	GRAND TOTAL	(374,236,600)	(386,123,300)

SECTION 91m. 20.285 (1) (ka) of the statutes is amended to read:

20.285 (1) (ka) *Sale of real property.* All net proceeds from the sale of real property by the board pursuant to under s. 36.34, 1969 stats., and s. 36.33 for purposes provided for in ~~such section~~ those sections, including ~~such the~~ the expenses enumerated in s. 13.48 (2) (d) incurred in selling ~~such the~~ the real property ~~as are enumerated in s. 13.48 (2) (d).~~

SECTION 92. 20.285 (2) (d) of the statutes is amended to read:

20.285 (2) (d) *Fee and tuition remissions.* The aggregate amount of nonresident remissions of tuition and fees for any fiscal year for the institutions formerly governed under ch. 36, 1971 stats., with the exception of the legislative fee remission authorized under s. 36.27 (3) (e), ~~shall may~~ not exceed the aggregate amount so remitted for those institutions in the 1970-71 fiscal year as adjusted for proportional increases in tuition charges since 1976-77, and for the institutions formerly governed under ch. 37, 1971 stats., the aggregate amount with the exception of legislative fee remissions authorized under s. 36.27 (3) (e) shall not exceed the aggregate amount so remitted

for those institutions in the 1972-73 fiscal year as adjusted for proportional increases in tuition charges since 1976-77. This ~~limitation shall~~ paragraph does not restrict the granting of remissions when required under the terms of a contract or gift, or when such remissions are reimbursed as an indirect cost.

SECTION 94. 20.355 of the statutes, as affected by chapter 29, laws of 1977, is repealed.

SECTION 95. 20.370 (1) (b) of the statutes is created to read:

20.370 (1) (b) *State park operations - supplemental*. From moneys allocated under sub. (7) (a), the amounts in the schedule to supplement the operations of state parks and recreation areas.

SECTION 96. 20.370 (1) (fn), and (ue), as affected by chapter 29, laws of 1977, of the statutes are amended to read:

20.370 (1) (fn) *Scientific areas preservation*. From moneys allocated under sub. (7) (a), the amounts in the schedule for the inventory of natural areas and the acquisition of lands determined to have a special scientific interest under s. 23.27.

(ue) *Wildlife damage*. The amounts in the schedule for the payment of wild duck, goose and sandhill crane damage claims under s. 29.594 (1) and (3) and to pay not to exceed 80% of the costs of bear and deer damage claims under s. 29.595. If the total amount of the claims filed for payment under this paragraph is anticipated to exceed the amount of money available under this paragraph, the claims may be paid by the department on a pro rata basis at the end of each fiscal year.

SECTION 97. 20.370 (1) (uk) of the statutes is created to read:

20.370 (1) (uk) *Development of facilities*. As a continuing appropriation, the amounts in the schedule to construct, develop and improve fish, wildlife, forest, parks and administrative facilities.

SECTION 98. 20.370 (1) (za) of the statutes is repealed and recreated to read:

20.370 (1) (za) *Reforestation*. As a continuing appropriation, the amounts in the schedule for reforestation of state forests as provided under ch. 28.

SECTION 100. 20.370 (2) (fn) of the statutes is created to read:

20.370 (2) (fn) *Aids — local water quality planning*. Biennially, the amounts in the schedule to provide state assistance to designated local agencies under section 208 of the federal water pollution control act amendments of 1972, P.L. 92-500, 86 Stat. 816. For each designated local agency, the state assistance provided under this paragraph shall be equal to one-sixth of the current annual grant amount received by the designated local agency from the federal environmental protection agency for water quality planning activities under section 208 of the federal act.

SECTION 103m. 20.370 (4) of the statutes is created to read:

20.370 (4) WISCONSIN FUND. (a) *Grant programs funding*. From the general fund, the amounts in the schedule in fiscal year 1978-79, and as an annual appropriation on July 1, 1979, and on each July 1 thereafter until July 1, 1987, an amount equal to .1% of the current equalized value of all taxable property in this state for the point source water pollution abatement grant program under par. (b), the nonpoint source water pollution abatement grant program under par. (c) and the solid waste management grant program under par. (d).

(b) *Point source water pollution abatement grant program*. From moneys allocated under par. (a), as a continuing appropriation, the amounts in the schedule for financial assistance under the point source water pollution abatement grant program under s. 144.24.

(c) *Nonpoint source water pollution abatement grant program*. From moneys allocated under par. (a), as a continuing appropriation, the amounts in the schedule for financial assistance under the nonpoint source water pollution abatement grant program under s. 144.25.

(d) *Solid waste management grant program.* From moneys allocated under par. (a), as a continuing appropriation, the amounts in the schedule for financial assistance under the solid waste management grant program under ss. 144.60 to 144.64.

SECTION 104. 20.370 (5) (f) of the statutes is created to read:

20.370 (5) (f) *Aids — Tri-creek watershed.* From moneys allocated under sub. (7) (a), the amounts in the schedule to supplement the encumbered balance in s. 20.370 (1) (do), 1971 stats., for the purposes of the Tri-creek watershed project in Monroe county, as initiated under s. 92.18, 1971 stats.

SECTION 106. 20.370 (7) (a) 2 of the statutes is amended to read:

20.370 (7) (a) 2. With the approval of the joint committee on finance acting under s. 13.101, the board may reduce, supplement or transfer between the allocations made to programs under this section when the board finds that such actions will expedite its program.

SECTION 110. 20.370 (9) (y) of the statutes is amended to read:

20.370 (9) (y) *Revenues and appropriations.* All moneys received pursuant to the operation of programs under subs. (1), (3) and (5) shall be credited to the program which generated them. Revenues which are assigned by law to a particular purpose shall be credited to and may be expended for that purpose. Unassigned revenue shall be credited to the general purpose segregated revenue of the proper program, but the expenditure from such revenue shall be limited to the appropriation of general purpose segregated revenue appearing in the schedule. Whenever the estimated unassigned revenues and available unassigned revenue appropriation balances are insufficient to cover the appropriations of general purpose segregated revenue under each program, the department shall so inform the department of administration and shall indicate the amounts which should be deducted from respective unassigned revenue appropriations to bring the appropriated amounts into agreement with the money available, and the department of administration shall adjust its records accordingly. Actual unassigned revenues in excess of estimated unassigned revenues appropriated may not be spent unless released by the joint committee on finance acting under s. 13.101.

SECTION 111. 20.395 (3) (rj), (sj), (tj), (uj) and (wj) and (4) (qj) of the statutes, as affected by chapter 29, laws of 1977, are amended to read:

20.395 (3) (rj) *Major highway development, local funds.* All moneys received from any local unit of government or other source for major development of state highways, for such purposes.

(sj) *Improvement of existing highways, local funds.* All moneys received from any local unit of government or other source for improvement of existing state highways, for such purposes.

(tj) *Improvement of existing bridges, local funds.* All moneys received from any local unit of government or other source for improvement of existing state bridges, for such purposes.

(uj) *Maintenance and repair, local funds.* All moneys received from any local unit of government or other source for maintenance and repair of state highways, for such purposes.

(wj) *State facilities roads, local funds.* All moneys received from any local unit of government or other source for the purposes of s. 84.27 or 84.28 or to provide public access roads to navigable waters, for such purposes.

(4) (qj) *Improvement and maintenance, local funds.* All moneys received from any local unit of government or other source for improvement and maintenance of highways and bridges not on the state trunk highway system, for such purposes.

SECTION 112. 20.395 (3) (vj) of the statutes is created to read:

20.395 (3) (vj) *Snow removal and general upkeep.* All moneys received from any local unit of government or other source for snow removal on and general upkeep of state highways for such purposes.

SECTION 112m. 20.395 (3) (xe) of the statutes is created to read:

20.395 (3) (xe) *Park West freeway land disposal reimbursement clearing account.* All moneys received from the disposition of interests in lands and property previously acquired and held in trust for the state for the Park West freeway for the purpose of reimbursing federal and local governments for expenses incurred by them for such acquisition in accordance with the disposition plan made and approved under chapter ... (this act), laws of 1977.

SECTION 112s. 20.395 (5) (qe) of the statutes is created to read:

20.395 (5) (qe) *Municipal rail service grants.* Biennially, the amounts in the schedule to pay the cost of grants under s. 85.08 (4g).

SECTION 113. 20.395 (5) (sd) of the statutes is created to read:

20.395 (5) (sd) *Railroad right-of-way acquisition, general program operations, state funds.* The amounts in the schedule for departmental administrative activities under ss. 85.08 (4m) and 195.199.

SECTION 114. 20.395 (5) (sx) of the statutes is created to read:

20.395 (5) (sx) *Railroad right-of-way acquisition, general program operations, federal funds.* All moneys received from the federal government for departmental administrative activities under s. 195.199.

SECTION 115. 20.395 (5) (td) of the statutes is created to read:

20.395 (5) (td) *Railroad right-of-way acquisition, state funds.* As a continuing appropriation, the amounts in the schedule for railroad right-of-way acquisition under s. 195.199 and to make grants under s. 85.08 (4m) (d).

SECTION 115m. 20.395 (5) (te) of the statutes is created to read:

20.395 (5) (te) *Railroad property improvements loans, state funds.* As a continuing appropriation, the amounts in the schedule for loans under s. 85.08 (4m).

SECTION 116. 20.395 (5) (tj) of the statutes is created to read:

20.395 (5) (tj) *Railroad right-of-way acquisition, local funds.* All moneys received from any local unit of government or other sources for the purposes of railroad right-of-way acquisition under s. 195.199.

SECTION 117. 20.395 (5) (tx) of the statutes is created to read:

20.395 (5) (tx) *Railroad right-of-way acquisition, federal funds.* All moneys received from the federal government for the purposes of railroad right-of-way acquisition under s. 195.199.

SECTION 118. 20.395 (6) (ad) of the statutes, as affected by chapter 29, laws of 1977, is repealed.

SECTION 120. 20.395 (6) (td) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

20.395 (6) (td) *Vehicle inspection and traffic enforcement, state funds.* The amounts in the schedule for administering the ambulance inspection program under s. 341.085 and the vehicle inspection and traffic enforcement programs, including \$480,600 to reimburse any county policing expressways under s. 59.965 (10) (b).

SECTION 121. 20.395 (6) (we) of the statutes is created to read:

20.395 (6) (we) *Other department services; sale of aerial photographic survey products.* All moneys received from the sale of aerial photographic products under s. 85.10 (3) for the production and sale of those products. If the moneys received under s. 85.10 (3) exceed the cost of producing and selling the products at the end of any fiscal year, the surplus shall be paid into the general fund.

SECTION 122. 20.395 (7) (title) of the statutes, as affected by chapter 29, laws of 1977, is renumbered 20.530 (1) (title).

SECTION 123. 20.395 (7) (qd) of the statutes, as affected by chapter 29, laws of 1977, is renumbered 20.530 (1) (q) and amended to read:

20.530 (1) (q) *General program operations, state funds.* ~~The~~ From the transportation fund, the amounts in the schedule for general program operations.

SECTION 124. 20.395 (7) (qx) of the statutes, as affected by chapter 29, laws of 1977, is renumbered 20.530 (1) (m) and amended to read:

20.530 (1) (m) *State operations, federal funds.* All moneys received as federal aid as authorized by the governor under s. 16.54 for state operations under s. ~~85.07~~ 14.21.

SECTION 125. 20.395 (7) (qy) of the statutes, as affected by chapter 29, laws of 1977, is renumbered 20.530 (1) (p).

SECTION 126. 20.395 (7) (rx) of the statutes, as affected by chapter 29, laws of 1977, is renumbered 20.530 (1) (o).

SECTION 127. 20.395 (7) (ry) of the statutes, as affected by chapter 29, laws of 1977, is renumbered 20.530 (1) (n).

SECTION 128. 20.395 (9) (qk) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

20.395 (9) (qk) *Departmental planning, clearing account.* A sum sufficient to make initial payment of all expenditures which are ultimately chargeable to departmental planning. Payments under this paragraph shall be properly allocated monthly by the department among the appropriations under ~~sub. subs. (5) and (6)~~ (rd) to (rx), and transfers shall be made from those appropriations to this paragraph to fully reimburse this paragraph for initial payments made herefrom.

SECTION 129. 20.435 (1) (f) of the statutes, as affected by chapter 203, laws of 1977, is repealed.

SECTION 130. 20.435 (2) (a) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

20.435 (2) (a) *General program operations.* The amounts in the schedule to operate institutions, conduct regulatory activities and provide boarding home care, field services and administrative services within the mental health program, ~~less all payments of medical assistance pursuant to ch. 49 for the care of patients in the centers for the developmentally disabled.~~ Sums required for travel expenses in connection with recruitment of psychiatrists and hard-to-recruit professional medical personnel outside the classified service may also be expended from this appropriation.

SECTION 130m. 20.435 (2) (bc) of the statutes is created to read:

20.435 (2) (bc) *Senior companion program.* The amounts in the schedule for the purposes of s. 46.85.

SECTION 131. 20.435 (3) (jm) of the statutes is amended to read:

20.435 (3) (jm) *Central generating station.* All revenues of the central generating station at Waupun derived from the sale of utilities and services to the ~~Wisconsin state prison~~ Waupun correctional institution, prison industries, and central state hospital, to carry on such utility service and for equipment and building repairs and improvements at the central generating station.

SECTION 132. 20.435 (4) (c) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

20.435 (4) (c) *Social security aids; medical.* A sum sufficient to provide the state share of medical assistance administered under s. 49.45 including the total state and federal share of the cost of contracting for ~~or directly providing~~ payment and services administration and reporting. Beginning July 1, 1978, only the state share of costs of contracting for ~~or directly~~ providing payment and services administration and reporting shall be paid from this appropriation. No state positions may be funded from this appropriation.

SECTION 133. 20.435 (4) (d) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

20.435 (4) (d) *Social security aids; grants and administration.* A sum sufficient to provide state aid for county administered public assistance programs under s. 49.52 and to provide for state administered programs under s. 49.50 (7) and the cost of foster care provided by nonlegally responsible relatives under state or county administered programs. The joint committee on finance as part of its budget determinations in each session shall review the standard allowances for assistance in relation to the social security aid programs and the formula for state reimbursement to counties for such aid program and make recommendations to the legislature relating to changes it deems advisable. Disbursements may be made directly from this appropriation including the state and county share under s. 46.03 (19). Refunds received relating to payments made under s. 46.03 (19) shall be returned to this appropriation. Counties shall be liable for any share of such disbursements according to the rate established under s. 49.52. The receipt of the counties' payments for their share under s. 46.03 (19) shall be returned to this appropriation.

SECTION 134m. 20.435 (4) (dL) of the statutes, as created by chapter 29, laws of 1977, is amended to read:

20.435 (4) (dL) *Emergency fuel and utilities assistance.* The amounts in the schedule for emergency fuel and utilities assistance under s. 49.055. The department shall distribute the funds provided under this paragraph to counties which choose to provide ~~25%~~ 20% county matching funds for the implementation of an emergency fuel and utilities assistance program.

SECTION 135. 20.435 (4) (en) of the statutes is created to read:

20.435 (4) (en) *Uniform fee collections.* A sum sufficient to remit 50% of the amount collected by the department under s. 46.03 (18), to county departments of public welfare as provided in s. 46.03 (18) (g).

SECTION 135m. 20.435 (4) (fz) of the statutes is created to read:

20.435 (4) (fz) *Displaced homemakers' center and services.* The amounts in the schedule for displaced homemakers' center and services under s. 46.90.

SECTION 136. 20.435 (4) (o) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

20.435 (4) (o) *Social security federal aids; medical.* All federal moneys received for meeting costs of medical assistance administered under s. 49.45. Beginning July 1, 1978, the federal share of the cost of contracting for ~~or directly providing~~ payment and services administration and reporting shall be paid from this appropriation.

SECTION 136m. 20.435 (4) (p) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

20.435 (4) (p) *Social security federal aids; grants and administration.* All federal moneys received for meeting costs of county administered public assistance programs under s. 49.52, state administered programs under s. 49.50 (7), the ~~county~~ costs of the child support and establishment of paternity program under s. 46.25 and the cost of care for children under s. 49.19 (10) (d). Disbursements under s. 46.03 (20) may be made from this appropriation.

SECTION 137. 20.435 (9) (n) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

20.435 (9) (n) *Federal aid programs.* All moneys received from the federal government or any of its agencies for continuing programs to be expended for the purposes specified. This may include, but is not limited to, expenditures for state administration of medical assistance, public assistance and social service programs. In this section, expenditure estimates for federal aid for continuing programs shall appear in the schedule of subs. (2) to (8) as par. (n).

SECTION 138. 20.445 (1) (o) of the statutes is repealed.

SECTION 139. 20.445 (1) (v) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

20.445 (1) (v) *Unemployment administration fund; state moneys.* All moneys received for the administration fund as interest and penalties on delinquent payments under ch. 108, shall be credited to the balancing account in the unemployment compensation reserve fund under s. 108.16 (2), except that any interest earned pending disbursement of federal employment security grants under par. (u) shall be credited to the general fund.

SECTION 140. 20.445 (3) of the statutes is created to read:

20.445 (3) **MANPOWER OPERATIONS.** (m) *Federal grants and contracts.* All moneys received from the federal government, as authorized by the governor under s. 16.54, to carry out the purposes for which made.

(n) *Federal aids; local assistance.* All moneys received from the federal government, as authorized by the governor under s. 16.54, for local assistance.

(p) *Federal aids; aid to individuals.* All moneys received under contract from a prime sponsor, as defined under the comprehensive employment and training act, for the payment of incentives, training related expenses and other support costs.

SECTION 142. 20.455 (2) (i) of the statutes, as created by chapter 29, laws of 1977, is amended to read:

20.455 (2) (i) *Law enforcement training fund, receipts.* All moneys received from the penalty assessment surcharge on court fines and forfeitures authorized under s. 165.87 to be used as provided in s. 165.85 (5) (b). These moneys may be transferred to pars. (j) and (ja) by the secretary of administration for expenditures based upon determinations by the department of justice. Upon final determination by the secretary of administration, transfers shall be accomplished pursuant to under s. 16.50. ~~If the unencumbered balance of this paragraph is in excess of \$100,000 on June 30 of any odd-numbered year, such excess shall revert to the general fund.~~

SECTION 144. 20.490 of the statutes is created to read:

20.490 Wisconsin housing finance authority. There is appropriated from the general fund, except where otherwise indicated, to the Wisconsin housing finance authority for the following programs:

(1) **FACILITATION OF CONSTRUCTION OF HOUSING.** (a) *Capital reserve fund deficiency.* As a continuing appropriation, the amounts in the schedule to restore the capital reserve fund requirement in accordance with s. 234.15 (4) or 234.54.

(2) **HOUSING REHABILITATION LOAN PROGRAM.** (a) *General program operations.* As a continuing appropriation, the amounts in the schedule for general program operations under s. 234.51.

(q) *Loan loss reserve fund.* As a continuing appropriation, from the state housing authority reserve fund, the amounts in the schedule for a loan loss reserve fund in accordance with s. 234.52.

SECTION 144m. 20.505 (1) (b) of the statutes is created to read:

20.505 (1) (b) *Barker's Island project.* Biennially, the amounts in the schedule for the required state match for a federal grant from the U.S. economic development administration for the Barker's Island Marina - Hotel Complex in Superior, Wisconsin.

SECTION 145. 20.505 (5) (d) of the statutes is created to read:

20.505 (5) (d) *Governor's committee on Hispanic affairs.* The amounts in the schedule for the general program operations of the governor's committee on Hispanic affairs as specified in the executive order of the governor.

SECTION 145b. 20.505 (8) of the statutes is created to read:

20.505 (8) **DIVISION OF NATURAL RESOURCES HEARINGS.** (a) *General program operations.* The amounts in the schedule for the general program operations of the division of natural resources hearings.

SECTION 145d. 20.512 (1) (L) of the statutes is created to read:

20.512 (1) (L) *Continuing development services.* All moneys received from the sale or use of services and inventory items with such revenue to be used to carry out the purposes for which made and received.

SECTION 145m. 20.512 (2) of the statutes is created to read:

20.512 (2) AFFIRMATIVE ACTION. (a) *Council on affirmative action.* The amounts in the schedule for the general program operations of the council on affirmative action.

SECTION 146. 20.525 (1) (c) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

20.525 (1) (c) (title) *Membership in national associations.* A sum sufficient for the payment of Wisconsin's share of dues and other contributions to ~~the midwestern and national governors' conferences~~ such regional and national organizations as the governor directs. The governor shall render a statement of all dues and contributions paid under this paragraph, except those paid to the midwestern and national governors conferences, to the legislature at the beginning of each regular session.

SECTION 147. 20.530 (title) of the statutes, as created by chapter 29, laws of 1977, is amended to read:

20.530 (title) Executive divisions and councils.

SECTION 147m. 20.530 (2) of the statutes, as affected by chapter 29, laws of 1977, is repealed.

SECTION 148. 20.530 (3) (title), (a), (m) and (n) of the statutes, as affected by chapter 29, laws of 1977, are repealed.

SECTION 149. 20.530 (6) of the statutes, as affected by chapters 9 and 29, laws of 1977, is renumbered 20.530 (4).

SECTION 150. 20.536 (1) (h) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

20.536 (1) (h) *General program operations.* ~~The~~ As a continuing appropriation, the amounts in the schedule from moneys received by the board, in advance, for the amounts anticipated to be expended in investing the funds which it controls. On July 1 and January 1 of each year, the board shall estimate the amounts required for the next 6-month period and bill the state agencies for whom investments are made. At the end of each semiannual period the board shall reconcile its expenditures and shall adjust its next billing to such agencies to reflect any deficits or excesses. At the end of each fiscal year the board shall reconcile its accounts and report to each state agency its share of total expenses for the year. Amounts billed to state agencies shall be charged to income received from the board's investments and revenue received from such billings. Any amounts received under s. 25.17 (9) shall also be credited to this appropriation. The amounts expended under this paragraph may not exceed the amounts shown in the schedule for each year of the biennium.

SECTION 151. 20.545 (1) (b) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

20.545 (1) (b) *Community development grants.* Biennially, the amounts in the schedule for the purposes of s. 22.13 (2) (n), improving and strengthening local governments throughout this state. The appropriation under this paragraph is allocated to the department for grants to local units of government, subject to the approval of the local governing body. Activities eligible for funding under this paragraph include, but are not limited to, establishing local capability to determine priorities including policy review, administration and evaluation for the use of state or federal aids; improvement of management and productivity capabilities relating to the administration of local governments; facilitating the implementation of voluntary cooperation between 2 or more local governmental units leading toward improved and efficient service delivery; and providing training opportunities to local governmental personnel for these purposes. It is the intent of the legislature that approved projects

shall be of sufficient size and scope to provide models which may be utilized by local units of government in other parts of the state, but no funds may be utilized to supplant funds otherwise committed to the project. Prior to accepting grant applications, the department shall establish parameters for evaluating applications. The parameters shall be approved by the joint committee on finance as are requests for supplemental appropriations under s. 13.101 (5) and (6). No grant made under this paragraph may exceed 80% of the cost of any activities funded under this paragraph.

SECTION 152. 20.545 (2) (b) of the statutes is amended to read:

20.545 (2) (b) *Housing development fund*. Biennially, the amounts in the schedule for grants to strengthen housing programs and to increase the availability of housing. Effective July 1, ~~1975~~ 1978, no grant made under this paragraph may be made to the same ~~recipient~~ project for more than 2 years except that a grant may extend one additional year where the secretary finds exceptional circumstances.

SECTION 153. 20.545 (2) (d) of the statutes is created to read:

20.545 (2) (d) *Housing rehabilitation*. As a continuing appropriation, the amounts in the schedule for grants to facilitate the rehabilitation of housing under s. 22.42. No moneys may be encumbered under this paragraph after June 30, 1981, or the effective date of the 1981 biennial budget act, whichever is later.

SECTION 154. 20.545 (2) (e) of the statutes, as affected by chapter 29, laws of 1977, is renumbered 20.545 (1) (e) and amended to read:

20.545 (1) (e) (title) *Weatherization matching funds*. Biennially, the amounts in the schedule to match federal funding for low and moderate-income home ~~winterization~~ weatherization. The joint committee on finance shall approve an expenditure plan of the amount appropriated under this paragraph. The plan shall be considered as are requests for supplemental appropriations under s. 13.101 (5) and (6). Funds may be spent from this appropriation only if they are in accord with the approved expenditure plan. In disbursing funds, the department shall encourage recipient agencies to make individual referrals to existing local housing rehabilitation programs if the weatherized home requires maintenance and repairs beyond the scope of the weatherization program and if the recipient of services agrees.

SECTION 154m. 20.545 (3) (g) of the statutes is created to read:

20.545 (3) (g) *Program services*. All moneys received for conferences, training and other services provided by the department to carry out the purposes of the program provided.

SECTION 155. 20.550 (1) (g) of the statutes is created to read:

20.550 (1) (g) *Gifts and grants*. All moneys received from gifts and grants for the purposes for which made and received.

SECTION 156. 20.566 (2) (q) of the statutes, as created by chapter 31, laws of 1977, is amended to read:

20.566 (2) (q) *Investment and local impact fund*. From the investment and local impact fund, all moneys received under ~~s.~~ ss. 70.395 (1) (b) and 70.40 (3) to be disbursed under s. 70.395 (2).

SECTION 157. 20.566 (3) (a) of the statutes is amended to read:

20.566 (3) (a) *General program operations*. The amounts in the schedule for the office of the secretary, the legal staff, the ~~tax~~ research and analysis staff division and the administrative services division plus stenographic reporter services not fully funded under par. (h).

SECTION 158. 20.566 (3) (h) of the statutes is created to read:

20.566 (3) (h) *Stenographic reporter services*. All moneys received as payment for stenographic reporter services to be used to meet costs associated with such services.

SECTION 159. 20.575 (1) (g) of the statutes, as created by chapter 29, laws of 1977, is amended to read:

20.575 (1) (g) *Program fees.* ~~Five and one-half percent~~ Except as provided under par. (ka), 6.4% of the fees collected under ss. 180.87 (1) (a), (b), (i) and (j) and 15% of the fees collected under ss. 409.405 (1) and (2) and 409.406 by the secretary of state for the purpose of carrying out program responsibilities.

SECTION 160. 20.585 (1) (j) of the statutes is created to read:

20.585 (1) (j) *Unclaimed property; claims and administrative expenses.* All moneys received under s. 177.185 to pay claims certified by the department of justice under s. 177.20 and administrative expenses incurred in administering subch. I of ch. 177.

SECTION 161. 20.660 (1) (title) of the statutes, as created by chapter 187, laws of 1977, is amended to read:

20.660 (1) (title) APPELLATE PROCEEDINGS.

SECTION 162. 20.660 (1) (m) of the statutes is created to read:

20.660 (1) (m) *Federal aid.* All moneys received from the federal government as authorized by the governor under s. 16.54 to carry out the purposes for which made and received.

SECTION 163. 20.680 (4) (title) of the statutes, as affected by chapter 26, laws of 1977, is amended to read:

20.680 (4) (title) PROFESSIONAL COMPETENCE AND RESPONSIBILITY.

SECTION 164. 20.680 (4) (a) of the statutes, as affected by chapter 26, laws of 1977, is repealed.

SECTION 165. 20.680 (4) (g) of the statutes is created to read:

20.680 (4) (g) *Board of attorneys professional competence.* All moneys received from the state bar of Wisconsin, attorney licensing exam fees and attorney licensing fees for the operational expenses of the board of attorneys professional competence.

SECTION 166. 20.680 (4) (h) of the statutes is created to read:

20.680 (4) (h) *Board of attorneys professional responsibility.* All moneys received from the state bar of Wisconsin and any other revenue derived from the activities of the board for the operational expenses of the board of attorneys professional responsibility.

SECTION 167. 20.710 (2) (a) of the statutes is created to read:

20.710 (2) (a) *Building program funding contingency.* 1. A sum sufficient, not exceeding the amount determined as provided by subd. 2, to permit cash financing of authorized state building program projects, water pollution abatement or sewerage collection facility projects for which funds are appropriated under s. 20.866 (2) (tm) or to permit early retirement of outstanding indebtedness which may be funded or refunded under s. 18.04 (1) in lieu of general obligation borrowing authorizations and appropriations made under s. 20.866 (2).

2. The amount of funds to be appropriated under this paragraph may not exceed the amount, if any, the governor recommends and approves and the joint committee on finance approves. The amount determined under this paragraph may not exceed the amount reliably estimated to be available in the general fund for this purpose in the current biennium after excluding:

- a. The amount of annual, biennial and continuing appropriations;
- b. The most reliable estimate of the amount needed for the current biennium for all sum sufficient appropriations; and
- c. Local tax, program and federal revenues not excluded under subd. 2. a or b.

3. The building commission shall designate the projects authorized under the state building program, projects approved under s. 20.866 (tm) or the outstanding indebtedness which shall be financed as provided by this paragraph and the amount to be so applied in lieu of the general obligation borrowing authorization and

appropriations under s. 20.866 (2) for that project or outstanding indebtedness. Projects may be financed or outstanding indebtedness retired as provided by this paragraph and as designated under this subdivision notwithstanding any provision of the authorized state building program requiring a project to be financed by general obligation borrowing.

4. The debt authority for a project under the authorized state building program and the debt authority or appropriation for a project or outstanding indebtedness under s. 20.866 (2) shall be reduced by the amount designated to be appropriated for that project or indebtedness under subd. 3.

5. If the governor recommends and approves, and the joint committee on finance approves, the amount limiting the sum sufficient appropriation under this paragraph determined as provided by subd. 2 may be reduced at any time to an amount not less than the total amount expended or encumbered from this appropriation at the time of the reduction.

6. If the amount limiting the sum sufficient appropriation is reduced as provided in subd. 5, the building commission shall determine the project or outstanding indebtedness designated under subd. 3 which shall have the amount appropriated under this paragraph for that project or outstanding indebtedness reduced accordingly. Debt authority and appropriation reduced under subd. 4 for that project or outstanding indebtedness shall be restored to the extent the amount appropriated for it under this paragraph is reduced under this subdivision.

SECTION 168. 20.710 (2) (f) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

20.710 (2) (f) *Construction program.* Except for the 1977-79 fiscal biennium, wherein a total of ~~\$22,544,900~~ \$23,532,900 is authorized, a sum sufficient equal to 1.5% of the value of state buildings, structures, utility plants and equipment therein, excepting those under the jurisdiction of the department of transportation, as appraised by the department of administration in accordance with s. 13.48 (3), for the purposes of carrying out the long-range building program under s. 13.48. The amounts provided under this paragraph shall be transferred to the appropriation made by par. (x) to carry out the purposes of that paragraph. All amounts thus transferred and all prior appropriations made under the authority of this paragraph shall be considered as nonlapsing, any other provision of the statutes to the contrary notwithstanding.

SECTION 170. 20.725 (9) (c) of the statutes is amended to read:

20.725 (9) (c) *Conditions of releases.* Whenever in the statutes an appropriation or a portion of an appropriation is available only upon release by the committee, such moneys shall be made available by the committee at such times and in such amounts as the committee may determine to be necessary to adequately provide for the purposes for which they are appropriated, with due regard for the whole amount available for such purposes. The release, unless otherwise specified by statute, shall be considered as are requests for supplemental appropriations under s. 13.101 (5) and (6). If the provision relating to release by the committee is invalid, the appropriation or portion of the appropriation which is subject to such release shall not be invalidated but shall be considered to be made without any condition as to time or manner of release.

SECTION 171m. 20.765 (3) (em) of the statutes is created to read:

20.765 (3) (em) *Legislative council; contractual studies.* As a continuing appropriation, the amounts in the schedule for the contracting of all or part of the study required by chapter 178, laws of 1977, section 15. Expenditures under this appropriation shall be made only upon the approval of the legislative council.

SECTION 171r. 20.765 (4) (i) of the statutes is created to read:

20.765 (4) (i) *Funds from local agencies.* All moneys received from area agencies on aging to provide services to the elderly through the nursing home ombudsman program.

SECTION 172. 20.835 (2) (e) of the statutes is created to read:

20.835 (2) (e) *Property tax credit*. A sum sufficient to pay the aggregate claims approved under chapter (this act), laws of 1977, section 923 (42) (b).

SECTION 173. 20.855 (1) of the statutes is created to read:

20.855 (1) AERIAL PHOTOGRAPHIC SURVEY. (a) *Survey contracts and preparation of master sets*. As a continuing appropriation, the amounts in the schedule for an aerial photographic survey and preparation of master imagery sets under ss. 16.965 and 85.10 (2).

(m) *Federal aid*. All moneys received from the federal government as authorized by the governor under s. 16.54 for the purpose for which made and received.

(u) *Survey contracts*. From the conservation fund, as a continuing appropriation, the amounts in the schedule for aerial photographic surveys under s. 16.965.

SECTION 173h. 20.855 (2) (c) of the statutes is created to read:

20.855 (2) (c) *Nonpoint source pollution aids*. Biennially, the amounts in the schedule for payment of aids to local designated management agencies by the board of soil and water conservation districts under s. 144.25.

SECTION 173m. 20.855 (2) (e) of the statutes, as created by chapter 107, laws of 1977, is renumbered 20.855 (2) (b).

SECTION 174. 20.855 (5) of the statutes is created to read:

20.855 (5) STATE HOUSING AUTHORITY RESERVE FUND. (a) *Enhancement of credit of authority debt*. The amounts in the schedule to be paid into the state housing authority reserve fund.

SECTION 175. 20.855 (9) of the statutes is repealed.

SECTION 175d. 20.865 (intro.) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

20.865 Program supplements. (intro.) There is appropriated to the various state agencies from the respective funds and accounts from which their appropriations are financed such amounts as provided in this section, but only after the amounts included in the respective program appropriations for the purposes indicated in this section have been exhausted. All expenditures under this section for purposes normally financed by program revenues shall be charged to the appropriate account, but if the revenues of such account are exhausted or not available such expenditures shall be charged to the general purpose revenues of the fund from which the appropriation was made. Those expenditures paid from general purpose revenues on behalf of program revenues shall be separately accounted for and the general purpose revenue of the appropriate fund shall, except as otherwise provided in s. 20.285 (1) (g), be reimbursed for such expenses as soon as funds become available in the appropriate account. Estimated supplements under this section from other than general fund general purpose revenue shall appear in the schedule as the paragraphs which correspond to the general purpose revenue paragraphs in that subsection, as follows: If general purpose revenue pars. (a), (b), (c), (ci), (cm), (d), (e), (f), (fm) and ~~(fo)~~ (fn) are used, the corresponding program revenue paragraphs shall be pars. (g), (h), (i), (ic), (im), (j), (jm), (L), (Lm) and ~~(Lo)~~ (Ln), respectively, and the corresponding segregated fund paragraphs shall be pars. (q), (r), (s), (si), (sm), (t), (tm), (v), (vm) and ~~(vo)~~ (vn), respectively. In the case of annual or biennial appropriations under this section, the amounts available from program and segregated revenues shall be limited to the dollar level specified in the corresponding general purpose revenue appropriation subject to the balances available in the respective accounts or funds.

SECTION 175m. 20.865 (1) (fn) of the statutes is created to read:

20.865 (1) (fn) *Physically handicapped supplements*. Biennially, the amounts in the schedule to pay the cost of acquiring or renting special office equipment to accommodate a physical disability of a state employe, who without which could not be employed by the state. Items purchased or rented under this section shall be limited to office furniture, equipment and communication devices.

SECTION 176. 20.865 (1) (fo), (Lo) and (vo) of the statutes, as affected by chapters 29 and 203, laws of 1977, are repealed.

SECTION 176d. 20.865 (1) (Ln) of the statutes is created to read:

20.865 (1) (Ln) *Physically handicapped supplements.* See the introductory paragraph and par. (fn).

SECTION 176m. 20.865 (1) (vn) of the statutes is created to read:

20.865 (1) (vn) *Physically handicapped supplements.* See the introductory paragraph and par. (fn).

SECTION 177. 20.865 (2) (f) of the statutes is created to read:

20.865 (2) (f) *1980 decennial census.* As a continuing appropriation, the amounts in the schedule for the purposes of s. 16.966.

SECTION 178. 20.865 (3) (b) of the statutes, as created by chapter 29, laws of 1977, is amended to read:

20.865 (3) (b) *Assessments.* ~~Biennially, the amounts in the schedule~~ A sum sufficient for the payment of assessments by local governments under s. 66.64.

SECTION 180. 20.866 (2) (s) of the statutes, as affected by chapters 6 and 29, laws of 1977, are amended to read:

20.866 (2) (s) *University of Wisconsin; academic facilities.* As a continuing appropriation from the capital improvement fund, the amounts in the schedule for the board of regents of the university of Wisconsin system to acquire, construct, develop, enlarge or improve university academic educational facilities and facilities to support such facilities. The state may contract public debt in an amount not to exceed ~~\$287,105,000~~ \$292,892,900 for this purpose.

SECTION 181. 20.866 (2) (tp) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

20.866 (2) (tp) *Natural resources; recreation facilities.* As a continuing appropriation from the capital improvement fund, the amounts in the schedule for the department of natural resources to acquire, construct, develop or enlarge state recreation facilities and to construct an educational facility and youth conservation camp at Poynette. The state may contract public debt in an amount not to exceed ~~\$47,232,000~~ \$48,744,500 for this purpose.

SECTION 182. 20.866 (2) (u) of the statutes is amended to read:

20.866 (2) (u) *Transportation; administrative facilities.* As a continuing appropriation from the capital improvement fund, the amounts in the schedule for the department of transportation to acquire, construct, develop, enlarge or improve transportation administrative office or equipment storage and maintenance facilities. The state may contract public debt in an amount not to exceed ~~\$3,616,300~~ \$5,416,300 for this purpose.

SECTION 183. 20.866 (2) (v) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

20.866 (2) (v) *Health and social services; mental health facilities.* As a continuing appropriation from the capital improvement fund, the amounts in the schedule for the department of health and social services to acquire, construct, develop, enlarge or extend mental health facilities. The state may contract public debt in an amount not to exceed ~~\$26,900,400~~ \$31,146,700 for this purpose.

SECTION 184. 20.866 (2) (w) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

20.866 (2) (w) *Health and social services; correctional facilities.* As a continuing appropriation from the capital improvement fund, the amounts in the schedule for the department of health and social services to acquire, construct, develop, enlarge or improve correctional facilities. The state may contract public debt in an amount not to exceed ~~\$46,280,800~~ \$44,391,800 for this purpose.

SECTION 185. 20.866 (2) (y) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

20.866 (2) (y) *Building commission; housing state departments and agencies.* As a continuing appropriation from the capital improvement fund, the amounts in the schedule to the building commission for the purpose of housing state departments and agencies. The state may contract public debt in an amount not to exceed ~~\$38,965,000~~ \$43,142,000 for this purpose.

SECTION 186. 20.866 (2) (z) of the statutes is amended to read:

20.866 (2) (z) *Building commission; other public purposes.* As a continuing appropriation from the capital improvement fund, the amounts in the schedule to the building commission for relocation assistance and capital improvements for other public purposes authorized by law but not otherwise specified in this chapter. The state may contract public debt in an amount not to exceed ~~\$5,200,000~~ \$10,200,000 for this purpose.

SECTION 188. 20.875 of the statutes is created to read:

20.875 Reserve funds. (1) BUDGET STABILIZATION. (a) *Budget stabilization reserve.* There is appropriated to the budget stabilization fund the amounts in the schedule to be paid into that fund on June 30, 1979.

(2) TAX REFORM. (a) *Tax reform reserve.* There is appropriated to the tax reform reserve fund the amounts in the schedule to be paid into that fund on June 30, 1979.

SECTION 189. 20.901 (1) of the statutes is renumbered 20.901 (1) (a) and amended to read:

20.901 (1) (a) The state agencies shall ~~co-operate~~ cooperate in the performance and execution of state work and shall interchange such data, reports and other information, and, by proper arrangements between the state agencies directly interested, shall interchange such services of employes, or shall so jointly employ or make such assignments of employes as the best interests of the public service require. ~~All~~ Except as authorized under par. (b), all interchanges of services and joint employments and assignments of employes for particular work shall be consistent with the qualifications and principal duties of such employes.

SECTION 190. 20.901 (1) (b) of the statutes is created to read:

20.901 (1) (b) Notwithstanding ss. 230.047 and 230.29, in the case of an emergency which is the result of natural or human causes, state agencies may cooperate to maintain required state services through the temporary interchange of employes. The interchange of employes may be of 2 types: where an appointing authority declares an emergency in writing to the governor; or where the governor or his or her designee declares an emergency. If an appointing authority declares an emergency, the interchange of employes is voluntary on the part of those employes designated by the sending state agency as available for interchange. If the governor or his or her designee declares an emergency, the governor may require a temporary interchange of employes. An emergency which is declared by an appointing authority may not exceed 72 hours unless an extension is approved by the governor or his or her designee. An employe who is assigned temporary interchange duties may be required to perform work which is not normally performed by the employe or described in his or her position classification. An interchange employe shall be paid at the rate of pay for the employe's permanent job unless otherwise authorized by the administrator of the division of personnel in the department of employment relations. State agencies receiving employes on interchanges shall keep appropriate records and reimburse the sending state agencies for authorized salaries and expenses. The administrator may institute temporary pay administration policies as required to facilitate the handling of such declared emergencies.

SECTION 191. 20.903 (1) of the statutes is amended to read:

20.903 (1) LIABILITIES CREATED ONLY BY AUTHORITY OF LAW. ~~It is unlawful for any~~ No state agency, ~~or any~~ and no officer or employe thereof, ~~to~~ may contract or

create, either directly or indirectly, any debt or liability against the state for or on account of any state agency, for any purpose ~~whatever~~, without authority of law therefor, or prior to an appropriation of money by the state to pay the ~~same debt or liability~~, or in excess of an appropriation of money by the state to pay ~~the same such debt or liability~~. Any arrangement made by a state agency, or any officer or employe thereof, with a vendor to deliver merchandise and inordinately delay the billing of such merchandise for the purpose of circumventing budgetary intent is a violation of this subsection. Unless otherwise empowered by law, ~~it is unlawful for any~~ no state agency ~~to may~~ authorize, direct or approve the diversion, use or expenditure, directly or indirectly, of any funds, money or property belonging to, or appropriated or set aside by law for a specific use, to or for any other purpose or object than that for which the same has been or may be so set apart. ~~Nothing herein contained shall in this subsection may~~ be construed to prevent the employment of the inmates or ordinary laborers at any institution to aid in the prosecution of work for which appropriations have been made. Any person who violates this section may be fined not less than \$200 nor more than \$1,000 or imprisoned not less than one month nor more than 6 months, or both.

SECTION 192. 20.913 (3) (e) of the statutes is renumbered 20.585 (1) (e) and amended to read:

20.585 (1) (e) (title) *Unclaimed property; contingency appropriation.* ~~From the general fund, a~~ A sum sufficient to pay claims certified by the attorney general under s. 177.20. Money may be paid under this paragraph only if sufficient funds are not available under par. (j).

SECTION 192m. 20.916 (4) (a) of the statutes is amended to read:

20.916 (4) (a) ~~Whenever~~ If any state agency determines that the duties of any employe require the use of an automobile, it may authorize such employe to use a personal automobile in the employe's work for the state, and reimburse the employe for such at a rate which is set biennially by the department of ~~administration~~ employment relations under sub. (8) subject to the approval of the joint committee on employment relations. ~~This rate shall first be set effective for October 1, 1975, and shall be reviewed biennially thereafter.~~

SECTION 193. 20.916 (4) (c) of the statutes is amended to read:

20.916 (4) (c) For travel between points convenient to be reached by railroad, bus or commercial airplane without unreasonable loss of time, the allowance for the use of a personal automobile shall not exceed the lowest cost of the most practical means of public transportation between such points. The department of administration shall give due consideration to the circumstances on each case when determining the most practical means of public transportation. Reimbursement for The cost of meals and lodging shall paid by the state and the cost of the use of a state-owned automobile not chargeable to an employe may not exceed what the cost which would ordinarily have been required incurred had the most practical form of public transportation been used, at the most appropriate time, if a practical form of public transportation is available.

SECTION 194. 20.916 (5) (a) of the statutes is amended to read:

20.916 (5) (a) Whenever any state agency determines that the duties of any member or employe require the use of an airplane, it may authorize him or her to charter such airplane with or without a pilot; and it may authorize any member or employe to use his or her personal airplane and reimburse him or her for such use at ~~the rate of 10 cents per mile for airplanes capable of carrying 2 passengers, 20 cents per mile for airplanes capable of carrying 3 or 4 passengers, and 30 cents per mile for airplanes capable of carrying 5 or 6 passengers; except that such reimbursement shall not exceed 10 cents per mile for each passenger carried~~ a rate set biennially by the department of employment relations under sub. (8), subject to the approval of the joint committee on employment relations. Such reimbursement shall be made upon the certification of the amount by the head of the state agency to the department of administration.

SECTION 195. 20.916 (8) of the statutes is repealed and recreated to read:

20.916 (8) UNIFORM TRAVEL SCHEDULE AMOUNTS. (a) The secretary of employment relations shall recommend to the joint committee on employment relations uniform travel schedule amounts for travel by state officers and employes whose compensation is established under s. 20.923 or 230.12. Such amounts shall include recommended average amounts and maximum permitted amounts for meal and lodging costs.

(b) The approval process for the uniform travel schedule amounts under this subsection shall be the same as that provided under s. 230.12 (3) (b). The approved travel schedule amounts shall be incorporated into the compensation plan under s. 230.12 (1).

SECTION 196. 20.917 (title) of the statutes is amended to read:

20.917 (title) Moving expenses; temporary living quarters allowance.

SECTION 197. 20.917 (1) (c) of the statutes is amended to read:

20.917 (1) (c) Reimbursement for moving expenses may be granted to a person reporting to his or her first place of employment ~~when if~~ reimbursement is recommended by the appointing authority and approved in writing by the ~~director of personnel administrator of the division of personnel in the department of employment relations prior to the time when the move is made.~~

SECTION 197m. 20.917 (1) (e) of the statutes is amended to read:

20.917 (1) (e) The department of ~~administration~~ employment relations shall establish a maximum dollar amount which may be permitted for reimbursement of any employe moving costs.

SECTION 198. 20.917 (2) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

20.917 (2) No more than 2 such reimbursements under sub. (1) may be granted to any employe in a calendar year. Such reimbursement shall be approved and paid in the same manner as travel expenses. In any instance, the amount of reimbursement for moving household effects shall not exceed the amount required to move household effects with a weight of 10,000 pounds at the maximum rates for transporting household effects on file with the public service commission. The amount of reimbursement for the preparation of household effects incident to moving shall not exceed ~~\$150~~ \$300. The amount of reimbursement for transporting the employe and his or her immediate family to the new place of residence shall not exceed the cost of automobile travel at the rate specified in s. 20.916 (4).

SECTION 199. 20.917 (3) of the statutes is created to read:

20.917 (3) (a) An appointing authority may recommend payment of a temporary living quarters allowance for not to exceed 30 days to a person reporting to his or her initial employment in the civil service, other than on a provisional, emergency or limited term basis, if the person must establish a temporary residence at his or her headquarters city, subject to the following:

1. Allowances shall be in accordance with the schedule established by the secretary of employment relations, but may not exceed the rate established under s. 13.123 (1) (a) 1.

2. Allowance payments are subject to the prior approval in writing by the administrator of the division of personnel in the department of employment relations.

3. Claims for allowance payments shall be approved and paid in the same manner as travel expenses.

(b) This subsection applies to employes in positions included within collective bargaining units under subch. V of ch. 111, whether or not the employes are covered by a collective bargaining agreement.

SECTION 200. 20.920 (2) (a) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

20.920 (2) (a) From the contingent fund authorized by ss. 20.245 (1) (a), 20.255 (2) (a) 2, 20.435 (9) and 20.485 (1), institutional bills of less than ~~\$75~~ \$100 may be paid, but no part of the fund may be used for payment of salary or wages of an employe. The amount allotted to each institution shall be deposited in a separate account to be known as the "contingent fund" in a public depository to be designated by the respective departments. Payment of institutional bills of less than ~~\$75~~ \$100 shall be made by check drawn by the superintendent against such account, except as otherwise provided in this section, without the necessity of being first submitted to the department and to the department of administration for approval and audit. The superintendent shall file claim for reimbursement on a sworn voucher which shall be accompanied by the bills to be reimbursed. Bills paid by check need not be receipted by the payee, but the number of the check shall be placed on the bill. Bills may be paid by cash if approved by the superintendent and receipted by the payee. After approval of such claim by the department and audit by the department of administration, the contingent fund shall be reimbursed the total amount lawfully paid therefrom. If the superintendent pays any bill which is subsequently disapproved either by the department or by the department of administration as unlawful or unauthorized, the superintendent shall, within 10 days after notification by the department, personally ~~make good~~ reimburse the state for such unlawful or unauthorized payment. All moneys received in reimbursement for payments made from the contingent fund shall be deposited to the credit of the account and are added to the appropriation. Each respective department, with the approval of the department of administration, shall promulgate rules for carrying out this subsection. Each department shall require the superintendent of each institution to execute and file a surety bond in such sum as the joint committee on finance acting under s. 13.101 requires, guaranteeing the faithful discharge of the superintendent's duties and obligations under this section, the premium to be paid out of the proper appropriation for each department. Any check drawn against the contingent fund of an institution which is not paid within 2 years of the date of its drawing because of inability to locate the drawee or failure to submit the check for payment, after the bank has been requested to stop payment, shall be treated as a canceled check and added to the checking account balance. A check for the amount so added shall be drawn in favor of the state treasurer and deposited in the general fund as a nonappropriated receipt. If the person entitled to a check so canceled presents a satisfactory claim therefor to the department, the department shall direct the department of administration to draw a warrant in payment of such claim and charge it to a sum sufficient appropriation for the repayment of canceled checks. In those institutions in which the financial and business affairs are under the jurisdiction of a financial or business officer, the contingent fund shall be under that officer's jurisdiction and all of the provisions under this paragraph applying to the superintendent shall apply to that officer.

SECTION 200e. 20.920 (2) (b) of the statutes is renumbered 20.920 (2) (c).

SECTION 200m. 20.920 (2) (b) of the statutes is created to read:

20.920 (2) (b) As an alternative to the use of a contingent fund, the secretary of administration may authorize any department to issue drafts or warrants drawn on the state treasurer. Such drafts or warrants may be issued only in connection with purchase orders authorized under subch. IV of ch. 16 and may not exceed \$300 per draft or warrant. The state treasurer shall pay such drafts or warrants as presented. The secretary of administration shall audit the purchase orders issued. Any purchase order that is disapproved by the secretary as unlawful or unauthorized shall be returned to the department for reimbursement to the state treasurer. The secretary shall make written regulations for the implementation of this paragraph. The secretary may require any department to utilize separate bank accounts to implement this paragraph when appropriate, because of the location of the institution concerned. The illegal or unauthorized use of purchase orders and drafts or warrants under this paragraph is subject to the remedies specified in s. 16.77.

SECTION 200s. 20.920 (2) (c) of the statutes, as affected by chapter 29, laws of 1977, is renumbered 20.920 (2) (d).

SECTION 201. 20.921 (1) (d) 1 of the statutes is amended to read:

20.921 (1) (d) 1. For the purpose of handling savings bond purchases, ~~the each~~ state agency not on the central payroll system shall designate an officer or employe thereof who shall serve as trustee. The trustee shall serve without compensation as such. The state agency shall furnish the trustee the necessary files, supplies and clerical and accounting assistance. Each trustee shall file with the state agency a bond in such amount as the state agency determines, with a corporation authorized to do surety business in this state as surety, which bond shall be conditioned upon the trustee's faithful execution of his or her trust. The trustee shall file another or additional bond whenever the state agency so determines. The cost of any bond required shall be paid out of the appropriation made to the state agency for its administration. For those state agencies on the central payroll system, the trustee shall be a person designated by the secretary of administration.

SECTION 202. 20.921 (3) (b) of the statutes is amended to read:

20.921 (3) (b) All amounts deducted from salaries of state officers and employes shall be paid by the department of administration from the respective funds to the person, governmental unit or private organization entitled to receive them, or for necessary adjustments to correct errors. Amounts due in payment of federal income taxes required to be deducted and withheld by any state agency shall be paid on dates required by the internal revenue code and shall be paid to qualified depositories for federal taxes designated by the secretary of administration.

SECTION 203. 20.922 of the statutes, as affected by chapter 196, laws of 1977, is renumbered 20.922 (1).

SECTION 204. 20.922 (2) of the statutes is created to read:

20.922 (2) Notwithstanding ss. 230.047 and 230.29, when an appointing authority determines and declares in writing to the governor that an emergency exists which is the result of natural or human causes which adversely affects the effective administration of state agency program functions that are necessary to the well-being of the citizens of this state, the appointing authority may temporarily assign work to employes which is not normally performed by them or described by their position classifications. Such temporary assignments during these emergencies may not exceed 72 hours unless an extension is approved by the governor or his or her designee.

SECTION 205. 20.923 (2) (a) (intro.) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

20.923 (2) (a) (intro.) The annual salary for each of the following positions shall be set at the midpoint of the assigned salary range for its respective executive salary group in effect at the time of taking the oath of office, except as provided in pars. (b), ~~(c), (d), (e) and (f)~~ to (i) and shall become effective immediately for all incumbent constitutional and other elected state officials, subject to article IV, section 26 of the Wisconsin constitution and for any subsequently elected official who takes his or her oath following August 5, 1973, except that no adjustment is effective until it is ratified under sub. (1); and except that no such annual salary established in this subsection shall include the additional one percent increase provided for nonrepresented state employes in 1976-77 by chapter 224, laws of 1975, section 145f.

SECTION 207. 20.923 (2) (h) and (i) of the statutes are created to read:

20.923 (2) (h) Notwithstanding par. (a) 8, for the term commencing in 1979, and thereafter, the annual salary of the secretary of state shall be set at the maximum of executive salary group 1.

(i) Notwithstanding par. (a) 11, for the term commencing in 1979, and thereafter, the annual salary of the state treasurer shall be set at the maximum of executive salary group 1.

SECTION 208. 20.923 (3) of the statutes, as affected by chapter 187, laws of 1977, is amended to read:

20.923 (3) **CIRCUIT AND COUNTY JUDGES.** The annual salary for any circuit or county judge, including county supplements paid under ss. 753.016 (2), 753.071 and 754.07 (2) and any other cost of living, economic or salary adjustment paid by a county or the state shall not exceed the midpoint of executive salary group 6 as determined for constitutional and other elected state officials under s. 20.923 (2) (a) (intro.), except that during the period from January 1, 1977, to June 30, 1979, such annual salary shall not exceed the midpoint of executive salary group 6 as determined for constitutional and other elected state officials under s. 20.923 (2) (a) (intro.) in effect for fiscal year 1978-79. Notwithstanding s. 757.02 (4), each county shall reduce its county supplement and any other cost of living, economic or salary adjustment paid by the county to any circuit or county judge in such an amount that the county supplement and such other salary adjustments together with the portion of the annual salary paid by the state does not at any time exceed ~~such~~ the maximum amount. The supreme court shall assure that county supplements and such other salary adjustments are lowered as required under this subsection.

SECTION 209. 20.923 (4) (b) 2 of the statutes, as affected by chapter 29, laws of 1977, is renumbered 20.923 (4) (d) 2 and amended to read:

20.923 (4) (d) 2. Agriculture, trade and consumer protection, department of; state fair park board: state fair park director.

SECTION 214. 20.923 (4) (d) 6 of the statutes, as affected by chapter 29, laws of 1977, is renumbered 20.923 (4) (d) 3m and amended to read:

20.923 (4) (d) 3m. ~~Office of the governor; council~~ Council on criminal justice: executive director.

SECTION 214m. 20.923 (4) (d) 6 [3m] of the statutes, as affected by chapters 29 and (this act), laws of 1977, is repealed.

SECTION 215. 20.923 (4) (d) 12 of the statutes is renumbered 20.923 (4) (d) 7g and amended to read:

20.923 (4) (d) 7g. ~~State~~ Governor's manpower planning council: executive director.

SECTION 217m. 20.923 (4) (g) 1 of the statutes, as created by chapter 196, laws of 1977, is renumbered 20.923 (4) (g) 1m.

SECTION 218. 20.923 (4m) of the statutes is repealed.

SECTION 219. 20.923 (6) (em) and (hm) of the statutes are created to read:

20.923 (6) (em) Legislative audit bureau: legislative audit directors.

(hm) Public defender board: deputy state public defender.

SECTION 220. 20.923 (17) of the statutes is created to read:

20.923 (17) **OVERTIME EXCLUSION.** The salary paid to any person whose position is included under subs. (2), (4), (5) and (8) to (14) is deemed to compensate that person for all work hours. No overtime compensation may be paid to any such person for hours worked in any work week in excess of the standard basis of employment as specified in s. 230.35 (5) (a).

SECTION 221. 21.49 (3) (d) of the statutes, as created by chapter 29, laws of 1977, is amended to read:

21.49 (3) (d) Tuition grants under this section shall be paid out of the appropriation under s. 20.465 (2) (a). If the amount of funds applied for exceeds the amount available under s. 20.465 (2) (a), the department of veterans affairs shall not prorate grants. In such cases, the department of veterans affairs shall determine eligibility on the basis of the dates of ~~the applications~~ enlistment.

SECTION 222. 22.06 (5) of the statutes is amended to read:

22.06 (5) Appoint, subject to s. 230.08 (4) (a), a person to be the head of the housing function, ~~to~~. If such person is appointed in the unclassified service, he or she shall serve at the pleasure of the secretary.

SECTION 223. 22.42 of the statutes is created to read:

22.42 Housing rehabilitation. (1) DEFINITIONS. In this section:

- (a) "Authority" means the Wisconsin housing finance authority.
- (b) "Authorized lender" means any lender authorized under sub. (2) (a) 4 to make or service housing rehabilitation loans.
- (c) "Eligible beneficiary" means any person or family who or which falls within the income limits specified in par. (f).

(d) "Eligible rehabilitation" means additions, alterations or repairs of housing to maintain it in a decent, safe and sanitary condition or to restore it to that condition, to reduce the cost of owning or occupying dwelling units, to conserve energy and to extend the economic or physical life of structures.

(e) "Housing" means real property used primarily for residential purposes, having one to 4 dwelling units in which at least one of such units is occupied by the owner of such property as a principal residence.

(f) "Housing rehabilitation loan" means a loan to finance eligible rehabilitation. The maximum amount of any such loan outside of designated reinvestment neighborhoods or areas as defined in s. 66.465 may not exceed \$7,500 for a structure with one dwelling unit and \$5,000 per dwelling unit for a structure with 2 to 4 dwelling units, and the maximum amount of any such loan in designated reinvestment neighborhoods or areas may not exceed \$10,000 for a structure with one dwelling unit and \$7,500 per dwelling unit for a structure with 2 to 4 dwelling units, except that the department may increase such limits in any calendar year after the year of the effective date of this act (1977) by an amount not exceeding a 10% annual rate of increase. The term of any loan to finance eligible rehabilitation, the repayment of which is made in monthly or other periodic instalments, may not exceed 15 years. Housing rehabilitation loans include:

1. "Deferred payment loans" which are secured loans bearing no interest which are repayable upon transfer of the property. The property is not transferred if it is inherited by a member of the immediate family of the owner and if the person inheriting the property occupies it as a principal residence and meets the income eligibility requirements for a deferred payment loan. No deferred payment loan may be made to a person or family whose income exceeds 50% of median income in the person's or family's county of residence for a family of 4, except that the department may increase or decrease the income limit by no more than 5% of median income for each person more or less than 4.

2. "Low interest loans" which are loans that meet or exceed the rate of interest required to pay the costs incurred by the authority for making and servicing such loans, but do not exceed the rate of interest specified in sub. (2) (a) 6. No low interest or other loan may be made to a person or family whose income exceeds the median income for a family of 4 in the person's or family's county of residence, except that in a designated reinvestment neighborhood or area as defined in s. 66.465 no low interest loan at the highest rate of interest authorized by this subdivision may be made to a person or family whose income exceeds 120% of the median income for a family of 4 in the person's or family's county of residence, and except that the department may increase or decrease the income limit for low interest loans by no more than 10% of the limit for each person more or less than 4.

3. "Negative interest loans" which are loans that bear a rate of interest, including a zero rate, less than the rate required to pay the costs incurred by the authority for making and servicing such loans. No negative interest loan may be made to a person or family whose income exceeds 80% of median income in the person's or family's county of residence for a family of 4, except that the department may increase or decrease the income limit by no more than 10% of the limit for each person more or less than 4.

(g) "Median income" means median family income as determined annually by the U.S. department of housing and urban development for each county in the state.

(h) "Owner" means the holder of the title or the vendee of a land contract of housing which is otherwise eligible for a housing rehabilitation loan.

(i) "Sponsor" means any town, city, village or county in this state, or any community action agency or housing authority under s. 59.075, 66.395 or 66.40. A community action agency or housing authority may be a sponsor for the unincorporated area of a county if the board of supervisors of that county adopts a resolution authorizing it to be a sponsor. A community action agency or housing authority may be a sponsor for an incorporated municipality if the governing body of the municipality adopts a resolution authorizing it to be a sponsor.

(2) POWERS OF DEPARTMENT. (a) The department has the following powers for the purpose of implementing this section, in addition to all other powers granted by this chapter:

1. To make grants to sponsors for the purpose of making deferred payment loans and paying reasonable administrative costs incurred in making such loans out of the grant received from the appropriation under s. 20.545 (2) (d). Grants shall be made to sponsors so that the total dollars granted in any uniform state district established by executive order number 22, August 24, 1970, are equal to that percentage of funds appropriated under s. 20.545 (2) (d) that the number of owners eligible for deferred payment loans in any such district bears to the total number of eligible owners in the state.

2. To certify to the authority that a housing rehabilitation loan was or will be made by an authorized lender, to an eligible beneficiary, for an eligible rehabilitation, at an approved rate of interest and otherwise on acceptable terms, and whether or not such a loan is in a designated reinvestment neighborhood or area. Such certification shall be in such form as the department and the authority may agree. The authority is entitled to rely upon such a certification as conclusive as to the facts and standards underlying such certification. The certification is valid notwithstanding any defects or irregularities, however patent, other than constitutional, including without limitation any procedures or findings pursuant to s. 66.465.

3. To maintain a current list of lenders who are authorized to make or service housing rehabilitation loans. The department shall establish standards governing the performance of authorized lenders in making and servicing housing rehabilitation loans and shall periodically monitor such performance.

4. To designate as an authorized lender any bank, savings and loan institution or credit union which has a demonstrated history or potential of ability to adequately make and service housing rehabilitation loans.

5. To enter into contracts with the authority or authorized lenders, or both, authorizing the authority or authorized lenders to process applications and service housing rehabilitation loans. The contracts may include the responsibilities of the authority or authorized lenders with respect to credit evaluations, financial eligibility determinations, valuation of the housing for which the loan is to be made, collection procedures in the event of delinquent loan repayments and other functions which the department may require. Such contracts may provide for the payment of a fee for originating such loans or for servicing such loans.

6. To enter into contracts or agreements with authorized lenders, sponsors, and the authority providing for the maximum and minimum acceptable rates of interest to be charged for various classifications of housing rehabilitation loans, including a zero rate, in accordance with sub. (1) (f). In no event may the stated rate of interest on any housing rehabilitation loan under this section exceed the greater of 8% per annum or 2% plus the rate necessary to fully repay interest and principal on housing rehabilitation loan program bonds issued pursuant to s. 234.50.

7. To enter into contracts or agreements with authorized lenders, sponsors and the authority providing for the maximum acceptable amount, duration and other terms of housing rehabilitation loans in accordance with sub. (1) (f).

8. To set such other standards and devise such forms as are necessary to effectuate the rehabilitation program.

(b) In implementing this section, the department shall:

1. Require that any sponsor receiving a grant use moneys received upon repayment of loans for funding additional deferred payment housing rehabilitation loans or for funding other housing-related activities if the sponsor is not actively involved in housing rehabilitation at the time the loan is repaid.

2. Require that sponsors receiving grants assist beneficiaries of deferred payment loans in determining needed repairs and that sponsors inspect housing upon completion of the rehabilitation paid for under this section to assure that repairs have been satisfactorily completed.

3. Inspect a representative sample of housing for which housing rehabilitation loans have been provided under this section.

4. Promulgate such rules as may be necessary for the administration of deferred payment loans.

(c) In addition to the powers specified in par. (a), the department has all those powers necessary to implement this subsection.

(3) This section does not apply after June 30, 1981, or the general effective date of the 1981 biennial budget act, whichever is later. The application of this subsection does not affect the validity and continuance of the pledge and agreement of the state under s. 234.19, or any agreements or contracts of the department in respect to or in connection with any outstanding housing rehabilitation loan.

SECTION 224. 23.31 of the statutes is amended to read:

23.31 Recreation resources facilities. To provide and develop recreation facilities within this state, the natural resources board, with the approval of the governor, and subject to the limits of provided in s. 20.866 (2) (tp), may direct that state debt be contracted for providing recreation resources facilities or making additions to existing recreation resources facilities. By January 1 of each year, the board shall submit to the governor an expenditure plan for recreation projects for which public debt will be contracted in the following fiscal year. The plan shall specify the functional areas on which the department will place fiscal emphasis in the succeeding fiscal year as well as delineating specific acquisition and development objectives. Performance toward meeting these objectives will determine acquisition and development objectives for the succeeding fiscal year. No contract in anticipation of public debt may be entered into by the board until the governor has approved the plan and no deviation from the plan may be made without the approval of the governor. Beginning with its 1973-75 budget request and biennially thereafter, the board shall include in its request for recreational acquisition and development funding under s. 23.30 and this section an expenditure plan. Such plan shall contain the policies regarding the priority types of land to be acquired and the nature and categories of the developments to be undertaken. Changes in priority types of land to be acquired and in categories of developments may not be made without approval of the governor. Any deviation which the governor approves shall be ~~reviewed~~ [reviewed] ~~considered~~ by the joint committee on finance ~~as~~ ~~are~~ requests for supplemental appropriations under s. ~~13.101 (5) and (6)~~. Said The debt shall be contracted for in the manner and form as the legislature hereafter prescribes. It is the intent of the legislature that state debt not to exceed \$56,055,000 in the 12-year period from 1969 to 1981 may be incurred for the comprehensive provision of outdoor recreation facilities as provided by s. 23.30.

Vetoed
in Part

SECTION 225m. 23.40 (2) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

23.40 (2) If the department is required to prepare an environmental impact statement, it shall so notify the person by certified mail and shall indicate the estimated full cost of the preparation of the environmental impact statement. The department shall charge a fee equal to the full cost, ~~under s. 20.370 (5) (a) and (u),~~

of the preparation of the environmental impact statement. The department shall determine the manner in which the fee is to be paid and shall deposit the fee in the general fund.

SECTION 226. 24.04 (1) of the statutes is amended to read:

24.04 (1) RECEIPTS. The board shall collect from purchasers of land a fee of ~~50 cents~~ \$5 for every certificate and ~~50 cents~~ \$5 for every patent issued by it and pay the ~~same moneys collected~~, together with all moneys for expenses of advertising, damages and costs received either by redemption or resale of any public lands forfeited after having been sold by the state, into the state treasury to the credit of the general fund. The chief clerk may take the acknowledgments of the board to all certificates and patents, and no fees ~~shall~~ may be charged therefor.

SECTION 227. 25.14 (1) of the statutes is amended to read:

25.14 (1) There is created a state investment fund under the jurisdiction and management of the investment board (hereinafter referred to as "board") to be operated as an investment trust for the purpose of managing the securities of all the state's funds consisting of the funds specified in s. 25.17 (1) except the state insurance fund, state life fund, fixed retirement investment trust, variable retirement investment trust, capital improvement fund, bond security and redemption fund, state building trust fund, the trust funds of the historical society, the state housing authority reserve fund, funds which by the constitution are required to be controlled and invested by the board of commissioners of public lands, funds which are required by specific provision of law to be controlled and invested by any other authority, the university trust funds and the trust funds of the state universities except that the respective authorities controlling the investment of any such excluded fund ~~or funds~~ may authorize the transfer of any temporary cash assets of any such excluded fund ~~or funds~~ to the state investment fund in accordance with subs. (2) and (3).

SECTION 227m. 25.17 (1) (am) of the statutes is created to read:

25.17 (1) (am) Budget stabilization fund (s. 25.60);

SECTION 228. 25.17 (1) (d) of the statutes is created to read:

25.17 (1) (d) Industrial building construction loan fund (s. 560.07).

SECTION 229. 25.17 (1) (n) of the statutes is repealed.

SECTION 230. 25.17 (1) (r) of the statutes is created to read:

25.17 (1) (r) State housing authority reserve fund (s. 25.41);

SECTION 232. 25.17 (1) (v) of the statutes is created to read:

25.17 (1) (v) Tax reform reserve fund (s. 25.61);

SECTION 234. 25.17 (2) (c) of the statutes is created to read:

25.17 (2) (c) Invest the state housing authority reserve fund as directed by the Wisconsin housing finance authority in housing rehabilitation loan program bonds of the authority including subordinated bonds which may also be special obligations of the authority. In making such investment, the board shall accept such terms and conditions as the authority specifies and is relieved of any obligations relative to prudent investment of the fund, including those set forth under ch. 881.

SECTION 235. 25.17 (3) (b) 6 of the statutes is created to read:

25.17 (3) (b) 6. Direct obligations of or guaranteed by the government of Canada maturing within 2 years from the date of settlement provided that at the time of purchase the board enters into a contract with a bank or securities dealer in the United States or Canada providing that at the maturity of the obligation the Canadian dollars realized will be exchanged into U.S. dollars at a guaranteed rate of exchange.

SECTION 236. 25.17 (3) (bc) 1 of the statutes is amended to read:

25.17 (3) (bc) 1. Subject to subd. 2, make sums available, at the request of the higher educational aids board, for the purpose of making loans to needy students of the

medical school of the university of Wisconsin system and the medical college of Wisconsin under s. 39.34. Such sums shall be made available from July 1, 1975, to June 30, 1977, ~~notwithstanding sub. (61)~~ and shall not exceed \$87,500 for students of the medical college of Wisconsin and \$112,500 for students of the medical school of the university of Wisconsin system outstanding at any one time from July 1, 1975, to June 30, 1976, and \$175,000 for students of the medical college of Wisconsin and \$225,000 for students of the medical school of the university of Wisconsin system outstanding at any one time from July 1, 1976, to June 30, 1977, of the balances of the general fund. Such loans shall be made by the higher educational aids board from the appropriations under s. 20.235 (1) (gn). Despite the specific provisions of sub. (1), the responsibility for collection of the interest and principal on such loans to students shall rest in the higher educational aids board and the function of the investment board shall be limited to advancing funds to the higher educational aids board, based upon the certificates of the higher educational aids board as to the current status of the student loans made, due and collectible under s. 39.34 and to periodically receiving from the appropriations made by s. 20.235 (1) (gm) payments of principal and interest on the advances made to the higher educational aids board, interest to be computed monthly at 7% per annum on the unpaid principal balance of the advances and in accordance with the time schedule provided in s. 39.34.

SECTION 237. 25.17 (3) (bc) 2 of the statutes is amended to read:

25.17 (3) (bc) 2. A cumulative total of not more than \$400,000 may be advanced under this paragraph upon the request of the higher educational aids board. However, the investment board shall advance such funds only when the joint committee on finance determines that the liquidity of the general fund is not in danger to a point which will not permit this state to pay its obligations as they arise, and subsequently approves advance of such funds based upon such determination. Requests for the advance of funds shall be considered as are requests for supplemental appropriations under s. 13.101 (5) and (6).

SECTION 238. 25.17 (3) (bf) 1 of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

25.17 (3) (bf) 1. Subject to subds. 2 and 3, make sums available, at the request of the higher educational aids board, for the purpose of making additional loans to needy students under s. 39.32. Such sums ~~shall be made available notwithstanding sub. (61) and shall~~ may not exceed \$55,000,000 outstanding at any one time of the balances of the general fund. Such loans shall initially be made by the higher educational aids board from the appropriations under s. 20.235 (1) (g). Despite the specific provisions of sub. (1), the responsibility for collection of the interest and principal on such loans to students shall rest in the higher educational aids board and the function of the investment board shall be limited to advancing funds to the higher educational aids board, based upon the certificates of the higher educational aids board as to the current status of the student loans made, due and collectible under s. 39.32, and to periodically receiving from the appropriations made by s. 20.235 (1) (fa), (g), (h) and (m) payments of principal and interest on the advances made to the higher educational aids board, interest to be computed monthly at 4% per annum on the unpaid principal balance of the advances, made prior to July 1, 1966, and at the maximum rate allowable under P.L. 89-329 and P.L. 89-287, or 4%, whichever is the greater, on all loans made on or after July 1, 1966, computed as of January 1 and July 1 of each year and payable within 90 days thereafter.

SECTION 239. 25.17 (11) of the statutes is created to read:

25.17 (11) In order to promptly process investment transactions and receipts, have authority to establish and maintain accounts in its own name in those banks with whom it has entered into custodial agreements.

SECTION 240. 25.17 (51) of the statutes is repealed and recreated to read:

25.17 (51) Have the legislative audit bureau conduct a financial audit to include financial statements and an evaluation of accounting controls and accounting records of the board at least every 2 years.

SECTION 241. 25.17 (61) of the statutes is amended to read:

~~25.17 (61) Designate public depositories for the deposit of public moneys, as defined in s. 34.01 (5), coming into the hands of the state treasurer; allocate the deposits of all public moneys coming into the hands of the state treasurer, and limit the amount of such public moneys, as determined from the state treasurer's records, which may be deposited in any public depository so designated. It shall have all the powers and duties with relation to the state treasurer and state moneys that are herein granted and imposed upon other governing boards by ch. 34, and only such banks as have been named by the investment board as working banks shall carry state deposits on which checks are drawn to conduct the daily business of the state, all of which deposits shall be payable on demand. The board may designate public depositories, as defined in s. 34.01 (2), as special depositories in which the state treasurer may make special deposits of funds, not exceeding the amount limited by the board, which are not currently needed for the conduct of the daily business of the state as determined by the board, which special deposits shall be deposited subject to such public the depository's rules and regulations relative to either savings accounts, time certificates of deposit or open time accounts, as the case may be. Public depositories heretofore designated as state depositories shall continue as such until further action by the board.~~

SECTION 242. 25.17 (62) of the statutes is repealed.

SECTION 243. 25.17 (65) of the statutes is created to read:

25.17 (65) Invest the industrial building construction loan fund under sub. (1) (d) only on the basis specified in sub. (3) (b) or (ba).

SECTION 244. 25.29 (intro.) of the statutes is amended to read:

25.29 Conservation fund. (intro.) ~~Except for fines and moneys payable to the reforestation fund and except~~ as otherwise provided by law, all moneys accruing to the state for or in behalf of the department of natural resources under chs. 23, 26, 27, 28, 29 and 77, including grants received from the federal government or any of its agencies, shall constitute the "Conservation Fund" and, unless otherwise provided by law, shall be paid, within one week after receipt into the state treasury and credited to said the conservation fund.

SECTION 245. 25.29 (6) (intro.) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

25.29 (6) (intro.) All of the proceeds of the tax which is levied under s. 70.58 ~~(2)~~, and all moneys paid into the state treasury as the counties' share of compensation of emergency fire wardens under s. 26.14 shall be used for acquiring, preserving and developing the forests of the state, including the acquisition of lands owned by counties by virtue of any tax deed and of other lands suitable for state forests, and for the development of lands so acquired and the conduct of forestry thereon, including the growing and planting of trees; for forest and marsh fire prevention and control; for compensation of emergency fire wardens; for maintenance, permanent property and forestry improvements; for the aerial photographic survey under s. 16.965; for other forestry purposes authorized by law and for the payment of aid for forests as authorized in s. 28.11 and ch. 77.

SECTION 246. 25.30 of the statutes is repealed.

SECTION 247. 25.40 (1) (a) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

25.40 (1) (a) All collections of the department of transportation or the transportation commission except net sales taxes as determined in s. 77.61 (4) (b) and other revenues specified in ch. 218 derived from the issuance of licenses under the authority of the commissioner of banking which shall be paid into the general fund.

SECTION 247m. 25.40 (1) (h) of the statutes is created to read:

25.40 (1) (h) The actual administrative costs, as determined by the department of administration, incurred by the department of transportation in collecting the sales tax on the occasional sale of motor vehicles which shall be transferred from the general fund.

SECTION 247s. 25.40 (1) (i) of the statutes is created to read:

25.40 (1) (i) Taxes on railroad companies under ch. 76 except those distributed under s. 76.24 (1).

SECTION 248. 25.40 (2) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

25.40 (2) Payments from the transportation fund, except for appropriations made by ss. 20.115 (1) (q), ~~20.135 (2) (q)~~, 20.255 (1) (q) and (r), 20.285 (1) (x), 20.292 (1) (u), ~~20.355 (1) (u)~~, 20.505 (3), 20.530 (1), 20.545 (3) (q), 20.566 (1) (u) and 20.765 (2) (u) or authorized by s. 25.17 ~~or 86.35~~ shall be made only on the order of the secretary of transportation, from which order the secretary of administration shall draw a warrant in favor of the payee and charge the same to the transportation fund.

SECTION 249. 25.41 of the statutes is created to read:

25.41 State housing authority reserve fund. (1) All moneys appropriated or transferred by law; all moneys received from the federal government, from the state housing finance authority, or from any other source for the purpose of the state housing authority reserve fund; and all income or interest earned by, or increment to the state housing authority reserve fund due to the investment thereof shall constitute the state housing authority reserve fund which shall be used only as provided in this section.

(2) Except for the purpose of investment as provided in s. 25.17 (2) (c), moneys in the fund shall be used only for the purpose of funding the appropriation to the housing rehabilitation loan program loan loss reserve fund under s. 20.490 (2) (q). Nothing in this section may be construed as limiting the power of the legislature, at any time, to abolish the fund.

(3) Subject to s. 25.17 (2) (c), the board has exclusive control of the investment and collection of the principal and interest of all moneys invested from the fund and shall invest in investments authorized under s. 25.17 (3) (b).

SECTION 251. 25.60 of the statutes is created to read:

25.60 Budget stabilization fund. All moneys appropriated under s. 20.875 (1) (a) shall constitute the budget stabilization fund. Moneys appropriated to this fund shall be reserved to fund existing or enacted programs which receive no funding or partial funding during the 1977-79 biennium or which will require significantly increased funding in the 1979-81 biennium.

SECTION 252. 25.61 of the statutes is created to read:

25.61 Tax reform reserve fund. All moneys appropriated under s. 20.875 (2) (a) shall constitute the tax reform reserve fund. This money is reserved for tax reductions which may occur as a result of comprehensive tax reform measures to be proposed in the 1979-81 executive biennial budget bill.

SECTION 253. 28.08 of the statutes is amended to read:

28.08 Income. All income from state forest lands shall be paid into the state treasury to the credit of the ~~reforestation~~ conservation fund.

SECTION 254. 29.145 (4) (a) of the statutes, as created by chapter 29, laws of 1977, is amended to read:

29.145 (4) (a) The department shall issue a trout stamp for a fee of ~~\$2.50~~ \$2.25 to each person holding or applying for a fishing license under this section or s. 29.09 (12), 29.14, 29.146 or 29.147 if the person uses or intends to use the license for trout fishing in inland waters of the state. The trout stamp shall be designed and produced by the department, shall be attached to the fishing license and shall be valid ~~if the fishing license has not expired for the calendar year~~. Any person who is exempt from payment or charge for a fishing license is ~~also~~ exempt from the ~~fee under this subsection~~ requirements of this paragraph.

SECTION 254m. 29.145 (4) (b) of the statutes, as created by chapter 29, laws of 1977, is amended to read:

29.145 (4) (b) The department shall expend the receipts from sale of trout stamps on improving trout habitat in the inland waters of the state and administering this subsection. Collection and remittance procedures applicable to fishing license fees under s. 29.09 apply to trout stamp ~~revenues with the exception of s. 29.09 (10) fees except that the additional fee collected under s. 29.09 (10) is 25 cents whether the trout stamp is purchased by a resident or nonresident.~~

SECTION 254r. 29.166 (1) and (2) of the statutes, as affected by chapter ... (Senate Bill 409), laws of 1977, are amended to read:

29.166 (1) No person ~~shall engage, may be engaged~~ or be employed for any compensation or reward, to guide any other person in sport trolling for trout ~~and or~~ salmon in and upon the outlying waters of Lake Michigan, Green Bay ~~and or~~ Lake Superior unless ~~sport trolling licenses have the person has been duly issued a sport trolling license by the department to him and to the boat used by him for sport trolling,~~ subject to s. 29.09. No license ~~shall may~~ be issued to any person under the age of 18 years. The application shall include the name and address of the applicant, ~~the name or number of his boat,~~ the name of the home port from which ~~the boat the applicant will operate, the applicant's U.S. coast guard operator's license number and~~ such other information as may be required by the department for statistical purposes. ~~The owner of a boat used or offered for hire in sport trolling shall be required to obtain a license for each such boat. The fee for each personal or boat license shall be \$5 \$60 for residents of this state and \$25 \$400 for nonresidents. All such sport trolling licenses shall be effective from January 1 until the next succeeding December 31. The applicant shall deliver to the department an oath of office that he shall well and faithfully perform the duties and responsibilities of his office as a licensed sport troller and observe and licensee and all persons on board the licensee's boat shall comply with all the requirements of ch. 29 and the rules of the department. Boats used by the licensee shall meet minimum U.S. coast guard and this state's boat licensing and safety requirements.~~

(2) Each licensee shall keep ~~a strict an accurate~~ record and account as to the number of each variety of fish taken ~~by his boat under his or her sport trolling license~~ and such other information as the department requires, and shall report ~~thereon~~ to the department ~~periodically during the license year as requested on forms provided by the department on or before the 10th day of each month on the records for the preceding calendar month. The licensee is responsible for the number of fish taken and shall be held to account for the number.~~

SECTION 254t. 29.166 (3) of the statutes, as affected by chapter ... (Senate Bill 409), laws of 1977, is renumbered 29.166 (4) and amended to read:

29.166 (4) Any person, licensed as a sport troller, ~~violating who violates~~ this section ~~or any requirements of this chapter applicable to sport fishing or rules adopted under this section or under this chapter relating to sport fishing,~~ shall forfeit not more than \$100 ~~and upon such conviction. Upon a 2nd conviction for any offense under this subsection within 3 years the person's guide sport trolling license shall be revoked for one year beyond the date of expiration of the license in effect at the time of the revocation.~~

SECTION 254v. 29.166 (3) of the statutes, as affected by chapter ... (Senate Bill 409), laws of 1977, is repealed and recreated to read:

29.166 (3) No person licensed under this section may engage in or conduct any sport trolling operation in or upon the outlying waters of Lake Michigan, Green Bay or Lake Superior between one-half hour after sunset and sunrise of the following morning.

SECTION 254x. 29.166 (5) of the statutes, as created by chapter ... (Senate Bill 409), laws of 1977, is repealed.

SECTION 255. 29.21 of the statutes is renumbered 29.21 (1).

SECTION 256. 29.21 (2) of the statutes is created to read:

29.21 (2) The department may reprint department publications for sale.

SECTION 256d. 29.30 (2) (d) of the statutes, as affected by chapter (Senate Bill 409), laws of 1977, is amended to read:

29.30 (2) (d) All nets or set hooks when set or placed in any waters shall be marked with a number corresponding to the license number authorizing the use of such the nets or set hooks. The method of marking such the nets, ~~in outlying waters,~~ shall be as follows: On drop nets, submarine trap nets and fyke nets, when set below the surface of the water, there shall be a buoy attached to the pot rope, on all gill nets and set hooks there shall be a buoy on each end of the gang, such the buoys shall have a staff extending at least 2 3 feet above the surface of the water, upon such the upper end of the staff there shall be a flag at least 16 10 inches square. Upon the bowl of such the buoys there shall be maintained in plain figures the license number authorizing the use of such the nets or set hooks. On pound nets and stake fyke nets there shall be maintained at least 3 feet above the surface of the water, or the surface of the ice, when set through the ice, a board or similar material, which shall bear the license number authorizing the use of such the nets. On gill nets or set hooks when set through the ice there shall be maintained on each end of the gang a board or similar material which shall bear the license number authorizing the use of such the nets or set hooks.

SECTION 256g. 29.33 (1) and (2) (a) 1 and 2, as affected by chapter 29, laws of 1977, and (d) of the statutes, as affected by chapter (Senate Bill 409), laws of 1977, are amended to read:

29.33 (1) LICENSE AUTHORIZED. Any person desiring to conduct commercial fishing operations on any of the outlying waters shall first obtain a commercial fishing license. The department may limit the number of such licenses to be issued under this section and designate the areas in the outlying waters of ~~Lake Superior~~ under the jurisdiction of this state where such licensees may conduct commercial fishing operations. These determinations shall be restricted. The department may establish harvest limits and allocate the harvest limits among commercial fishing licensees. The department may designate the kind, size and amount of gear to be used in the harvest. The limitations on licenses, restricted fishing areas, harvests and gear shall be based on the available harvestable population of fish and in the wise use and conservation of such the fish so as to prevent overexploitation. The department may adopt rules defining the qualifications of licensees in the reasonable exercise of this authority, giving due consideration to residency, past record, fishing and navigation ability and quantity and quality of equipment possessed. Rules relating to licensing commercial fishers shall be based on criteria provided by the commercial fishing boards under sub. (7). The application for such the license shall be made to the department on a blank provided for that purpose, accompanied by the fee specified in sub. (2). Such The application shall state the name and residence of the applicant, the manner in which he or she proposes to fish, the name or number, ~~over-all overall~~ length, ~~gross tonnage~~ and value of his ~~boat or her boats~~, the name of the hailing port from which the ~~boat boats~~ will operate, and the number and kind of nets ~~and hooks~~ or other gear he or she intends to use, the value of his real estate used in connection with commercial fishing and such any other information as is required by the department for statistical purposes. "Over-all Overall length" means the minimum distance between the extreme outside end of the bow and the stern using the nearest whole number of feet. The license fee shall be based on the ~~over-all overall~~ length of ~~the each~~ boat if ~~a boat is~~ boats are used. Such The license shall be issued in accordance with s. 29.09.

(2) (a) 1. For fishing ~~with nets, with or without a boat or with a boat~~ not exceeding 16 25 feet in overall length, \$200 ~~\$60~~ per year. ~~Any person using more than a single crew consisting of not to exceed 4 persons in fishing with nets or hooks under the ice shall secure a license for each such crew. The department, upon proper application therefor, shall issue with each license to fish with nets under the ice 4 identification cards bearing the number of the license and the year for which issued.~~

~~Each member of a single crew engaged in the setting, lifting or pulling of nets or other devices set under the ice under authority of the license shall carry such card on his or her person while so engaged and upon demand of any conservation officer shall exhibit the card. Minnow seines and dip nets used for taking smelt and minnows are exempt from this subdivision.~~

2. For each boat in excess of 25 feet in overall length used in catching, killing, taking or transporting fish caught with nets, \$200 per year and \$5 per ~~ton~~ foot additional for each ~~ton~~ foot over ~~10 gross tons~~ 40 feet in overall length. No license is required for a scow boat used only in transporting nets. Each license ~~for a boat propelled by sail, steam, gas or other mechanical power~~ shall entitle the licensee to operate a rowboat not exceeding 16 feet in overall length without additional license. Each such rowboat shall bear the same identification as the boat for which the license is issued and shall be used only while attending said the boat for which the license is issued. Licensees under this subdivision may fish without a boat without an additional license. No resident may pay less than \$200 or more than \$300 per year on any boat regulated under this subdivision.

(d) *Transfer of license.* The department may, upon application, permit the transfer of a license to any similar boat during the time a licensed boat is disabled or undergoing repairs or upon the sale of a licensed boat. The fee for transfer of such the license is \$5. The department shall establish rules governing the transfer of commercial fishing licenses between individuals equally qualified to hold the licenses and to members of a licensee's immediate family provided the rules assure the wise use and conservation of the fish resources being harvested under the license. The rules shall relate only to those waters in which the number of licenses is limited. The commercial fishing boards, under sub. (7), shall approve or deny transfers of commercial fishing licenses in accordance with the rules promulgated under this section.

SECTION 256m. 29.33 (2) (a) 3 and (h), (4), (5), (6), (7) and (8) of the statutes, as affected by chapter (Senate Bill 409), laws of 1977, are repealed and recreated to read:

29.33 (2) (a) 3. For fishing with or without a boat only for the harvest of rough fish from outlying waters when the fish are taken under a contract issued under s. 29.62 or 29.625, \$25 for each boat.

(h) The department may require a catch fee which shall be equivalent to the department's direct costs of providing fish for harvest, for species of fish designated by department order, as further consideration for obtaining the license. The fees shall be charged only for those species of fish whose populations are sustained or supplemented through stocking and only for those fish caught by the licensee. All the fees shall be used exclusively to pay for the stocking, including purchase or propagation, of the fish.

(4) CREW LICENSES. (a) Any commercial fishing licensee may use licensed crew members when fishing with or without a boat. The number of crew members engaged under a single license shall not exceed 4 when fishing with nets under the ice. The department, upon proper application for crew licenses, may issue with each commercial fishing license no more than 4 crew licenses for the specific purpose of fishing with nets under the ice and the number indicated on the application for the purpose of fishing in open water. Each crew license shall bear the number of the commercial fishing license, the purpose for which intended, the year for which issued and the name of the crew member to whom the crew license is issued. The crew license shall permit a person to engage in commercial fishing only as a member of a crew of a commercial fisher licensed under sub. (1). There shall be no fee charged for a crew license.

(b) Each member of a crew engaged in the setting, lifting or pulling of nets or other devices set under authority of a commercial fishing license shall carry the crew license on his or her person while so engaged and upon demand of any conservation warden shall exhibit the license. Persons using minnow seines and dip nets used for taking smelt and minnows are exempt from this subsection.

(c) In case of illness or unavailability for good cause of a licensed crew member, an unlicensed person may work on a commercial fishing operation for a period not to exceed 48 hours under a temporary crew identification card, after which time he or she must obtain a crew license to engage in commercial fishing operations. Temporary crew identification cards shall be issued by the department to commercial fishing licensees for use as provided in this paragraph. Prior to use, the commercial licensee shall indicate on the temporary crew identification card the license number and name of the commercial fisher for whom the crew member will be working, the time and date the crew member commences work under the card and the crew member's name, address, description and his or her signature. The card shall be presented, upon request, to a conservation warden and must be in the possession of the crew member at all times while engaged in commercial fishing operations. The commercial fisher issuing the temporary crew identification card to an unlicensed person shall submit the card to the department with the commercial catch report submitted for the period in which work conducted under the card was performed.

(5) REPORT. Each commercial fishing licensee shall keep an accurate record and account as to each variety of fish taken and the number of pounds of each fish taken under his or her license and any other information the department requires. The commercial fishing licensee shall report on forms provided by the department, on or before the 10th day of each month, the licensee's records for the preceding calendar month for each month during the license period. If any monthly report has not been received by the department within 10 days after the due date, the department shall so notify the licensee from whom the report is overdue and shall not initiate proceedings under this subsection against the licensee until 10 days following receipt of the notice by the licensee. Any person who fails to file the required records within 10 days after receiving the notice of failure to file shall forfeit \$50.

(6) INSPECTION. For purposes of enforcement of this section, conservation wardens or department employees duly authorized and designated by the secretary, upon presenting appropriate credentials to the licensee or agent in charge, are authorized:

(a) To enter any building or structure, excluding a dwelling place, in which nets or fish are stored, processed, packed or held, or to enter any vessel or vehicle being used to transport nets or fish when the owner or agent in charge is present or upon 8 hours' notice at other times.

(b) To inspect buildings, structures, vessels or vehicles, all pertinent equipment including nets used or stored in the places to be inspected and any fish stored, processed, packed or held in the places to be inspected.

(7) COMMERCIAL FISHING BOARDS. The Lake Superior and Lake Michigan commercial fishing boards established under s. 15.345 (1) and (2) shall review and consider applications for a transfer of license under this section and shall approve or deny applications on the basis of rules promulgated by the department. The boards shall establish criteria for the allotment of individual licensee catch quotas and shall allot the catch quotas when the department establishes species harvests limits for allocation among licensees. The boards shall assist the department in establishing criteria for identifying inactive licensees. The criteria established for identifying inactive licensees shall be the basis for rules governing the issuance of licenses.

(8) ENFORCEMENT; PENALTIES. (a) Any person who is convicted of violating this section or rules adopted under this section shall forfeit not more than \$1,000 for each violation. In addition to the forfeiture, any person convicted of possessing illegal fish shall be assessed a per fish forfeiture equal to the value of fish under s. 29.65.

(b) Upon conviction of a licensee for fishing with illegal nets, fishing during closed season, or fishing in a closed area, the nets used in the violation shall be seized by the department and confiscated by the court.

(c) Any person licensed under this section, upon his or her 2nd conviction within a 3-year period for possessing illegal fish, fishing with illegal nets, fishing during a closed season, or fishing in closed areas, in addition to the penalties specified in par. (a),

shall have his or her license revoked for a minimum of one license year beyond the date of expiration of the license in effect at the time of the revocation. At the end of the revocation period and upon proper application for reinstatement, the department shall reinstate the license.

SECTION 256p. 29.33 (2) (b) 1 of the statutes, as affected by chapters 29 and (Senate Bill 409), laws of 1977, is renumbered 29.33 (2) (b) 2 and amended to read:

~~29.33 (2) (b) 2. Boats 16 feet or less, \$300; boats over 16 feet and up to and including 10 tons gross tonnage, \$3 per foot (overall length); boats more than 10 tons gross tonnage, \$3 per foot (overall length) and \$3 per ton in addition for each ton over 10 gross tons. For each boat 25 feet or less in overall length used in catching, killing, taking or transporting fish caught with nets, \$300, and, in addition, \$3 per foot of the overall length. For each boat greater than 25 feet in length, \$800, and, in addition, \$3 per foot of the overall length. No license is required for a scow boat used only in transporting nets. No nonresident person may pay less than \$300 or more than \$400 \$900 per year on any boat.~~

SECTION 256r. 29.33 (2) (b) 2 of the statutes, as affected by chapters 29 and (Senate Bill 409), laws of 1977, is renumbered 29.33 (2) (b) 1.

SECTION 256t. 29.33 (9) of the statutes, as created by chapter (Senate Bill 409), laws of 1977, is repealed and recreated to read:

29.33 (9) APPROVAL OF RULES. This subsection does not apply to emergency rules adopted under s. 227.027.

(a) *Role of legislative council.* Prior to any public hearing on a proposed rule under this section, or if no public hearing is required, prior to notification of the standing committees, the department shall submit the proposed rule to the legislative council for review. The legislative council shall act as a clearing house for rule drafting and cooperate with the department and the revisor to:

1. Review the statutory authority under which the department intends to adopt the rule. The legislative council shall notify the department, the joint committee for the review of administrative rules and the appropriate standing committee when the statutory authority is eliminated or significantly changed by repeal, amendment, court decision or for any other reason.

2. Ensure that the procedures for the promulgation of a rule required by this chapter are followed.

3. Review proposed rules for form, style and placement in the administrative code.

4. Review proposed rules to avoid conflict with or duplication of existing rules.

5. Review proposed rules to provide adequate references to relevant statutes, related rules and forms.

6. Streamline and simplify the rule-making process.

7. Review proposed rules for clarity, grammar and punctuation and to ensure plain language.

8. Review proposed rules to determine potential conflicts and to make comparisons with federal regulations.

(b) *Legislative council to assist standing committees.* The legislative council shall work with and assist the appropriate standing committees throughout the rule-making process. The legislative council may issue recommendations concerning any proposed rule which the department submits under this section.

(c) *Notification of standing committees.* The department shall notify appropriate standing committees when proposed rules under this section are in final draft form by submitting a notice to the presiding officer in each house. Each presiding officer shall refer the notice to one standing committee. The department may withdraw a proposed rule by notifying the presiding officer in each house of the legislature of its intention not to promulgate the rule.

(d) *Form of notice.* The notice shall include the proposed rule in a form complying with s. 227.024 (1).

(e) *Standing committee review.* 1. A committee may be convened upon the call of its chairperson or a majority of its members to review a proposed rule. A committee may meet separately or jointly with the other committee to which the notice is referred, direct the department to attend the meeting and hold public hearings to review the proposed rule.

2. The standing committee review period lasts for 30 days after the notice is submitted and if within the 30-day period a standing committee directs the department to meet with it to review the proposed rule, the standing committee review period is extended for 30 days from the date of that request.

3. The department may not promulgate a proposed rule during the standing committee review period unless both committees approve the rule prior to the expiration of that period.

4. Either standing committee may disapprove the proposed rule or part of a proposed rule by taking action in executive session to disapprove the rule within the standing committee review period. If both committees fail to take this action, the proposed rule is not disapproved and the department may promulgate the rule.

(f) *Joint committee for the review of administrative rules.* 1. If either standing committee disapproves a proposed rule or part of a proposed rule, the proposed rule or its part shall be referred to the joint committee for the review of administrative rules.

2. The joint committee review period lasts for 30 days after the proposed rule is referred and the joint committee shall meet and take action in executive session during that period.

3. The department may not promulgate a proposed rule or its part which is disapproved by a standing committee unless the proposed rule is approved by the joint committee for the review of administrative rules or unless a law is properly enacted under subd. 5. The department may promulgate portions of the rule which were not suspended, if the committee disapproved only parts of the rules.

4. The joint committee for the review of administrative rules may reverse the standing committee disapproval by taking action to approve the rule within the joint committee review period. The joint committee may uphold the standing committee disapproval by taking action to disapprove the rule within the joint committee review period. The joint committee may remand the proposed rule to the department for further consideration or public hearings or both.

5. If the joint committee for the review of administrative rules disapproves a proposed rule or portion of the proposed rule, the proposed rule or portion of the proposed rule, may not be promulgated unless a properly enacted law specifically authorizes the adoption of that rule.

SECTION 256v. 29.336 (4) of the statutes, as affected by chapter (Senate Bill 409), laws of 1977, is repealed.

SECTION 256x. 29.48 (2) of the statutes, as affected by chapter (Senate Bill 409), laws of 1977, is amended to read:

29.48 (2) No fish taken by hook and line from outlying waters, except rough fish, may be sold, bartered, or traded in any manner ~~except that fish of the same species and minimum size as those taken under the commercial fishing regulations and in the same prescribed areas as permitted under commercial fishing regulations may be sold during the open commercial fishing season for such fish.~~

SECTION 257. 29.595 (2) (a) of the statutes is amended to read:

29.595 (2) (a) Any person claiming damage to property caused by deer or bear shall file a verified statement of claim with the department within 10 days from the time such damage is alleged to have been done. Such claim shall certify that the damage was caused on agricultural lands to crops, orchard trees, nursery stock,

apiaries or to farm animals and poultry or on silvicultural lands to trees grown for sale to or by Christmas tree dealers licensed under s. 134.60, except that no claimant may recover on claims for damages to crops which are not harvested in accordance with normal agricultural practices. However, if the condition causing damage is in the nature of a continuing trespass, the claimant may, in lieu of a claim, file with the department, within 10 days from the time such damage first occurs, a notice of claim, stating the nature of the condition and that damages will be claimed as soon as the total damage can be ascertained. In such case, the claimant is entitled to recover ~~80%~~ ~~of the total~~ damages sustained during the continuance of the condition but not beyond 6 months after the date of the notice, upon filing a verified statement of claim with the department within 10 days after the abatement of the condition but not after 6 months of the date of the notice if the condition persists. No person ~~shall~~ may be entitled to damages under this section who has lands posted against trespass or hunting.

SECTION 258. 29.595 (2) (c) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

29.595 (2) (c) All claims for deer and bear damage shall be filed with the department and not to exceed 80% of such claims shall be paid in accordance with, and from the funds provided for such purposes under, s. 20.370 (1) (ue).

SECTION 258g. 29.62 (1) of the statutes, as affected by chapter ... (Senate Bill 409), laws of 1977, is amended to read:

29.62 (1) The department may take rough fish by means of seines, nets or other devices, or cause ~~the same~~ rough fish to be taken, from any of the ~~inland~~ waters of this state.

SECTION 258m. 29.68 (1), (2), (3) and (5) (b) of the statutes, as affected by chapters 26 and 75, laws of 1977, are amended to read:

29.68 (1) **SAFE FOR ENTRY; NO WARNING.** An owner, lessee, or occupant of premises owes no duty to keep the premises safe for entry or use by others for hunting, fishing, trapping, camping, hiking, snowmobiling, berry picking, water sports, ~~sight-seeing, cutting or removing wood, climbing of observation towers~~ or recreational purposes, or to give warning of any unsafe condition or use of or structure or activity on ~~such~~ the premises to persons entering for such purpose, except as provided in sub. (3).

(2) **PERMISSION.** An owner, lessee or occupant of premises who gives permission to another to hunt, fish, trap, camp, hike, snowmobile, sightsee, berry pick, ~~cut or remove wood, climb observation towers~~ or to proceed with water sports or recreational uses upon such premises does not thereby extend any assurance that the premises are safe for such purpose, or constitute the person to whom permission is granted an invitee to whom a duty of care is owed, or assume responsibility for or incur liability for any injury to person or property caused by any act of persons to whom the permission is granted, except as provided in sub. (3).

(3) **LIABILITY.** This section does not limit the liability which would otherwise exist ~~for:~~

(a) For wilful or malicious failure to guard or to warn against a dangerous condition, use, structure or activity; ~~or for.~~

(b) For injury suffered in any case where permission to hunt, fish, trap, camp, hike, snowmobile, sightsee, berry pick, ~~cut or remove wood, climb observation towers~~ or to proceed with water sports or recreational uses was granted for a valuable consideration other than the valuable consideration paid to the state or to a landowner by the state; ~~or for.~~

(c) For injury caused by acts of persons to whom permission to hunt, fish, trap, camp, hike, snowmobile, sightsee, berry pick, ~~cut or remove wood, climb observation towers~~ or to proceed with water sports or recreational uses was granted, to other persons as to whom the person granting permission, or the owner, lessee or occupant of the premises, owed a duty to keep the premises safe or to warn of danger.

(5) (b) "Owner" means any private citizen, a municipality as defined under s. 144.01 (12), the state, or the ~~U.S. federal~~ government, and for purposes of liability under s. 895.46, any employe or agent of the foregoing.

SECTION 258p. 29.68 (2m) and (5) (d) and (e) of the statutes are created to read:

29.68 (2m) NO LIABILITY. No public owner is liable for injury or death resulting from the use of natural features, natural conditions or attack by wild animals.

(5) (d) "Natural features" include but are not limited to undesignated paths, trails and walkways and the waters of the state as defined under s. 144.01 (1).

(e) "Public owner" means a municipality as defined under s. 144.01 (12), the state, any agency of the state and for purposes of liability under s. 895.46, any employe or agent of the foregoing.

SECTION 258w. 29.69 of the statutes is created to read:

29.69 Designation of trails, etc. (1) The department shall designate trails, campgrounds, picnic areas and other special use areas for property under its control. These trails, campgrounds, picnic areas and other special use areas shall be designated on maps available at the department's district office, on a sign outside the office on the property or on signs placed by the trails, campgrounds, picnic areas or other use areas at the option of the department.

(2) The department shall inspect trail signs and designated features twice a year, once before July 1 and once after July 1.

SECTION 258wg. 30.10 (2) of the statutes is amended to read:

30.10 (2) STREAMS. ~~All~~ Except as provided under sub. (4) (c), all streams, sloughs, bayous and marsh outlets, which are navigable in fact for any purpose whatsoever, are declared navigable to the extent that no dam, bridge or other obstruction shall be made in or over the same without the permission of the state.

Partial
Veto
Overruled

SECTION 258wr. 30.10 (4) (c) of the statutes is created to read:

30.10 (4) (c) *Notwithstanding any other provision of law, farm drainage ditches in drainage districts established under ch. 88 are not navigable within the meaning of this section except where it is shown that the ditches were navigable streams before ditching or had a previous stream history. For purposes of this paragraph, "farm drainage ditch" means any artificial channel which drains water from lands which are used for agricultural purposes.*

SECTION 258x. 30.52 (3) of the statutes, as affected by chapter 29, laws of 1977, is repealed and recreated to read:

30.52 (3) FEES. *A fee of \$4.50 shall be paid to the department for the issuance of a certificate of number or renewal thereof valid for the whole or any part of a numbering period, subject to the following exceptions:*

Partial
Veto
Overruled

(a) *For issuance of a certificate of number to the new owner upon transfer of ownership of a boat numbered in this state, the fee shall be \$2 if the certificate is issued for the remainder of the numbering period for which the previous certificate was issued.*

(b) *A person owning or otherwise holding 3 or more boats ready for hire generally or ready to let in connection with the operation of resort facilities or guide services may, at the person's option, pay a flat fee of \$7.50 plus \$1.50 per boat for obtaining or renewing certificates of number for such boats in lieu of the fee which otherwise would be payable.*

SECTION 259. 32.05 (7) (d) of the statutes is amended to read:

32.05 (7) (d) On or before said date of taking, a check, naming the parties in interest as payees, for the amount of the award less outstanding delinquent tax liens, proportionately allocated as in division in redemption under ss. 74.06, 74.32 and 75.01 when necessary and less prorated taxes of the same year, if any, likewise

proportionately allocated when necessary against the property taken, shall at the option of the condemnor be mailed by certified mail to the owner or one of the owners of record or be deposited with the clerk of the circuit court of the county for the benefit of the persons named in the award. The clerk shall give notice thereof by certified mail to such parties. The persons entitled thereto may receive their proper share of ~~such the~~ award by petition to and order of the circuit court of the county. ~~Such The~~ petition shall be filed with the clerk of ~~such the~~ court without fee.

SECTION 259m. 32.19 (4) (bm) of the statutes is created to read:

32.19 (4) (bm) *Additional payment.* If a comparable dwelling is not available within the monetary limits established in par. (a) or (b), the condemnor may exceed the monetary limits and make payments necessary to provide replacement housing comparable to that occupied by the displaced person at the initiation of negotiations for the acquisition of the property.

SECTION 260. 32.27 (2) (b) of the statutes is amended to read:

32.27 (2) (b) If there is a project cost-sharing agreement between the condemnor and another unit or level of government, the costs of relocation payments and services shall be shared in the same proportion as other project costs unless otherwise provided. This direct proportion formula may be changed to take advantage of federal relocation subsidies. It is intended that the payments and services described by ss. 32.19 to 32.27 are required for any project ~~which is whether or not it is~~ subject to federal regulation under P.L. 91-646; 84 Stat. 1894. ~~Any condemnor exercising the power of eminent domain under this chapter for a project subject to such federal regulation shall be required to make payments and provide services described in ss. 32.19 to 32.27 only to the extent required to receive federal payment or assistance.~~ The intent of this paragraph is to assure that condemnors take maximum advantage of federal payment or assistance for relocation, and to ~~insure~~ ensure that in no event will any displaced person receive a combined payment in excess of payments authorized or required by s. 32.19 or by federal law. ~~All condemnors, regardless of the source of funds, and regardless of regulations by any other agency, shall be required to comply with the requirements of s. 32.25 (1).~~

SECTION 262. 34.045 of the statutes is created to read:

34.045 Depository selection board. (1) The depository selection board shall:

(a) Establish procedures for the selection of public depositories by state agencies and departments and procedures for contracting for the reasonable and necessary banking services by state agencies and departments and may direct the combination or division of services so as to provide convenient and cost efficient services.

(b) Establish procedures by which state agencies and departments pay for services, or direct the state treasurer or any department or agency to maintain compensating balances or, in the case of the state, or direct the investment board to pay charges directly from the income account of the state investment fund or by a combination of such methods.

(e) Require utilization of competitive bidding under s. 16.75 in the designation of all state public depositories and in contracting for banking services.

(f) Establish by rule minimum banking operational requirements that any institution must meet prior to being considered as eligible to submit any proposal to serve as a public depository or to provide services.

(g) Upon request of any state agency or department, provide assistance in the selection of a depository.

(2) In the exercise of its authority, the depository selection board shall require any state department or agency to submit to it for prior review, elimination, consolidation, renegotiation or confirmation any existing service contract or service proposed by the department or agency.

(3) The board may, for cause, disapprove any contract submitted to it under sub. (2) if it finds the proposed contract to be in violation of the guidelines established

under sub. (1), or to have been improperly negotiated or to be otherwise illegal. If the board fails to disapprove a proposed contract within 60 days after it is submitted by the department or agency, the contract shall be deemed approved. The board shall provide written justification for disapproving a contract proposed by a state agency or department. A disapproval is subject to judicial review under ch. 227.

(4) State agencies and departments shall provide the board with a written justification for any proposed contract award for service.

SECTION 262m. 35.24 (1) (intro.) of the statutes is amended to read:

35.24 (1) (intro.) The legislative reference bureau shall compile, index, prepare and deliver to the department biennially copy for a book to be denominated "Wisconsin Blue Book" and identified by the biennium of its intended use.

SECTION 262p. 35.265 of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

35.265 State budget, copies. The governor may issue not to exceed 1,000 copies of the state budget report, as many copies of the budget report in brief as are necessary to equal the number of budget bills printed, and not to exceed 1,000 copies of his or her ~~annual popular budget review~~ report. The cost of these reports shall be charged to the department. After making the required distribution of the state budget report and budget review report to the executive and legislative agencies and members of the legislature, the remaining copies may be distributed to individuals upon payment of a fee of \$8 per report. Fees collected by the department under this section shall be deposited in the general fund.

SECTION 263. 35.36 (1) of the statutes is amended to read:

35.36 (1) The compensation to the official state ~~paper newspaper~~ and other papers for all legal notices required to be published at the expense of the state ~~shall may~~ not exceed the rates specified in s. 985.08 (1), (2) and (3). All expenditures incidental to such printing shall be ~~borne~~ absorbed by the ~~paper newspaper~~ doing the ~~same publishing~~. Whenever the state elects to provide camera-ready copy for the publication of its laws, facsimile ballots or other legal notices the maximum chargeable rates shall be adjusted as provided in s. 985.08 (2) (b).

SECTION 264. 35.84 (2) (Figure) Line 25 of the statutes is repealed.

SECTION 265. 35.84 (2) (Figure) Line 38 of the statutes is amended to read:

35.84 (2) (Figure) Line 38. Libraries of institutions within the university of Wisconsin system

SECTION 266. 35.84 (2) (Figure) Lines 40, 69, 70 and 75 of the statutes are repealed.

SECTION 266m. 36.09 (1) (d) of the statutes is amended to read:

36.09 (1) (d) The board shall establish policies to guide program activities to ensure that they will be compatible with the missions of the institutions of the system. To this end, the board shall make all reasonable effort to provide night courses.

SECTION 269. 36.11 (17) (h) of the statutes is amended to read:

36.11 (17) (h) The number of instructional faculty eligible for sabbatical leave during the academic year ~~shall may~~ not exceed ~~1-1/2%~~ 1.5% of the total unclassified faculty ~~authorized to the university of Wisconsin system~~ positions filled by members meeting the requirements under par. (a).

SECTION 270. 36.11 (17) (i) of the statutes, as affected by chapter 29, laws of 1977, is repealed.

SECTION 271. 36.25 (11) (a) of the statutes is amended to read:

36.25 (11) (a) The laboratory of hygiene shall be attached to the university of Wisconsin-Madison ~~center for health sciences~~. The laboratory of hygiene board shall meet at least quarterly and may adopt rules under ch. 227, approve the laboratory of hygiene budget, set fees, set priorities and make final approval of laboratory resources so that the laboratory can act in response to agencies' planned objectives and program priorities.

SECTION 272. 36.25 (11) (g) of the statutes is created to read:

36.25 (11) (g) The laboratory of hygiene board shall submit biennial budget requests reflecting joint budgetary planning with agencies served, and any information required by the department of administration under s. 16.43, directly to the department of administration.

SECTION 272m. 36.25 (13) (title) and (a) of the statutes are amended to read:

36.25 (13) (title) UNIVERSITY OF WISCONSIN HOSPITAL AND CLINICS. (a) The board shall establish at the university of Wisconsin-Madison the "University of Wisconsin ~~Hospitals~~ Hospital and Clinics" including ~~the hospitals and hospital buildings associated with~~ the state of Wisconsin general hospital and the Wisconsin orthopedic hospital for children.

SECTION 272r. 36.25 (18) of the statutes is amended to read:

36.25 (18) SCHOOL OF VETERINARY MEDICINE AND SATELLITE FOOD ANIMAL CLINICAL FACILITY. The board ~~may~~ shall establish and maintain a school of veterinary medicine at the university of Wisconsin-Madison and a satellite food animal clinical facility at the university of Wisconsin-River Falls. Existing facilities at those institutions shall be used to the maximum possible extent for auxiliary instructional and research support of the veterinary and satellite food animal clinical programs.

SECTION 273. 36.25 (19) of the statutes is created to read:

36.25 (19) MODEL SCHOOL SPECIAL EDUCATION PROGRAM. (a) The board may establish at the university of Wisconsin-Madison a model school for children with exceptional educational needs as defined in s. 115.76 (3). The school shall utilize practical demonstration techniques to train teachers and other support personnel under s. 115.28 (7) (c).

(b) The board may enter into an agreement with the school board of any school district to provide special education and other related services through the model school to children with exceptional educational needs. The board may charge tuition for children served in the model school. Tuition charges made under such agreements shall be based on the net cost of providing the special education and other related services.

SECTION 273a. 36.33 (1) of the statutes is amended to read:

36.33 (1) LEGISLATIVE INTENT. The legislature finds and determines that, because of ~~a)~~ the problems resulting from the development of the city of Madison around certain agricultural lands of the university of Wisconsin-Madison; ~~b)~~, the desirability of consolidating lands used for agricultural instruction, research and extension purposes; ~~c)~~, the desirability of disposing of agricultural lands no longer needed by the university; and ~~d)~~ the need for land of better quality and of greater quantity for the purpose of improving and expanding agricultural research, it is in the public interest for the board to sell or lease, in whole or in part, the agricultural lands and improvements thereon owned by the board and located in sections 19 ~~and~~, 20 ~~and~~ 30, township 7 north, range 9 east, Dane county; ~~section~~ sections 25 and 27, township 7 north, range 8 east, Dane county; ~~sections 34 and 35, township 38 north, range 11 east, Oneida county;~~ and section 22, township 22 north, range 8 east, Portage county; and to purchase other agricultural lands outside of the Madison urban area and to construct thereon the necessary buildings and improvements. The foregoing policy determination is made without reference to or intention of limiting the powers which the board may otherwise have.

SECTION 273b. 36.33 (4) of the statutes is amended to read:

36.33 (4) PROCEEDS. The net proceeds from the sale of agricultural lands and improvements authorized by this section shall be devoted to the purchase of land and construction of improvements contemplated in sub. (1) but of any excess of revenue beyond the amount required for this purpose a sum not to exceed ~~\$3,500,000~~ \$7,200,000 shall constitute a nonlapsible fund for the purpose of erecting facilities for research and instruction in animal husbandry, agricultural engineering and agriculture

and life sciences at the university of Wisconsin-Madison, and such funds shall become available upon consent and recommendation of the board and authorization by the state building commission.

SECTION 273c. 38.24 (3) (a) 1 of the statutes, as created by chapter 29, laws of 1977, is amended to read:

38.24 (3) (a) 1. For postsecondary and vocational adult students who are Wisconsin residents, other than students in approved apprenticeship programs, a fee based on 37.5% of the statewide property tax funded cost per full-time equivalent student for operating these programs.

SECTION 273g. 38.24 (3) (c) of the statutes, as affected by chapter 29, laws of 1977, is renumbered 38.24 (3) (d).

SECTION 273m. 38.24 (3) (c) of the statutes is created to read:

38.24 (3) (c) District boards may enter into interdistrict contractual agreements to waive, or establish interdistrict payments for, nonresident tuition charges to Wisconsin residents in vocational-adult courses. A copy of any contractual agreement between districts under this paragraph shall be submitted by the district boards to the state board prior to the effective date of such agreement. The district boards entering into an agreement under this paragraph shall notify the state board whenever the agreement is amended or terminated. The district boards shall file a copy of any amendments to an agreement with the state board.

SECTION 273r. 38.28 (2) (b) 4 of the statutes is amended to read:

38.28 (2) (b) 4. The board shall make such adjustments in aid payments during the fiscal year as are necessary to reflect more current data under sub. (1m) and s. 20.292 (1) (d). Final adjustments of state aid payments, on the basis of actual enrollments and costs, including the reduction of net aidable cost by any expenditures in excess of those authorized under s. 38.29, shall be made from the following year's aid appropriation under s. 20.292 (1) (d).

SECTION 273w. 38.29 (2) and (4) of the statutes, as created by chapter 29, laws of 1977, are amended to read:

38.29 (2) For the 1978-79 fiscal year, and annually thereafter, the budgeted full-time equivalent nonfederal operational cost increase for each district over its previous year's actual or allowable full-time equivalent nonfederal operational cost, whichever is lower, shall be limited to 9.5%. The previous year's full-time equivalent nonfederal operational cost includes any retroactive salary increases affecting costs in that year which are required in the current year by a decision of a mediator-arbitrator acting under s. 111.70 (4) (cm).

(4) Prior to a determination by the board on an appeal under sub. (3), the board shall hold a public hearing within the district which has submitted an appeal. The district board shall notify electors of the district of the subject, time and location of the scheduled budget limitation hearing by class ~~2~~ 1 notice under ch. 985. The decision of the board under sub. (3) shall be final.

SECTION 274. 39.28 (4) of the statutes is amended to read:

39.28 (4) The board may assign, sell, convey or repurchase student loans made under s. 39.32 subject to prior approval by the joint committee on finance. Requests for the approval shall be considered as are requests for supplemental appropriations under s. 13.101 (5) and (6).

SECTION 275. 40.02 (intro.) and (1) of the statutes are renumbered 40.02 (1) (intro.) and (a) and amended to read:

40.02 (1) (intro.) The employe trust funds board shall select and retain an actuary or an actuarial firm, under one or more contractual agreements which shall run to the department of employe trust funds, for the purpose of performing all actuarial services which are necessary for the operation and control of each of the insurance and benefit programs under this chapter and chs. 40, 41 and 42. The board shall:

(a) Determine the requirements for and qualifications of the actuary or the actuarial firm ~~so~~ retained.

SECTION 276. 40.02 (2) and (3) of the statutes are renumbered 40.02 (1) (b) and (c).

SECTION 277. 40.02 (2) of the statutes is created to read:

40.02 (2) The board may employ or select such medical, legal and other independent contractors as are required for the administration of the department and shall determine the qualifications and procedures for their selection.

SECTION 278. 40.02 (4) of the statutes is renumbered 40.02 (3) and amended to read:

40.02 (3) ~~Direct~~ The board shall direct the secretary of employe trust funds to sign on behalf of the department any contractual agreement approved by the board.

SECTION 279. 40.18 (4) of the statutes is created to read:

40.18 (4) (a) "Union service leave" for the purpose of this subsection, means that period of absence from state employment commencing on the date a state employe commences a leave of absence for the purpose of serving in a position with a labor organization as defined by s. 111.81 (9), and terminating on the date that leave of absence terminates or on the date that service with that labor organization terminates whichever first occurs.

(b) A state employe may continue life, health and income insurance coverage provided under this subchapter for state employes during any union service leave except the cost for premium payments shall be entirely the responsibility of the former state employe on union service leave. The board shall promulgate rules providing for the manner in which those costs shall be paid.

(c) The board shall promulgate rules determining the amount of insurance and extent of coverage provided and amount of premiums required during a union service leave, except:

1. The amount of insurance and extent of coverage shall be not less than that in effect immediately preceding the commencement of the union service leave; and

Vetoed
in Part

2. After the date which is 3 years after the commencement of the union service leave the amount of insurance and extent of coverage shall be that which would have been provided to the state employe on union service leave if he or she were employed by the state at the maximum of the pay range to which he or she had been assigned immediately prior to commencement of the union service leave.

SECTION 279m. 40.195 of the statutes is created to read:

~~40.195 Union service leave. (1) "Union service leave" for the purpose of this section, means that period of absence from state employment commencing on the date a state employe commences a leave of absence for the purpose of serving in a position with a labor organization as defined by s. 111.81 (9), and terminating on the date that leave of absence terminates or the date that service with that labor organization terminates.~~

~~(2) A state employe may continue life, health and income insurance coverage provided under subschs. III to VI for state employes during any union service leave except the cost for premium payments shall be entirely the responsibility of the state employe on union service leave. The group insurance board shall promulgate rules providing for the manner in which those costs shall be paid.~~

Vetoed
in Part

~~(3) The group insurance board shall promulgate rules determining the amount of insurance and extent of coverage provided and amount of premiums required during a union service leave, except:~~

~~(a) The amount of insurance and extent of coverage shall be not less than that in effect immediately preceding the commencement of the union service leave; and~~

Vetoed
in Part

~~(b) After the date which is 3 years after the commencement of the union service leave the amount of insurance and extent of coverage shall be that which would have been provided to the state employe on union service leave if he or she were employed by the state at the maximum of the pay range to which he or she had been assigned immediately prior to commencement of the union service leave.~~

SECTION 280. 40.22 of the statutes is repealed.

Vetoed
in Part

~~SECTION 280m. 41.02 (12) (p) of the statutes is created to read:
41.02 (12) (p) Who are employes of a municipal mass transit system being operated under a management contract with the municipality unless all of the affected employes of the municipal mass transit system vote under s. 66,944 to be included within this fund.~~

SECTION 281. 41.04 (1) (j) (intro.) and 1 of the statutes are amended to read:

41.04 (1) (j) (intro.) Employ or select such administrative, clerical, ~~medical, legal~~ and other employes ~~or independent contractors~~ as are required for the administration of the fund. Actuarial or other contractual services shall be retained under s. 40.02. The actuary or actuarial firm retained under s. 40.02 shall be the technical advisor of the board and in addition to general advice ~~he~~ shall:

1. Make a general investigation ~~immediately upon the establishment of the fund and~~ at least once every 3 years ~~thereafter~~ of the experience of the fund as to mortality, disability, retirement, separation, interest and employe earnings rates and to certify as a result of each such investigation, the tables to be used for computing annuities and benefits and for determining the premiums for disability purposes, and the prescribed rate of interest.

SECTION 283. 41.10 (4) of the statutes is amended to read:

41.10 (4) The amount of each employer contribution shall be determined by applying the proper percentage rate of contribution to the total of all earnings paid to employes of the employer on each pay day, and all such amounts shall be due and be deposited in the office of the board by the employer ~~not later than the end of the month in which the earnings are paid~~ within the time limits established by rule.

SECTION 284. 41.105 (4) of the statutes is amended to read:

41.105 (4) The amount of each employer contribution shall be the sum of one-twelfth of the annual amount determined under sub. (1) (c), plus the amount determined by applying the proper percentage rate as determined in accordance with sub. (2) to the total of all earnings paid to employes on each pay day, and all such amounts shall be due and be deposited in the office of the board by the employer ~~not later than the end of the month in which earnings are paid~~ within the time limits established by rule. Such contributions shall be made by the state from the respective funds from which the salaries are paid to the employe for whom such contributions are being made; ~~the~~ The heads of the respective state departments and agencies which make the salary deductions in accordance with s. 41.07 (2) (b) shall, at the time that ~~said the~~ salary deductions are sent to the board, determine the amount of the corresponding employer contribution and shall indicate the amount of such contribution on the monthly report submitted in duplicate to the fund. The fund shall transmit one copy of such monthly report to the department of administration together with a voucher for payment to the retirement fund from the appropriate state funds of the amounts payable thereto as indicated by the reports so submitted. Thereupon the department of administration shall promptly approve ~~such the~~ voucher for payment and the state treasurer shall forthwith issue ~~his~~ a check therefor to the retirement fund.

SECTION 285. 42.22 (4) of the statutes is amended to read:

42.22 (4) The board shall use the actuary or actuarial firm or independent contractors retained under s. 40.02 for the purpose of carrying out the necessary actuarial or other contractual service requirements of the system, and employ or select such additional administrative, clerical, ~~medical, legal~~ and other employes ~~or independent contractors~~ as are required for the administration of the system.

SECTION 285m. 42.245 (2) (bm) of the statutes is created to read:

42.245 (2) (bm) An employer may elect that the date used for determining amounts under par. (b) 2. a and b shall be the 62nd birthday of the member, rather than the 65th birthday of the member, for its employes voluntarily applying for a retirement annuity prior to January 1, 1983, for the purpose of calculating that annuity only, except:

1. This paragraph shall apply only to employes who voluntarily terminate their employment after the date on which the employer elects under this paragraph and prior to January 1, 1983.

2. Any action under this paragraph for state employes shall be taken in accord with s. 111.92 or 230.12.

3. Any action under this paragraph by a school district for teachers who are represented by a labor organization shall be taken pursuant to a collective bargaining agreement.

4. This paragraph does not prohibit making election under this paragraph a subject of collective bargaining.

5. The employer shall pay to the department of employe trust funds the difference, as determined by the department, between the actuarial cost of the annuity which would have been paid if the employer had not elected under this paragraph and the actual cost of the annuity payable. The amount payable shall be paid to the department in 3 equal annual payments, plus interest at the effective rate. Each annual payment shall be due and shall be included with the first payment made under s. 42.46 in each fiscal year after the annuity effective date. The amount so paid shall be credited as employer normal current service contributions.

SECTION 286. 42.71 (1) (f) of the statutes is amended to read:

42.71 (1) (f) Use the actuary or actuarial firm or independent contractors retained under s. 40.02 for the purpose of carrying out the necessary actuarial or other contractual service requirements of the fund, and employ or select such additional administrative, clerical, ~~medical, legal~~ and other employes ~~or independent contractors~~ as are required for the administration of the fund.

SECTION 286b. 42.78 (2) (bm) of the statutes is created to read:

42.78 (2) (bm) The board of school directors may elect that the date used for determining amounts under par. (b) 1. a and b shall be the 62nd birthday of the member, rather than the 65th birthday of the member, for its employes voluntarily applying for a retirement annuity prior to January 1, 1983, for the purpose of calculating that annuity only, except:

1. This paragraph shall apply only to employes who voluntarily terminate their employment after the date on which the board of school directors elects under this paragraph and prior to January 1, 1983.

2. The board shall pay to the department of employe trust funds the difference, as determined by the department, between the actuarial cost of the annuity which would have been paid if the board of school directors had not elected under this paragraph and the actual cost of the annuity payable. The amount payable shall be paid to the department in 3 equal annual payments, plus interest at the effective rate. Each annual payment shall be due and shall be included with the first payment made in each fiscal year under ss. 42.71 (1) (e) and 42.89 in each fiscal year after the annuity effective date. The amount so paid shall be credited as employer normal current service contributions.

SECTION 286c. 43.001 (4) of the statutes is amended to read:

43.001 (4) "Municipality" means a city of the 2nd, 3rd or 4th class, village, town ~~or~~, county or a school district authorized to maintain a public library facility under s. 43.52. Notwithstanding its omission under this paragraph, a city of the 1st class may participate in a public library system under s. 43.19 (3).

SECTION 286f. 43.52 (3) of the statutes is created to read:

43.52 (3) Any school district which maintained and operated a public library facility prior to December 17, 1971, shall be considered a municipality for the purposes of this chapter.

SECTION 286j. 43.54 (1) (a) of the statutes is amended to read:

43.54 (1) (a) Each public library established under s. 43.52 shall be administered by a library board composed in each city of the 2nd or 3rd class of 9 members, in each city of the 4th class or county of 7 members and in each village or town of 5 members. Members shall be residents of the municipality, except that not more than 2 members may be residents of towns adjacent to the municipality. Members shall be appointed by the mayor, county board chairman, village president or town chairman, respectively, with the approval of the municipal governing body. In school districts authorized to maintain public library facilities under s. 43.52, the library board shall be composed of 7 members appointed by the school board chairperson with the approval of the school board.

SECTION 286m. 43.58 (2) of the statutes is amended to read:

43.58 (2) The library board shall audit and approve all vouchers for the expenditures of the public library and forward such vouchers or schedules covering the same, setting forth the names of claimants, the amounts of each claim and the purpose for which expended, to the municipal clerk or, in the case of a school district acting under s. 43.52, the school board clerk, with a statement thereon, signed by the library board secretary or other designee of the library board, that the expenditure has been incurred and that the library board has audited and approved the bill. The municipal or school board clerk shall thereupon draw ~~his~~ an order upon the treasurer, and the same shall be paid as other municipal orders are paid as provided by s. 66.042 or, where appropriate, s. 120.54.

SECTION 286p. 43.64 (2) of the statutes is amended to read:

43.64 (2) Any city, town ~~or,~~ village or school district in a county levying a tax for a county library under sub. (1) shall, upon written application to the county board of the county, be exempted from the tax levy, if the city, town ~~or,~~ village or school district making the application expends for a library fund during the year for which the tax levy is made a sum at least equal to the sum which it would have to pay toward the county tax levy.

SECTION 286t. 43.70 (3) of the statutes is amended to read:

43.70 (3) Immediately upon making such apportionment, the state superintendent shall certify to the department of administration the amount that each school district is entitled to receive under this section and shall notify each school district administrator of the amount so certified for his or her school district. Within 15 days after receiving such certification, the department of administration shall issue its warrants upon which the state treasurer shall pay the amount apportioned forthwith to the proper school district treasurer. All moneys apportioned from the common school fund shall be expended for the purchase of library books and other instructional materials for school libraries, but not for public library facilities operated by school districts under s. 43.52, in accordance with rules prescribed by the state superintendent. Appropriate records of such purchases shall be kept and necessary reports thereon shall be made to the state superintendent.

SECTION 286tb. 45.74 (1) (a) of the statutes is renumbered 45.74 (1) and amended to read:

45.74 (1) ANNUAL INCOME LIMITATION. The annual income of the person or both the person and the person's spouse exceeds \$20,700; and \$22,000.

SECTION 286td. 45.74 (1) (b) of the statutes is repealed.

SECTION 286tf. 45.74 (5) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

45.74 (5) COST OF HOUSING. Either the total cost of the housing accommodation including garage, but excluding land and other nonhousing improvements thereon, exceeds 2 times the person's annual income or the total cost of the housing accommodation, including garage, land and other nonhousing improvements thereon exceeds 2.5 times the person's annual income, whichever the person elects. In the case of an improvement loan, the total cost of the housing accommodation and garage means the original cost plus improvements less normal depreciation. ~~However, the total cost of the housing accommodation including garage, land and other nonhousing improvements thereon shall not exceed~~ [However, the total cost of the housing accommodation including garage, land and other nonhousing improvements thereon shall not exceed] \$42,500 prior to June 30, 1978, and \$45,000 thereafter in the case of a loan granted for the purchase of an existing housing accommodation or \$47,500 prior to June 30, 1978, and \$50,000 [50,000] thereafter in the case of a loan granted for the construction of a new housing accommodation or for the purchase of a new, previously unoccupied housing accommodation. [.]

Vetoed
in Part

SECTION 286tm. 45.77 of the statutes is amended to read:

45.77 Veteran's contribution. No loan may be made under this subchapter unless, in addition to such closing costs as the veteran may be required to pay, the veteran has available, and applies on the total cost of the property for which the loan is made, an amount equivalent to at least 5% of such the total cost. ~~Such The~~ amount may consist of money or other assets, including equity in real property. If the loan is to be made for purchase, refinancing existing indebtedness or construction, as these terms are used in s. 45.76, such the amount may not exceed ~~30%~~ 20% of such the total cost. If the loan is to be made for refinancing existing indebtedness the amount shall be computed by subtracting the amount of the housing indebtedness to be refinanced from the current equalized assessed value or the appraised value of the property on which the loan is to be made.

SECTION 287. 46.03 (1) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

46.03 (1) INSTITUTIONS GOVERNED. Maintain and govern the Mendota and the Winnebago mental health institutes, the central state hospital, the ~~Wisconsin correctional institution - Oakhill~~ Oakhill correctional institution, the Wisconsin correctional reception and treatment center, the ~~Wisconsin state prison, the Wisconsin correctional institution, the Wisconsin state reformatory~~ Waupun correctional institution, the Fox Lake correctional institution, the Green Bay correctional institution, the Taycheedah correctional institution, the Wisconsin correctional camp system, the Wisconsin treatment institution, the Ethan Allen school, the Kettle Moraine correctional institution, the Lincoln hills school, the Black River camp, the Wisconsin workshop for the blind and the centers for the developmentally disabled.

SECTION 288. 46.03 (6) (i) of the statutes is repealed.

SECTION 289. 46.03 (18) (g) of the statutes is created to read:

46.03 (18) (g) The department shall return to county departments of public welfare 50% of collections made by the department on and after January 1, 1978, for delinquent accounts previously delegated under par. (e) and then referred back to the department for collections.

SECTION 289m. 46.03 (22) (a) of the statutes, as created by chapter (Assembly Bill 383), laws of 1977, is amended to read:

46.03 (22) (a) "Community living arrangement" means any of the following facilities licensed or operated, or permitted under the authority of the department: child welfare agencies under s. 48.60, group ~~foster~~ homes for children under s. 48.02 ~~(7m)~~ (7s) and community-based residential facilities under s. 50.01; but does not include day care centers, nursing homes, general hospitals, special hospitals, prisons and jails.

SECTION 290. 46.031 (2) (b) 1 of the statutes, as created by chapter 29, laws of 1977, is amended to read:

46.031 (2) (b) 1. A coordinated plan and budget shall be submitted to the county board of supervisors or its designated agent for its review and preliminary approval for submission to the department. If the county board of supervisors or its designated agent does not approve a coordinated plan and budget for submission to the department, the board or its designated agent shall state specific reasons for its rejection and need not preliminarily approve the coordinated plan and budget for submission to the department until its the objections are satisfied. The county board of supervisors or its designated agent or combination of county boards or their designated agents shall submit the coordinated plan and budget to the department by September 30 of each calendar year for its review and approval. ~~The county board of supervisors or combination of county boards shall approve the coordinated plan and budget before January 1 of the year in which it takes effect. Upon approval by the county board of supervisors and the department or by a combination of county boards and the department, the coordinated plan and budget shall be reduced to a written contract between the department and the appropriate board or boards of supervisors as to the approved budget and the allocation of funds as determined by the approved coordinated plans and budgets. The contract may contain such conditions of participation as are consistent with federal and state law but shall not include the cost for administering income maintenance programs. After the department's review and approval of the coordinated plan and budget, the department shall return the coordinated plan and budget to the county board of supervisors or combination of county boards for its final review and approval. The department shall also submit to the county board or combination of county boards a proposed written contract incorporating the coordinated plan and budget as approved by the department and such other administrative requirements as necessary. The proposed contract shall contain the approved budget and the allocation of funds as determined by the approved coordinated plans and budgets. The contract as approved may contain such conditions of participation as are consistent with federal and state law but shall not include the cost for administering income maintenance programs. Any changes to the proposed contract must be mutually agreed upon. The county board of supervisors or combination of county boards shall approve the coordinated plan and budget and the contract before January 1 of the year in which it takes effect.~~

SECTION 291. 46.033 (3) of the statutes, as created by chapter 29, laws of 1977, is amended to read:

46.033 (3) With the agreement of the affected county board or boards of supervisors, effective for the contract period beginning January 1, 1978, and for a subsequent 2-year contract period, the department may select up to 5 counties or combination of counties to pilot test the allocation and administration of a single consolidated aid consisting of the state and federal financial aid available to that county or counties from appropriations under s. 20.435 (2) (b) and (o) and (4) (df) and (p) for services provided and purchased by county social service departments, mental hygiene boards, developmental disabilities boards and human service boards. Under such an agreement, in the interest of improved service coordination and effectiveness the county board or boards of supervisors shall be permitted to reallocate among the several program departments and boards enumerated in s. 46.013 (1) (a) funds that otherwise would be specified for use by a single board or department. The annual program plan and budget required of each county or group of counties under s. 46.031 (1) (a) shall be the vehicle for expressing the county board or boards of supervisors' proposed use of the single consolidated fund. Approval by the department of such use of the fund shall be in accordance with s. 46.031 (2) (a) and (b).

SECTION 292. 46.036 of the statutes, as affected by chapter 29, laws of 1977, is repealed and recreated to read:

46.036 Purchase of care and services. (1) All care and services purchased by the department, a county social service department, a county department of public welfare, or a board established under s. 46.23, 51.42 or 51.437 shall be authorized and contracted for pursuant to the standards established under this section. For purchases of \$10,000 or less the requirement for a written contract may be waived by the

department. When the department directly contracts for services, it shall follow the procedures in this section in addition to meeting purchasing requirements established in s. 16.75.

(2) All care and services purchased shall meet standards established by the department and other requirements specified by purchaser in the contract. Based on these standards the department shall establish standards for cost accounting and management information systems that shall monitor the utilization of such services, and document the specific services in meeting the service plan for the client and the objective of the service.

(3) (a) Purchase of service contracts shall be written in accordance with rules and procedures established by the department. Contracts for client services shall show the total dollar amount to be purchased and for each service the number of clients to be served, number of client service units, the unit rate per client service and the total dollar amount for each service.

(b) Payments under a contract may be made on the basis of actual allowable costs or on the basis of a unit rate per client service multiplied by the actual client units furnished each month. The contract may be renegotiated when units vary from the contracted number. The purchaser shall determine actual marginal costs for each service unit less than or in addition to the contracted number.

(c) For proprietary agencies, contracts may include a percentage add-on for profit according to rules established by the department.

(d) Reimbursement to an agency may be based on total costs agreed to by the parties regardless of the actual number of service units to be furnished, when the agency is entering into a contract for a new or expanded service that the purchaser recognizes will require a start-up period not to exceed 180 days. Such reimbursement applies only if identified client needs necessitate the establishment of a new service or expansion of an existing service.

(e) If the purchaser finds it necessary to terminate a contract prior to the contract expiration date for reasons other than nonperformance by the provider, actual cost incurred by the provider may be reimbursed for an amount determined by mutual agreement of the parties.

(f) Advance payments of up to one-twelfth of an annual contract may be allowed under the contract on the condition that the provider supplies a surety bond for an amount equal to the amount of the advance payment applied for. The cost of the surety bond shall be allowable as an expense.

(4) For purposes of this section and as a condition of reimbursement, each provider under contract shall:

(a) Maintain a uniform double entry accounting system and a management information system which are compatible with cost accounting and control systems prescribed by the department.

(b) Cooperate with the department and purchaser in establishing costs for reimbursement purposes.

(c) Unless waived by the department, provide the purchaser with a certified annual audit report. The report shall show for the contract period expenses and revenues by major line item and distributed among the services provided.

(d) Transfer a client from one category of care or service to another only with the approval of the purchaser.

(e) Charge a uniform schedule of fees as defined under s. 46.03 (18) unless waived by the purchaser with approval of the department. Whenever providers recover funds attributed to the client, such funds shall offset the amount paid under the contract.

(5) The purchaser shall recover from provider agencies money paid in excess of the conditions of the contract, ~~the amounts of which shall be determined on the basis of the audit as required in sub. (4) (c).~~ The department may deduct any overpayment from subsequent payments made to the provider.

(6) Contracts may be renegotiated by the purchaser under conditions specified in the contract.

(7) The service provider under this section may appeal decisions of the purchaser in accordance with terms and conditions of the contract and ch. 68 or 227.

SECTION 293. 46.045 of the statutes is created to read:

46.045 Community correctional residential centers. The department may establish and operate community correctional residential centers. The secretary may allocate and reallocate existing and future facilities as part of these centers. The community correctional residential centers shall be institutions as defined in s. 46.03 and shall be state prisons as defined in s. 53.01. Inmates from Wisconsin state prisons may be transferred to these institutions and they shall be subject to all laws pertaining to inmates of other penal institutions of the state. Officers and employes of the institutions shall be subject to the same laws as pertain to other penal institutions. Inmates shall not be received on direct commitment from the courts.

SECTION 294. 46.10 (8m) (a) of the statutes is amended to read:

46.10 (8m) (a) Deduct 100% of all moneys collected on or after January 1, 1975, from the chargeable cost of care at the mental health institutes, ~~central state hospital~~ and the centers for the developmentally disabled;

SECTION 294m. 46.10 (8m) (d) of the statutes is amended to read:

46.10 (8m) (d) Paragraph (a) does not apply to emergency inpatient services provided under s. 46.03 (27) or primary psychiatric care, both of which shall be billed on the basis of total chargeable cost. Collections for such emergency services under s. 46.03 (27) and primary care shall be deducted from the chargeable cost of other types of care provided at the institutes.

SECTION 295. 46.10 (14) of the statutes, as affected by chapters 29 and 203, laws of 1977, is amended to read:

46.10 (14) Beginning on August 1, 1977, wherever liability exists under sub. (2) or s. 46.03 (18) for inpatient care and maintenance of persons under 18 years of age at community mental health centers, a county mental health center under s. 51.08, the centers for the developmentally disabled, Mendota mental health institute, and Winnebago mental health institute ~~and central state hospital~~ or care and maintenance of persons under 18 years of age in residential, nonmedical facilities such as group homes and foster care, child care and juvenile correctional institutions, liability of parents under sub. (2) or s. 46.03 (18) shall be limited to \$4 per day. This limitation shall not apply to the liability of the child receiving the care and services. Any liability incurred by the child not covered by parents or medical assistance or other 3rd party benefits shall be terminated on the child's 18th birthday. In any case, the department may grant a lesser special rate based on the ability to pay of the parent, and no liability may accrue for the difference between the lesser special rate and \$4 per day. Where parents hold hospitalization insurance paying benefits in excess of \$4 per day, they shall be liable to the extent of the coverage provided by the hospitalization insurance but not in excess of the actual per capita cost of care and maintenance determined in accordance with the fee schedule established by the department under s. 46.03 (18). The department shall review the consumer price index at the end of each calendar year. Whenever the purchasing power of \$4 for the calendar year 1977 is equivalent or greater than the purchasing power of \$5 or other higher full dollar increments at the end of a subsequent calendar year, the department shall automatically substitute the \$4 per day rate specified in this section with the rate of \$5 per day or other full dollar amount per day. The rate change shall go into effect on the following July 1.

SECTION 296. 46.22 (5) (a) 2 of the statutes is amended to read:

46.22 (5) (a) 2. State institutions. Mendota mental health institute, Winnebago mental health institute, ~~Wisconsin general hospital, Wisconsin orthopedic hospital for children~~ university of Wisconsin hospital and clinics, center for the developmentally disabled, ~~central state hospital~~ and Ethan Allen school.

SECTION 297. 46.22 (5) (am) of the statutes is amended to read:

46.22 (5) (am) ~~The provisions of par. Paragraph~~ (a) shall not be construed to authorize the county department of public welfare to make investigations regarding admission to or release from the ~~Wisconsin state prison, the Wisconsin state reformatory~~ Waupun correctional institution, the Green Bay correctional institution, the Taycheedah correctional institution, county houses of correction, jails, detention homes or reforestation camps.

SECTION 298. 46.22 (5m) (c) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

46.22 (5m) (c) County agencies shall submit to the department plans and contracts for care and services to be purchased. Such contracts shall be developed under s. 46.036. The department shall review such contracts and approve them if they are consistent with s. 46.036 and to the extent that state or federal funds are available for such purposes. The joint committee on finance may require the department to submit such contracts to the committee for review and approval. The department shall not make any payments to a county for programs included in the contract which is under review by the committee. If the committee requires the submittal of the contracts, approval of the contracts shall be considered as are requests for supplemental appropriations under s. 13.101 (5) and (6). The department shall reimburse each county for such approved contracts from the appropriations under s. 20.435 (4) (df) and (p) according to s. 49.52, or from the appropriation under s. 20.435 (2) (b).

SECTION 298m. 46.25 (6) of the statutes is created to read:

46.25 (6) The department shall establish, pursuant to federal and state laws, rules and regulations, a uniform system of fees for services provided under this section to individuals not receiving aid under s. 49.19. All such fees paid and collected may be retained by the county providing such service except for the fee specified in 42 U.S.C. 653 for federal parent locator services.

SECTION 298p. 46.85 of the statutes is created to read:

46.85 Senior companion program. (1) The department may establish and operate a senior companion program. If operated, the program shall engage the services of low-income persons aged 60 or over to provide supportive person-to-person assistance in health, education, recreation, welfare and related fields to persons aged 60 or over with special needs who reside in their own homes, and it may engage other persons aged 60 or older, regardless of income, as volunteers in similar activities.

(2) If the department establishes a program under this section, it shall promulgate rules for the operation of the program. Such rules shall include:

(a) A definition of "low income" which shall at least equal the guidelines of the federal ACTION program.

(b) A requirement that program units provide accident and liability insurance coverage during working hours for all program participants, including volunteers.

(c) A requirement that program units receiving federal funds establish advisory councils empowered according to, but not limited by, applicable federal guidelines. Council members may be reimbursed for transportation and other expenses incurred in service to the program.

(3) From the appropriation under s. 20.435 (2) (bc), the secretary may make renewable state grants-in-aid to qualified public and nonprofit private agencies for the operation of local senior companion program units. The grants shall be for periods of 12 months or less and shall be for no more than 90% of approved nonfederal expenditures and other expenditures specifically authorized by the secretary. The grants may not be used to match other state funds.

(4) Low income older persons employed in a senior companion program shall be paid a stipend which compensates them for no more than 20 hours per week at an hourly rate not to exceed the federal minimum wage, and in addition shall receive reimbursement for the cost of one meal per working day.

(5) All persons engaged in a senior companion program, whether for compensation or as volunteers, are eligible for:

- (a) Transportation assistance, not to exceed mileage payments for 20 miles per day.
- (b) Accident and liability insurance coverage during working hours.

SECTION 298r. 46.90 of the statutes is created to read:

46.90 Displaced homemakers act. (1) DEFINITIONS. In this section:

(a) "Displaced homemaker" means an individual who:

- 1. Has worked in the home for a substantial number of years providing unpaid household services for family members;
- 2. Is not gainfully employed;
- 3. Has had, or would have, difficulty in securing employment; and
- 4. Has been dependent on the income of another family member but is no longer supported by such income, has been dependent on public assistance but is no longer eligible for such assistance, or is supported as the parent of minor children by public assistance or spousal support but whose children are within 2 years of reaching their majority.

(2) MULTIPURPOSE SERVICE CENTER. (a) The department shall establish a multipurpose service center for displaced homemakers not later than one year after the effective date of this act (1977).

(b) The center shall include the following services:

- 1. Job counseling services specifically designed for displaced homemakers.
- 2. Job training and job placement services which shall develop, by working with state and local government agencies and private employers, training and placement programs for jobs in the public and private sectors; assist displaced homemakers in gaining admission to existing public and private job training programs and opportunities; and assist in identifying community needs and creating new jobs in the public and private sectors.
- 3. Health education and counseling services in cooperation with existing health programs with respect to general principles of preventative health care; health care consumer education, particularly in the selection of physicians and health care services and health insurance; family health care and nutrition; alcohol and drug addiction; and other related health care matters.
- 4. Financial management services which provide information and assistance with respect to insurance, taxes, estate and probate problems, mortgages, loans and other related financial matters.
- 5. Educational services, including outreach and information about courses offering credit through secondary or postsecondary education programs, including bilingual programming where appropriate; and information about such other programs which may be of interest and benefit to displaced homemakers.
- 6. Legal counseling and referral services.
- 7. Outreach and information services with respect to public employment, education, health, public assistance and unemployment assistance programs which may be of interest and benefit to displaced homemakers.

(c) Supervisory, technical and administrative positions relating to the center established under this section shall, to the maximum extent feasible, be filled by displaced homemakers.

(d) Trainees in a program established under par. (b) 2, who have demonstrated a financial need to the satisfaction of the department, shall be paid a stipend not less than the federal minimum wage, established by the fair labor standards act of 1938 (29 U.S.C. 201 et seq.) while engaged in the program.

(3) SELECTION AND ADMINISTRATION OF CENTER. (a) In selecting a site for the center established under sub. (2), the department shall consider:

1. The location of any existing facilities for displaced homemakers and of any similar existing services which might be incorporated into a center.
2. The needs of the various regions of the state for a center.
3. The needs of both urban and rural communities.

(b) As soon as possible after the selection of a particular site for the center under par. (a), and in any case not later than one year after the effective date of this act (1977), the department shall select a public or nonprofit private organization to administer the center. The selection of such an organization shall be made after consultation with state and local government agencies, and shall take into consideration the experience and capability of the organizations in administering the services to be provided by the center.

(c) The department may make grants from the appropriation under s. 20.435 (4) (fz) to the organization selected under par. (b) for the purpose of establishing and maintaining the center. The organization shall be eligible for grants equal to the total cost of establishing and maintaining a center.

(d) As soon as practicable and in any case not later than 6 months after the effective date of this act (1977), the department shall promulgate rules prescribing the standards which shall be met by the center in accordance with the policies set forth in this section. Continuing grants for the maintenance of each center shall be contingent upon the determination by the department, based upon evaluations under this section, that the center is in compliance with the standards prescribed by the department.

(e) The department shall consult and cooperate with the appropriate state and federal officials to facilitate the coordination of the center established under this section with existing programs of a similar nature.

(4) EVALUATION. (a) The department, in consultation with appropriate persons, shall prepare and furnish to the legislature evaluations of the center established under this section. Such evaluation shall include a thorough assessment of the center; and recommendations concerning the administration and expansion of this and other possible centers.

(b) The department shall submit to the legislature the first of the evaluations required under this subsection not later than 18 months after the effective date of this act (1977). Subsequent evaluations shall be made every 2 years.

(5) NONDISCRIMINATION. No person may, on the ground of sex, age, race, color, religion or national origin, be excluded from participating in, be denied the benefits of, or be subjected to discrimination under, any program or activity funded in whole or in part with funds made available under this section.

SECTION 299. 47.01 of the statutes is amended to read:

47.01 Definition of blind. ~~As used in In~~ this chapter, ~~blind~~ "blind" includes persons ~~visually handicapped, as determined by competent medical authority, with the approval of the department whose central visual acuity does not exceed 20/200 in the better eye with correcting lenses or whose visual acuity, if better than 20/200, has a limit to the field of vision to such a degree that its widest diameter subtends an angle no greater than 20 degrees.~~

SECTION 300. 47.08 of the statutes is amended to read:

47.08 Business enterprises program; concessions and stands. The department may establish a business enterprise program for the blind. In connection therewith, the department may own, lease, manage, supervise and operate vending stands and other business enterprises for the use or benefit of blind persons in federal, state, private and other buildings. The share of the supervisory and other expenses of this program to be charged to each enterprise shall ~~not exceed 3% of the gross receipts of such enterprise~~ be determined by the department with the participation of the state committee of blind

vendors established in accordance with P.L. 74-732 as amended. The ultimate objective of this program shall be to enable blind persons to own and operate their own business enterprises. To this end whenever the blind person is able to pay for his or her equipment and stock, the department shall sell it to him or her at depreciated cost. The department, however, is not required to consummate such a sale until the blind person has operated the concession under department supervision for one year. The contract between the department and the blind purchaser shall stipulate that, in the event of a subsequent resale or in the event of the death of the blind purchaser, the department shall have the option of repurchasing the enterprise, together with all its assets, at depreciated cost, such option to be exercised within 90 days after notice. It shall further stipulate that if, at the expiration of any term of lease, the lessor considers the blind lessee to be unsatisfactory, the latter shall resell to the department at depreciated cost. In such event, the department shall select another blind operator as lessee.

SECTION 301. 48.02 (7) of the statutes is amended to read:

48.02 (7) "Foster home" means any facility operated by a person required to be licensed by s. 48.62 that provides care and maintenance for no more than 4 children unless all children are siblings.

SECTION 301g. 48.02 (7m) of the statutes, as created by chapter (Assembly Bill 383), laws of 1977, is repealed.

SECTION 301r. 48.02 (7s) of the statutes is created to read:

48.02 (7s) "Group home" means any facility operated by a person required to be licensed by the department under s. 48.625 for the care and maintenance of 5 to 8 children.

SECTION 302. 48.02 (13) of the statutes is amended to read:

48.02 (13) "Shelter care facility" means a nonsecure place of temporary care and physical custody for ~~those juveniles who, in the opinion of the juvenile judge, can be cared for in such facility~~ children, licensed by the department under s. 48.66.

SECTION 305. 48.31 ~~(1)~~, and (4) (b) 2 and 4, as created by chapter 29, laws of 1977, of the statutes are amended to read:

~~48.31 (1) The county board of supervisors of one county may establish a detention home or a shelter care facility or both or 2 or more counties may join together and establish a detention home or a shelter care facility or both in accordance with s. 46.20. The county board of supervisors of one county may purchase shelter care services from a privately operated licensed shelter care facility or the county boards of supervisors of 2 or more counties may join together to purchase shelter care services from a privately operated licensed shelter care facility.~~

Vetoed
in Part

~~(1m) In counties having a population of less than 500,000, the policies of the detention home or shelter care facility shall be determined by the judge of the juvenile court or, in the case of a detention home or shelter care facility established by 2 or more counties, by a committee of the judges of the juvenile courts in the participating counties. In counties having a population of 500,000 or more, the nonjudicial operational policies of the detention home and the detention section of the children's court center shall be established by the county board of public welfare as specified in s. 48.06 (1), and the execution thereof shall be the responsibility of the director of the children's court center.~~

~~(4) (b) 2. The facility shall be licensed under s. 48.48 (9) (b) 48.66;~~

4. The facility may not receive any other form of federal or state reimbursement for the per capita cost of care of children in the shelter care portion of the facility's program.

SECTION 305m. 48.31 (5) of the statutes is created to read:

48.31 (5) No person may establish a shelter care facility without first obtaining a license under s. 48.66.

~~SECTION 306. 48.34 (3) (a) of the statutes is amended to read:
48.34 (3) (a) All orders under sub. (1) (c) and (d), except orders transferring legal custody to the department, shall be for a specified length of time set by the court. ~~But, before~~ Before the order has expired the court has continuing jurisdiction to renew the order or make some other disposition of the case, either on its own motion or that of any interested party, until the child reaches the age of 18. Any person to whom legal custody of a child is transferred, except the department, shall report to the court in writing once a year on the status of the child. All transfers of legal custody to the department under sub. (1) (d) ~~except those under ch. 54~~ shall be until the age of 18 unless the department discharges the child sooner under s. 48.53.~~

Vetoed
in Part

SECTION 308. 48.48 (4) of the statutes is amended to read:

48.48 (4) To provide appropriate care and training for children in its legal custody; including placing those children in licensed foster homes or licensed group homes or contracting for their care ~~of them~~ by licensed child welfare agencies;

SECTION 309. 48.48 (9) (b) of the statutes, as created by chapter 29, laws of 1977, is amended to read:

48.48 (9) (b) To license shelter care facilities as provided in s. 48.66 ~~for the use of licensed child welfare agencies or county agencies.~~

SECTION 310. 48.48 (12) (a) of the statutes is amended to read:

48.48 (12) (a) To enter into an agreement to assist in the cost of care of a child after legal adoption when the department has determined that such assistance is necessary to assure the child's adoption. ~~Agreements shall be made prior to legal adoption and only for children in the guardianship of the department or other agency authorized to place children for adoption. The amount paid shall not exceed the cost of foster home care under this paragraph shall be made in accordance with s. 48.975. Payments shall be made from the appropriation under s. 20.435 (4) (b).~~

SECTION 311. 48.48 (15) of the statutes is created to read:

48.48 (15) To license group homes as provided in s. 48.625.

SECTION 312. 48.57 (1) (c) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

48.57 (1) (c) To provide appropriate care and training for children in its legal custody, including placing those children in licensed foster homes or licensed group homes in this state or another state within a reasonable proximity to the agency with legal custody or contracting for their care ~~of them~~ by licensed child welfare agencies;

SECTION 315. 48.58 (2) (a) of the statutes, as affected by chapters 29 and 194, laws of 1977, is amended to read:

48.58 (2) (a) Reimbursement under sub. (1) (c) shall be limited to the first 30 days of care. Allowable cost shall be determined according to s. 46.037. Payment shall be made from the ~~appropriation~~ appropriations under s. 20.435 (4) (b) and (n). For fiscal year 1977-78, reimbursement under sub. (1) (d) shall follow the policy of reimbursement outlined for sub. (1) (c).

SECTION 317. 48.61 (3) of the statutes is amended to read:

48.61 (3) To provide appropriate care and training for children in its legal custody and, if licensed to do so, to place children in licensed foster homes and licensed group homes;

SECTION 318. 48.62 (title) of the statutes is amended to read:

48.62 (title) Licensing of foster homes.

SECTION 319. 48.62 (1) of the statutes is amended to read:

48.62 (1) No person shall may receive, with or without transfer of legal custody, ~~any child~~ 4 or fewer children to provide care and maintenance for ~~that child~~ those children unless he or she obtains a license to operate a foster home from the department or from a county agency or licensed child welfare agency as provided in s. 48.75.

SECTION 321. 48.62 (2) of the statutes is repealed and recreated to read:

48.62 (2) Relatives as defined in s. 48.02 (12) or as specified in s. 49.19 (1) (a) or a guardian of a child, who provide care and maintenance for a child, are not required to obtain the license specified in this section. The department or a county agency or licensed child welfare agency as provided in s. 48.75 may issue a license to operate a foster home to those relatives who have no duty of support under s. 52.01 (1) (a) and who request a license to operate a foster home.

SECTION 323. 48.625 of the statutes is created to read:

48.625 Licensing of group homes. No person may receive, with or without transfer of legal custody, 5 to 8 children, to provide care and maintenance for those children unless that person obtains a license to operate a group home from the department.

SECTION 325. 48.64 (title), (1) and (2) of the statutes are amended to read:

48.64 (title) Placement of children in foster homes and group homes. (1) (title) FOSTER HOME AND GROUP HOME AGREEMENTS. If the department, a county agency specified in s. 48.56, a juvenile court, or a child welfare agency authorized to do so, places a child in a foster home or group home, it shall enter into a written agreement with the head of such home, which agreement shall provide that the agency shall have access at all times to the child and the home, and that the child will be released to the agency whenever, in the opinion of the agency placing the child or the department, the best interests of the child require it. Where a child has been in ~~the a~~ foster home or group home for 6 months or more, the department or agency shall give the ~~foster parents~~ head of the home written notice of intent to remove the child, stating the reasons for such removal. The child may not be removed before completion of the hearing under sub. (4) (a), if requested, or 30 days from the receipt of the notice, whichever is later, unless the safety of the child requires it. If a child is removed from an adoptive placement, the ~~foster parents~~ head of the home shall have no claim against the placing agency for the expense of care, clothing or medical treatment.

(2) (title) SUPERVISION OF FOSTER HOME AND GROUP HOME PLACEMENTS. Every child in a foster home or group home shall be under the supervision of a county agency, specified in s. 48.56, a child welfare agency authorized to place children in foster homes or group homes, or of the department.

SECTION 326. 48.64 (3) of the statutes is repealed.

SECTION 327. 48.64 (4) (title), (a) and (c) of the statutes are amended to read:

48.64 (4) (title) ORDERS AFFECTING THE HEAD OF A HOME OR THE CHILDREN. (a) Any decision or order issued by a division of the department of health and social services, a county welfare department or a child welfare agency affecting ~~foster parents~~ the head of a foster or group home or the children involved may be appealed to the department of health and social services under fair hearing procedures established under department rules. The department shall, upon receipt of such petition, give the ~~foster parents~~ head of the home reasonable notice and opportunity for a fair hearing. The department may make such additional investigation as it deems necessary. Notice of the hearing shall be given to the ~~foster parents~~ head of the home and to the division, the county department or child welfare agency. They shall be entitled to be represented at such hearing. At all hearings conducted under this subsection, the ~~foster parents~~ head of the home, or ~~their~~ a representative of the head of the home, shall have an adequate opportunity, notwithstanding s. 48.78, to examine all documents and records to be used at the hearing at a reasonable time before the date of the hearing as well as during the hearing, to bring witnesses, to establish all pertinent facts and circumstances, and to question or refute any testimony or evidence, including opportunity to confront and cross-examine adverse witnesses. A continuance for a reasonable period of time shall be granted when an issue is raised for the first time during a hearing. This requirement may be waived with the consent of the parties. The decision of the department shall be based exclusively on evidence introduced at the hearing. A transcript of testimony and exhibits, or an official report

containing the substance of what transpired at the hearing, together with all papers and requests filed in the proceeding, and the findings of the hearing examiner shall constitute the exclusive record for decision by the department and shall be available to ~~the foster parents head of the home or their~~ the representative, at a place accessible to them, at any reasonable time. Decisions by the department shall specify the reasons for the decision and identify the supporting evidence. No person participating in a departmental or agency action being appealed shall participate in the final administrative decision on such action. The department shall render its decision as soon as possible after the hearing and shall send a certified copy of its decision to the ~~foster parents head of the home~~, the division, the county department or the child welfare agency. The decision shall be binding on all parties concerned.

(c) The county court of the county where the child is shall have jurisdiction upon petition of any interested party over a child who has been placed in a foster home or group home. The court may call a hearing, at which the ~~foster parents head of the home~~ and the supervising agency under sub. (2) shall be present, for the purpose of reviewing any decision or order of said agency involving ~~foster~~ the placement and care of the child. The court shall determine the case so as to promote the best interests of the child.

SECTION 328. 48.66 of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

48.66 Licensing duties of the department. The department shall license and supervise child welfare agencies, as required by s. 48.60, group homes, as required by s. 48.625, shelter care facilities, as required by s. 48.48 and day care centers, as required by s. 48.65. The department may license foster homes, as provided by s. 48.62, and may license and supervise county departments of public welfare as provided in s. 48.43 (1) (am) in accordance with the procedures specified in ss. 48.67 to 48.74.

SECTION 328m. 48.67 (3) of the statutes, as affected by chapter (Assembly Bill 383), laws of 1977, is amended to read:

48.67 (3) The department shall prescribe the form and content of records to be kept and information to be reported by persons licensed by it. Child welfare agencies and group ~~foster~~ homes shall report upon application for renewal of licensure all formal complaints regarding their operation filed under s. 48.745 (2) and the disposition of each.

SECTION 328p. 48.675 of the statutes is created to read:

48.675 Foster care education program. (1) **DEVELOPMENT OF PROGRAM.** The department shall develop a foster care education program to provide specialized training for persons operating family foster homes. Participation in the program shall be voluntary and shall be limited to persons operating foster homes licensed under s. 48.62 and caring for children with special treatment needs.

(2) **APPROVAL OF PROGRAMS.** The department shall promulgate rules for approval of programs to meet the requirements of this section. Such programs may include, but need not be limited to: in-service training; workshops and seminars developed by the department or by county departments of social services; seminars and courses offered through public or private education agencies; and workshops, seminars and courses pertaining to behavioral and developmental disabilities and to the development of mutual support services for foster parents. The department may approve programs under this subsection only after consideration of relevant factors including level of education, useful or necessary skills, location and other criteria as determined by the department.

(3) **SUPPORT SERVICES.** The department shall provide funds from the appropriation under s. 20.435 (4) (b) to enable foster parents to attend education programs approved under sub. (2) and shall promulgate rules concerning disbursement of such funds. Moneys disbursed under this subsection may be used for the following purposes:

(a) Care of residents of the foster home during the time of participation in an education program.

(b) Transportation to and from an education program.

(c) Course materials and fees.

(d) Specialized workshops, seminars, and courses pertaining to behavioral and developmental disabilities.

SECTION 328q. 48.68 (2) and (3) of the statutes, as created by chapter (Assembly Bill 383), laws of 1977, are amended to read:

48.68 (2) Before renewing the license of any child welfare agency or group ~~foster~~ home, the department shall consider all formal complaints filed under s. 48.745 (2) and the disposition of each during the current license period.

(3) Within 10 working days after receipt of an application for initial licensure of a child welfare agency or group ~~foster~~ home, the department shall notify the city, town or village planning commission, or other appropriate city, town or village agency if there is no planning commission, of receipt of the application. The department shall request that the planning commission or agency send to the department, within 30 days, a description of any specific hazards which may affect the health and safety of the residents of the child welfare agency or group home. No license may be granted to a child welfare agency or group ~~foster~~ home until the 30-day period has expired or until the department receives the response of the planning commission or agency, whichever is sooner. In granting a license the department shall give full consideration to such hazards determined by the planning commission or agency.

SECTION 328r. 48.745 (title) and (1) to (3) of the statutes, as created by chapter (Assembly Bill 383), laws of 1977, are amended to read:

48.745 (title) Formal complaints regarding child welfare agencies and group homes.

(1) If a complaint is received by a child welfare agency or group ~~foster~~ home, the licensee shall attempt to resolve the complaint informally. Failing such resolution, the licensee shall inform the complaining party of the procedure for filing a formal complaint under this section.

(2) Any individual may file a formal complaint under this section regarding the general operation of a ~~facility child welfare agency or group home~~ and shall not be subject to reprisals for doing so. [All formal] * complaints regarding child welfare agencies and group ~~foster~~ homes shall be filed with the county public welfare department on forms supplied by the county department unless the county department designates the department to receive formal complaints. The county department shall investigate or cause to be investigated each formal complaint. Records of the results of each investigation and the disposition of each formal complaint shall be kept by the county department and filed with the bureau within the department which licenses child welfare agencies and group ~~foster~~ homes.

(3) Upon receipt of a formal complaint, the county department may investigate the premises and records and question the licensee, staff and residents of the ~~facility child welfare agency or group home~~ involved. The county department shall attempt to resolve the situation through negotiation and other appropriate means.

SECTION 330. 48.975 of the statutes is created to read:

48.975 Subsidized adoption. (1) DEFINITION. In this section, "subsidized adoption" means payments by the department to the parents of an adopted child which are designed to assist in the cost of care of a child after legal adoption.

(2) APPLICABILITY. The department may subsidize an adoption only when it has determined that such assistance is necessary to assure the child's adoption.

(3) TYPES. Either type of adoption subsidy specified in this subsection may be granted alone or in conjunction with the other.

(a) *Maintenance.* For support of a child who was in foster care immediately prior to adoption, the maintenance subsidy shall be equivalent to the amount of that child's foster care payment. For support of a child not in foster care immediately prior to placement with a subsidy, the subsidy shall be equivalent to the uniform foster care rate.

* The words "All formal" were inadvertently dropped in the preparation of 1977 Assembly Bill 1220. Nothing in the drafting records indicates a legislative intent to omit these words.

(b) *Medical.* A medical assistance subsidy shall be sufficient to pay expenses due to a physical, mental or emotional condition of the child which is not covered by a health insurance policy insuring the child or the parent.

(4) PROCEDURE. A written agreement shall be made prior to legal adoption only for children in the guardianship of the department or other agency authorized to place children for adoption. The subsidy may be continued after the child reaches the age of 18 if that child is a full-time high school student.

(5) RULES. The department shall promulgate rules necessary to implement this section.

SECTION 331. 49.046 of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

49.046 Relief of needy Indian persons. (1) From the appropriation made in s. 20.435 (4) (e) and (o) the department shall grant relief to needy Indian persons not eligible for aid under s. 49.177, 49.19, 49.46 or 49.47 and residing on tax-free lands or in Menominee county ~~and, except that a person who fails to comply with the requirements of s. 49.047 may be denied aid under this section.~~ The department shall appoint the elected tribal councils governing body administering federal assistance on such lands or the Menominee county department of social services to administer relief under this section. If there is no elected tribal council governing body administering federal assistance on such lands, or if the local elected tribal council governing body so chooses, the department may appoint the welfare agency or an appropriate Indian organization in the county or municipality wherein such needy Indian persons reside to administer relief under this section. Any agency so appointed shall make such reports as are required ~~and such accounting for funds as are made available~~ under this section. Reimbursement for the costs of administering relief under this section shall be from the appropriation under s. 20.435 (4) (de). The department shall establish rules governing allowable costs of administration. The department may enter into suitable agreements with any appropriate agency of the federal government for provision of relief to needy Indian persons. Administration of relief under this section by any elected tribal governing body or other Indian organization does not confer jurisdiction over any tribe or Indian organization upon this state.

(2) The department, after consulting with all elected tribal governing bodies, shall adopt rules establishing eligibility requirements and the uniform administration of such eligibility requirements and the amounts of aid under this section. Grants to a person under this section shall be equal to what would be granted under ~~s. ss. 49.19 (11) (a), 49.45 and 49.46~~ if such person were eligible for grants under s. 49.19. ~~Such grants shall begin on the first day of the month following June 29, 1974.~~

(3) Any person whose application for aid under this section is not acted upon with reasonable promptness after the filing of the application, or is denied in whole or in part, or whose award is modified or canceled, or who believes ~~his~~ the award to be insufficient, shall enjoy the same rights of fair hearing and review of such actions as are set forth in s. 49.50 (8) for the benefit of applicants and recipients of other forms of public assistance. The procedures to be followed shall be as described in s. 49.50 (8), except that, where that section provides rights and duties of counties and county officers charged with administering public assistance, elected tribal councils governing bodies and elected tribal council governing body officers charged with administering relief of needy Indian persons shall have such rights and duties where tribal councils have been appointed to administer relief under this section. In all proceedings for judicial review arising from the administration of relief under this section, the department shall be the respondent.

SECTION 331m. 49.047 of the statutes is created to read:

49.047 Work experience program. (1) The purpose of the work experience program is to provide a useful work experience, and when possible, work training opportunities which may lead to gainful employment for the persons receiving relief under s. 49.046.

(2) In this section, "work experience program" means a program authorized and sponsored by the body appointed to administer relief under s. 49.046 for eligible recipients of relief under s. 49.046.

(3) A body appointed by the department to administer relief under s. 49.046 shall operate a work experience program authorized and sponsored by the appointed body for eligible recipients of relief under s. 49.046.

(4) Recipients of relief under s. 49.046 shall participate in a work experience program. Nonparticipation shall be cause for terminating assistance. The department, after consultation with all elected tribal governing bodies, shall by rule provide exceptions to this policy.

(5) A body appointed by the department to administer relief under s. 49.046 shall authorize work experience programs for the performance of any work not prohibited by law. Such programs shall not be operated so as to supplant regular employes of the administering entity or other municipal, county or state governmental units.

(6) Section 49.05 does not apply to this section.

SECTION 331p. 49.055 (1) and (2) of the statutes, as created by chapter 29, laws of 1977, are amended to read:

49.055 (1) Within the limits of the appropriation under s. 20.435 (4) (dL), the department shall distribute funds to counties which choose to provide assistance for fuel and utilities emergencies. Funds shall be distributed on the basis of population only to those counties which provide ~~25%~~ 20% county matching funds.

(2) Funds shall be distributed by the county agency designated by the county board of supervisors and shall be granted in the form of a loan not to exceed ~~\$150~~ \$200 per household ~~per year~~ for bills incurred between December 1 and March 31.

SECTION 331x. 49.055 (4) and (5) of the statutes are created to read:

49.055 (4) Loans shall be paid to only those households with an annual income at or below 125% of the federal poverty line.

(5) Receipt of assistance under a federal emergency fuel assistance program shall constitute a condition of ineligibility for assistance under this section.

SECTION 332. 49.10 (12) (f) 1 of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

49.10 (12) (f) 1. Public. ~~Wisconsin state prison; Wisconsin correctional institution; Wisconsin state reformatory~~ Waupun correctional institution; Fox Lake correctional institution; Green Bay correctional institution; Taycheedah correctional institution; ~~Wisconsin correctional institution - Oakhill~~ Oakhill correctional institution; Lincoln Hills school; Ethan Allen school; county jails or houses of correction; centers for the developmentally disabled; Mendota and Winnebago mental health institutes; central state hospital; Wisconsin school for visually handicapped; Wisconsin school for the deaf; federal, state, county or municipal hospitals, asylums, infirmaries, tuberculosis sanatoriums or homes for the aged; veterans' hospitals, domiciliaries and homes.

SECTION 333. 49.19 (2) (p) of the statutes, as created by chapter 29, laws of 1977, is amended to read:

49.19 (2) (p) Any person who has conveyed, transferred or disposed of any property within 2 years prior to the date of making application for benefits under this section without receiving adequate and full consideration in money or money's worth shall, unless shown to the contrary, be presumed to have made the transfer, conveyance or disposition in contemplation of receiving benefits under this section and shall be ineligible to receive the benefits thereafter until the value of the property is expended by or on behalf of the person for his or her maintenance needs, including needs for medical care. The department shall promulgate rules for the administration of this paragraph. This paragraph shall apply to the extent permitted under federal law.

SECTION 334. 49.19 (4) (g) of the statutes is repealed and recreated to read:

49.19 (4) (g) Aid shall be granted to a pregnant woman who is otherwise eligible for aid under this section during the period extending from the time that pregnancy is

confirmed. The pregnant woman shall count as one person in determining family size for grant determination. A grant of \$15 per month shall be made to a pregnant woman eligible under this paragraph, in addition to other aid available under this section.

SECTION 334m. 49.19 (4) (h) 1. b and c of the statutes are repealed and recreated to read:

49.19 (4) (h) 1. b. Notwithstanding other provisions of the statutes, be deemed to have assigned to the state, by applying for aid under this section, any rights to support from any other person that the parent and the dependent child or children may have, including rights to unpaid amounts accrued at the time such application for aid is made as well as any rights to amounts accruing during the time for which aid is paid under this section.

c. Notice of the requirements of this subdivision shall be provided applicants for aid under this section at the time of application.

SECTION 335. 49.19 (5) (a) 2 of the statutes is amended to read:

49.19 (5) (a) 2. From the earned income of any other child 14 years of age or older or any other individual living in the same home as the child and whose needs are taken into account in determining the budget the first \$30 of the total of such earned income for such month plus one-third of the remainder of such income shall not be counted in determining the family income. The exclusion provided under this subdivision does not apply to earned income derived from a training or retraining project or in the case of any person who terminates or reduces his or her income, terminates his or her employment or refuses employment without good cause. However, the department may adjust this earned income provision by rule to conform to changes made in federal regulations when such adjustment is approved by the joint committee on finance. Requests for approval of adjustments shall be considered as requests for supplemental appropriations under s. 13.101 (5) and (6).

SECTION 337. 49.19 (5) (e) of the statutes, as affected by chapter 29, laws of 1977, is repealed and recreated to read:

49.19 (5) (e) No aid may continue longer than 6 months without reinvestigation, except that the first reinvestigation of eligibility shall occur within 90 days after eligibility is determined. The county welfare departments shall submit information, at such times and in such form as the department requires, detailing the number of redeterminations completed, the number overdue and the length of time they are overdue. The department shall recertify a 10% random sample of all recipients in person every 6 months.

SECTION 338. 49.19 (11) (c) of the statutes, as created by chapter 29, laws of 1977, is repealed.

SECTION 339. 49.19 (12) of the statutes is created to read:

49.19 (12) Monthly payments in foster care shall be provided according to the following age-related rates: \$120 for children aged 4 and under; \$155 for children aged 5 to 11; \$175 for children aged 12 to 14 and \$200 for children aged 15 to 17. In addition to these grants for basic maintenance, supplemental payments for special needs and initial clothing allowances shall be made according to rules which the department shall promulgate.

SECTION 339g. 49.20 of the statutes is created to read:

49.20 Aid to 18-year-old students. (1) **PURPOSE.** The purpose of this section is to provide state aid for the maintenance of 18-year-old high school students who are ineligible for assistance under s. 49.19 solely because of their age, except for those students who were eligible at age 17 under s. 49.19 (10) (a).

(2) **ELIGIBILITY.** A person is eligible for aid under this section if he or she:

(a) Is 18 years of age;

(b) Is enrolled in and regularly attending a secondary education classroom program leading to a high school diploma;

(c) Received aid under s. 49.19, but not under s. 49.19 (10) (a), immediately prior to his or her 18th birthday; and

(d) Is living in a home situation specified in s. 49.19 (1) (a), but not including a foster home.

(3) PAYMENT. Aid under this section shall be paid from the appropriation under s. 20.435 (4) (d) and shall be in an amount equal to that to which the person would be entitled under s. 49.19 if he or she were 17 years of age, except that if the person's family became ineligible for aid under s. 49.19 on the person's 18th birthday, the amount paid shall equal the amount of aid granted to a single person under s. 49.19.

(4) RULES. The department shall promulgate rules for the administration of this program, including rules which provide for the monitoring of classroom attendance of persons receiving aid under this section.

~~SECTION 339m. 49.40 of the statutes is created to read:~~

Vetoed
in Part

~~49.40 Old-age assistance lien waiver. Any claim made under s. 49.25, 1971 stats., or lien under s. 49.26, 1971 stats., which has not been repaid by the effective date of this act (1977) is declared null and void, and the state waives all previous right or entitlement to any such recovery.~~

SECTION 340. 49.45 (2) (a) 10, and 12, as created by chapter 29, laws of 1977, of the statutes are repealed and recreated to read:

49.45 (2) (a) 10. After reasonable notice and opportunity for hearing, recover money improperly or erroneously paid, or overpayments to a provider either by offsetting or adjusting amounts owed the provider under the program, crediting against a provider's future claims for reimbursement for other services or items furnished by the provider under the program, or by requiring the provider to make direct payment to the department or its fiscal intermediary.

12. Decertify or suspend a provider from the medical assistance program, if after giving reasonable notice and opportunity for hearing, the department finds that the provider has violated federal or state law or administrative rule and such violations are by law, regulation or rule grounds for decertification or suspension. No payment may be made under the medical assistance program with respect to any service or item furnished by the provider subsequent to decertification or during the period of suspension.

SECTION 340m. 49.45 (2) (a) 15 of the statutes is created to read:

49.45 (2) (a) 15. Routinely provide notification to persons eligible for medical assistance under ss. 49.46 and 49.47, or such persons' guardians, of the department's access to provider records.

SECTION 341. 49.45 (2) (b) 4 of the statutes is created to read:

49.45 (2) (b) 4. Audit claims filed by any provider of medical assistance, and as part of that audit, request of any such provider, and review, medical records of individuals who have received benefits under the medical assistance program, or under s. 49.046.

SECTION 342. 49.45 (3) (c) of the statutes is amended to read:

49.45 (3) (c) Payment for services provided under this section shall be made directly to the hospital, skilled and intermediate nursing homes, prepaid health care group, other organization or individual providing such services or to an organization which provides such services or arranges for their availability on a prepayment basis. ~~No additional charge may be made to the beneficiary of such service by the hospital, skilled nursing home, other organization or individual who provided the service except for or to the extent that benefits are not provided under this section.~~

SECTION 343. 49.45 (3) (g) and (h) of the statutes are created to read:

49.45 (3) (g) The secretary may appoint personnel to audit or investigate and report to the department on any matter involving violations or complaints alleging violations of laws, regulations, or rules applicable to Title XIX of the federal social

security act or the medical assistance program and to perform such investigations or audits as are required to verify the actual provision of services or items available under the medical assistance program and the appropriateness and accuracy of claims for reimbursement submitted by providers participating in the program. Department employes appointed by the secretary under this paragraph shall be issued and shall possess at all times during which they are performing their investigatory or audit functions under this section identification signed by the secretary which specifically designates the bearer as possessing the authorization to conduct medical assistance investigations or audits. Pursuant to the request of a designated person and upon presentation of that person's authorization, providers and recipients shall accord such person access to any records, books, recipient medical records, documents or other information needed. Authorized employes shall have authority to hold hearings, administer oaths, take testimony and perform all other duties necessary to bring such matter before the department for final adjudication and determination.

(h) 1. For purposes of any audit, investigation, examination, analysis, review or other function authorized by law with respect to the medical assistance program, the secretary shall have the power to sign and issue subpoenas to any person requiring the production of any pertinent books, records, medical records or other information. Subpoenas so issued shall be served by anyone authorized by the secretary by delivering a copy thereof to the person named therein, or by registered mail or certified mail addressed to such person at his or her last-known residence or principal place of business. A verified return by the person so serving the subpoena setting forth the manner of service, or, in the event service is by registered or certified mail, the return post-office receipt signed by the person so served shall constitute proof of service.

2. In the event of contumacy or refusal to obey a subpoena issued under this paragraph and duly served upon any person, any judge in a court of record in the county where the person was served may enforce the subpoena in accordance with s. 885.12.

3. The failure or refusal of a person to purge himself or herself of contempt found under s. 885.12 and perform the act as required by law shall constitute grounds for decertification or suspension of that person from participation in the medical assistance program and no payment may be made for services rendered by that person subsequent to decertification or during the period of suspension.

SECTION 344. 49.45 (6m) (a) (intro.) of the statutes is repealed.

SECTION 345. 49.45 (6m) (a) 1 and 2 of the statutes are repealed and recreated to read:

49.45 (6m) (a) 1. Reimbursement for nursing home care made under s. 20.435 (4) (c) and (o) shall, except as provided in subd. 3, be determined according to a prospective reimbursement system established annually by the department and approved by the joint committee on finance and the governor. The department, joint committee on finance and the governor shall take into account and comply with applicable federal regulations.

2. The reimbursement system shall take effect after approval by the joint committee on finance and the governor. After action by the joint committee on finance, the governor shall have 10 days, not including Sundays, to submit approval or disapproval in writing to the department and the joint committee on finance. If no action is communicated by the governor within 10 days, not including Sundays, the decision of the joint committee on finance shall take effect.

SECTION 346. 49.45 (6m) (a) 3 to 9 of the statutes, as affected by chapter 29, laws of 1977, are repealed.

SECTION 347. 49.45 (6m) (a) 10 of the statutes is renumbered 49.45 (6m) (a) 3.

SECTION 348m. 49.45 (6m) (gm) of the statutes is created to read:

49.45 (6m) (gm) The department may by rule exempt from the requirements of par. (g) skilled nursing facilities receiving reimbursement under this section which have 100 beds or more or which the department determines to have a primary focus on serving the developmentally disabled.

SECTION 349. 49.45 (8) of the statutes is amended to read:

49.45 (8) (title) REIMBURSEMENT BASED ON REASONABLE ACTUAL COSTS. Reimbursement under s. 20.435 (4) (c) and (o) for services of home health agencies certified as required under Title XIX shall be based upon reasonable actual costs as determined by the department.

SECTION 350. 49.45 (12) (b) and (c) of the statutes are repealed and recreated to read:

49.45 (12) (b) Where a facility participating in the medical assistance program has been delegated in writing by a resident within that facility to manage and control the personal funds of the resident including but not limited to those funds identified in par. (a) the facility shall establish for the resident a personal fund account. All deposits and withdrawals of funds shall be documented by the facility to indicate the amount and date of deposit and amount, date and purpose of withdrawal. Such documentation shall be maintained in the resident's records.

(c) Upon the removal of a resident from the facility as a result of death or permanent transfer, the facility shall transfer the balance of the resident's trust account to the personal representative of the resident's estate, the legal guardian of the resident or if appropriate to the resident personally. A copy of the trust account records shall be transferred with the funds. No facility or any of its employes or representatives may benefit from the distribution of a deceased resident's personal funds unless they are specifically named in the resident's will or constitute an heir at law.

SECTION 351. 49.45 (12) (e) and (14) of the statutes are created to read:

49.45 (12) (e) Nursing homes shall adopt a uniform accounting system prescribed by the department for purposes of managing residents personal fund accounts.

(14) No provider may impose upon a recipient charges in addition to payments received for services under this section or impose direct charges upon a recipient in lieu of obtaining payment under this section except under the following conditions:

(a) Benefits or services are not provided under s. 49.46 (2) and the recipient is advised of this fact prior to receiving the service.

(b) If an applicant is determined to be eligible retroactively under s. 49.46 (1) (b) and a provider bills the applicant directly for services and benefits rendered during the retroactive period, the provider shall, upon notification of the applicant's retroactive eligibility, submit claims for reimbursement under this section for covered services or benefits rendered during the retroactive period. Upon receipt of payment, the provider shall reimburse the applicant or other person who has made prior payment to the provider. No provider may be required to reimburse the applicant or other person in excess of the amount reimbursed under this section.

SECTION 352. 49.46 (1) (f) of the statutes, as created by chapter 29, laws of 1977, is amended to read:

49.46 (1) (f) Any person who has conveyed, transferred or disposed of any property within 2 years prior to the date of making application for benefits under this section without receiving adequate and full consideration in money or money's worth shall, unless shown to the contrary, be presumed to have made the transfer, conveyance or disposition in contemplation of receiving benefits under this section and shall be ineligible to receive the benefits thereafter until the value of the property is expended by or on behalf of the person for his or her maintenance needs, including needs for medical care. The department shall promulgate rules for the administration of this paragraph. This paragraph shall apply to the extent permitted under federal law and regulations.

SECTION 353. 49.47 (4) (b), as affected by chapter 29, laws of 1977, and (d) of the statutes are amended to read:

49.47 (4) (b) Eligibility exists if the applicant's property does not exceed the following: a

1. A home and the land used and operated in connection therewith or in lieu thereof a mobile home if the home or mobile home is used as the person's or his or her family's place of abode;~~household.~~

2. Household and personal possessions, including one automobile or one truck; liquid a motor vehicle registered under ch. 341 or 350. Ownership of a 2nd vehicle may be permitted only if the department determines that it is necessary for the purpose of employment or to obtain medical care.

3. Liquid assets not exceeding \$1,500, if single, \$2,250 for a family of 2, plus \$300 for each additional legal dependent;~~and additional.~~

4. Additional tangible personal property of reasonable value, considering the number of members in the family group, used in the production of income.

(d) Any person who has conveyed, transferred or disposed of any property within 2 years prior to the date of making application for benefits under this section without receiving adequate and full consideration in money or money's worth shall, unless shown to the contrary, be presumed to have made such transfer, conveyance or disposition in contemplation of receiving benefits under this section and shall be ineligible to receive such benefits thereafter until the value of such property shall have been expended by or in behalf of such person for his or her maintenance need, including needs for medical care. This paragraph shall apply to the extent permitted under federal law and regulations.

SECTION 354. 49.49 and 49.495 of the statutes, as created by chapter 29, laws of 1977, are repealed and recreated to read:

49.49 Medical assistance offenses. (1) FRAUD. (a) *Prohibited conduct.* No person, in connection with a medical assistance program, may:

1. Knowingly and wilfully make or cause to be made any false statement or representation of a material fact in any application for any benefit or payment.

2. Knowingly and wilfully make or cause to be made any false statement or representation of a material fact for use in determining rights to such benefit or payment.

3. Having knowledge of the occurrence of any event affecting the initial or continued right to any such benefit or payment or the initial or continued right to any such benefit or payment of any other individual in whose behalf he or she has applied for or is receiving such benefit or payment, conceal or fail to disclose such event with an intent fraudulently to secure such benefit or payment either in a greater amount or quantity than is due or when no such benefit or payment is authorized.

4. Having made application to receive any such benefit or payment for the use and benefit of another and having received it, knowingly and wilfully convert such benefit or payment or any part thereof to a use other than for the use and benefit of such other person.

(b) *Penalties.* Violators of this subsection may be punished as follows:

1. In the case of such a statement, representation, concealment, failure, or conversion by any person in connection with the furnishing by that person of items or services for which medical assistance is or may be made, a person convicted of violating this subsection may be fined not more than \$25,000 or imprisoned for not more than 5 years or both.

2. In the case of such a statement, representation, concealment, failure, or conversion by any other person, a person convicted of violating this subsection may be fined not more than \$10,000 or imprisoned for not more than one year in the county jail or both.

(c) *Damages.* If any person is convicted under this subsection, the state shall have a cause of action for relief against such person in an amount 3 times the amount of actual damages sustained as a result of any excess payments made in connection with the offense for which the conviction was obtained. Proof by the state of a conviction under this section in a civil action shall be conclusive regarding the state's right to damages and the only issue in controversy shall be the amount, if any, of the actual damages sustained. Actual damages shall consist of the total amount of excess payments, any part of which is paid by state funds. In any such civil action the state may elect to file a motion in expedition of the action. Upon receipt of the motion, the presiding judge shall expedite the action.

(2) **KICKBACKS, BRIBES AND REBATES.** (a) *Solicitation or receipt of remuneration.* Any person who solicits or receives any remuneration, including any kickback, bribe, or rebate, directly or indirectly, overtly or covertly, in cash or in kind, in return for referring an individual to a person for the furnishing or arranging for the furnishing of any item or service for which payment may be made in whole or in part under a medical assistance program, or in return for purchasing, leasing, ordering, or arranging for or recommending purchasing, leasing, or ordering any good, facility, service, or item for which payment may be made in whole or in part under a medical assistance program, may be fined not more than \$25,000 or imprisoned for not more than 5 years or both.

(b) *Offer or payment of remuneration.* Whoever offers or pays any remuneration including any kickback, bribe, or rebate directly or indirectly, overtly or covertly, in cash or in kind to any person to induce such person to refer an individual to a person for the furnishing or arranging for the furnishing of any item or service for which payment may be made in whole or in part under a medical assistance program, or to purchase, lease, order, or arrange for or recommend purchasing, leasing, or ordering any good, facility, service or item for which payment may be made in whole or in part under a medical assistance program, may be fined not more than \$25,000 or imprisoned for not more than 5 years or both.

(c) *Exceptions.* This subsection shall not apply to:

1. A discount or other reduction in price obtained by a provider of services or other entity under this title if the reduction in price is properly disclosed and appropriately reflected in the costs claimed or charges made by the provider or entity under a medical assistance program.

2. Any amount paid by an employer to an employe who has a bona fide employment relationship with such employer for employment in the provision of covered items or services.

(3) **FRAUDULENT CERTIFICATION OF FACILITIES.** No person may knowingly and wilfully make or cause to be made, or induce or seek to induce the making of, any false statement or representation of a material fact with respect to the conditions or operation of any institution or facility in order that such institution or facility may qualify either upon initial certification or upon recertification as a hospital, skilled nursing facility, intermediate care facility, or home health agency. Violators of this subsection may be fined not more than \$25,000 or imprisoned for not more than 5 years or both.

(4) **PROHIBITED CHARGES.** No person, in connection with the medical assistance program when the cost of the services provided to the patient is paid for in whole or in part by the state, may:

(a) Knowingly and wilfully charge, for any service provided to a patient under a medical assistance program, money or other consideration at a rate in excess of the rates established by the state.

(b) Knowingly and wilfully charge, solicit, accept or receive, in addition to any amount otherwise required to be paid under a medical assistance program, any gift, money, donation or other consideration, other than a charitable, religious or philanthropic contribution from an organization or from a person unrelated to the

patient, as a precondition of admitting a patient to a hospital, skilled nursing facility, or intermediate care facility, or as a requirement for the patient's continued stay in such a facility.

(c) Violators of this subsection may be fined not more than \$25,000 or imprisoned for not more than 5 years or both.

49.495 Jurisdiction of the department of justice. The department of justice or the district attorney may institute, manage, control and direct, in the proper county, any prosecution for violation of criminal laws affecting the medical assistance program including but not limited to laws relating to medical assistance contained in this chapter and laws affecting the health, safety and welfare of recipients of medical assistance. For this purpose the department of justice shall have and exercise all powers conferred upon district attorneys in such cases.

SECTION 355. 49.497 and 49.499 of the statutes, as created by chapter 29, laws of 1977, are repealed.

SECTION 355m. 49.50 (7) (d) of the statutes is created to read:

49.50 (7) (d) 1. When full-time employment paying a wage or salary equal to or greater than the federal minimum wage level is available to an unemployed AFDC-U father registered in the WIN program, he may be required to accept such employment as a condition of continued participation in the program if he has been unemployed for 15 weeks or longer, if he has been a certified WIN registrant for 6 weeks or longer, and if the job he held for the longest period of time in the 12 months prior to his registration in the WIN program paid a wage or salary which, when reduced by 18% of the gross wage or by taxes and other actual work-related expenses, was less than or equal to his family's current AFDC-U grant. AFDC-U recipients accepting employment under this paragraph shall remain enrolled in the AFDC-U program and shall receive a supplement from the appropriation under s. 20.435 (4) (d) in an amount designed to equal the level of payments the family would receive if the father were not earning wages. This paragraph shall be effective until July 1, 1981.

2. Notwithstanding the limits specified in subd. 1, the department may establish rules for the payment of wage supplements above the level specified in subd. 1 in cases in which a family's medical care coverage would be reduced as a result of participation in the wage supplement program.

SECTION 356. 49.51 (3) (c) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

49.51 (3) (c) County agencies shall submit to the department plans and contracts for care and services to be purchased in accordance with s. 46.031 (1). The contracts shall be developed under s. 46.036. The department shall review such contracts and approve them if they are consistent with s. 46.036 and if state or federal funds are available for such purposes. The joint committee on finance may require the department to submit such contracts to the committee for review and approval. The department shall not make any payments to a county for programs included in a contract under review by the committee. If the committee requires the submittal of the contracts, approval of the contracts shall be considered as are requests for supplemental appropriations under s. 13.101 (5) and (6). The department shall reimburse each county for such approved contracts from the appropriations under s. 20.435 (4) (df) and (p) according to s. 49.52.

SECTION 357. 49.52 (1) (g) of the statutes is created to read:

49.52 (1) (g) In addition to funds allocated under par. (d) to (f), each county department of social services shall receive in its allocation funds appropriated by new legislation for new and expanded programs according to the purpose stated in such legislation.

SECTION 358. 49.66 of the statutes is created to read:

49.66 Health insurance for aid recipients. (1) The department may establish rules which direct the county agencies administering aid under s. 49.19, 49.46 or 49.47 to

require that employed persons who are recipients of benefits under these sections purchase medical or health insurance on behalf of recipients under these sections when a net savings in state funds will result from the mitigation of medical expenses payable under this chapter.

(2) If rules are promulgated under this section, the department shall direct that the county agencies consider who pays the premium, including but not limited to employers; risk exclusions; the benefits available; whether or not such insurance has been or otherwise can be provided; equity in the distribution of contributions and such other factors specified by the department. The rules shall permit counties to provide premium contributions by means of payment to the recipients, to the person having custody of a minor recipient or directly to the insurance company or group.

(3) Reimbursement to the counties for expenditures under this section shall be as provided in s. 49.52.

(4) The employed recipient of aid under s. 49.19 purchasing such insurance may include the premiums as a work-related expense. If aid is received under s. 49.46 or 49.47 where no money payments are made, the agency may purchase directly from the insurance provider or reimburse the recipient or person having custody of a minor recipient.

SECTION 358b. 50.01 (1) of the statutes, as affected by chapter 170, laws of 1977, is amended to read:

50.01 (1) "Community-based residential facility" means a place where 3 or more unrelated adults reside in which care, treatment or services above the level of room and board but not including nursing care are provided to persons residing in the facility as a primary function of the facility. ~~"Community-based residential facility" does not include a nursing home, except that the department may designate a category or categories of intermediate care facilities approve an application from a nursing home which serve serves fewer than 20 residents and which otherwise meet meets the definition of this subsection to be licensed and regulated as a community-based residential facilities facility.~~ The reception and care or treatment of a person in a convent or facility owned or operated exclusively by and for members of a religious order shall not constitute the premises to be a "community-based residential facility".

SECTION 358d. 50.01 (2) of the statutes, as affected by chapter 170, laws of 1977, is repealed.

SECTION 358g. 50.01 (3) (a) of the statutes, as affected by chapter 170, laws of 1977, is amended to read:

50.01 (3) (a) ~~An institution~~ A place which provides 24-hour services including board, ~~and room and personal care~~ to 3 or more unrelated residents who because of their mental or physical condition require ~~skilled~~ nursing care or personal care in excess of 7 hours a week, unless the facility has been designated as a community-based residential facility under sub. (1).

SECTION 358i. 50.01 (3) (b) of the statutes, as affected by chapter 170, laws of 1977, is repealed.

SECTION 358k. 50.01 (4o) of the statutes is created to read:

50.01 (4o) "Personal care" means assistance with the activities of daily living, such as eating, dressing, bathing and ambulation.

SECTION 358L. 50.02 (3) (b) of the statutes, as affected by chapter 170, laws of 1977, is amended to read:

50.02 (3) (b) In setting standards and regulations, the department shall consider the residents' needs and abilities, the increased cost in relation to proposed benefits to be received, the services to be provided by the facility, the relationship between the physical structure and the objectives of the program conducted in the facility and the primary functions of the facility. Recognizing that size and structure will influence the ability of community-based residential facilities to provide a home-like environment, the legislature encourages the department to develop rules which facilitate in

particular the development of: small facilities, small living units in larger facilities, individual residential units, independent living to the extent possible, and integration of residents into the community.

SECTION 358m. 50.03 (2) (d) of the statutes, as created by chapter ... (Assembly Bill 383), laws of 1977, is renumbered 50.03 (2) (f), and 50.03 (2) (f) 2 to 4, as renumbered, are amended to read:

50.03 (2) (f) 2. Any individual may file a formal complaint under this section regarding the general operation of a community-based residential facility and shall not be subject to reprisals for doing so. All formal complaints regarding community-based residential facilities shall be filed with the county public welfare department on forms supplied by the county department, unless the county department designates the department to receive a formal complaint. The county department shall investigate or cause to be investigated each formal complaint. Records of the results of each investigation and the disposition of each formal complaint shall be kept by the county department and filed with the unit within the department which licenses community-based residential facilities.

3. Upon receipt of a formal complaint, the county department may investigate the premises and records, and question the licensee, staff and residents of the community-based residential facility involved. The county department shall attempt to resolve the situation through negotiation or other appropriate means.

4. If no resolution is reached, the county department shall forward the formal complaint, the results of the investigation, and any other pertinent information to the unit within the department which may take further action under this chapter against the community-based residential facility. The unit shall review the complaint and may conduct further investigations, take enforcement action under this chapter or dismiss the complaint. The department shall notify the complainant in writing of the formal disposition of the complaint and the reasons therefor. If the complaint is dismissed, the complainant is entitled to an administrative hearing conducted by the department to determine the reasonableness of the dismissal.

SECTION 359. 50.03 (2m) of the statutes, as created by chapter 170, laws of 1977, is amended to read:

50.03 (2m) SERVICE OF NOTICES. (a) Each licensee or applicant for license shall file with the department the name and address of a person authorized to accept service of any notices or other papers which the department may send by registered or certified mail, with a return receipt requested.

(b) Notwithstanding s. 879.05, wherever in this subchapter the department is required to serve any notice or other paper on a licensee or applicant for license, personal service or the sending of the notice or paper by registered or certified mail, with a return receipt requested, to the most recent address on file with the department under par. (a) shall constitute proper service.

SECTION 359c. 50.03 (3) (e) of the statutes, as created by chapter ... (Assembly Bill 383), laws of 1977, is renumbered 50.03 (3) (f).

SECTION 359g. 50.03 (5m) (f) (intro.) and 1 of the statutes, as created by chapter 170, laws of 1977, are consolidated and amended to read:

50.03 (5m) (f) *Nonemergency removal procedures.* In any removal conducted under par. (a) 1 to 5, the department shall: ~~1. Provide~~ provide written notice to the facility and to any resident sought to be removed, to the resident's guardian, if any, and to a member of the resident's family, where practicable, prior to the removal. The notice shall state the basis for the order of removal and shall inform the facility and the resident or the resident's guardian, if any, of its their right to an informal conference a hearing prior to removal under par. (g) ~~and its right to a subsequent hearing under par. (h).~~ If a facility desires to contest a nonemergency removal prior to removal it shall, within 4 working days after receipt of the notice, send a written request for an informal conference to the department. ~~The department shall, within 4 working days from the receipt of the request, hold an informal conference in the~~

~~county in which the facility is located. Following this conference, the department may affirm, modify or overrule its previous decision. Removal may not begin until the period for requesting a conference has passed or, if a conference is requested, until after a conference has been held. The facility and the resident or the resident's guardian, if any, shall advise the department within 10 working days following receipt of the notice if a hearing is requested.~~

SECTION 359m. 50.03 (5m) (f) 2 of the statutes, as created by chapter 170, laws of 1977, is repealed.

SECTION 359p. 50.03 (5m) (h) of the statutes, as created by chapter 170, laws of 1977, is amended to read:

50.03 (5m) (h) *Hearing.* Within 10 days following removal under par. (g), the facility may send a written request for a hearing to challenge the removal to the department. The department shall hold the hearing within 30 days of receipt of the request. Where the challenge is by a resident, the hearing shall be held prior to removal at a location convenient to the resident. At the hearing, the burden of proving that a factual basis existed for removal under par. (a) shall rest on the department. If the facility prevails, it shall be reimbursed by the department for payments lost less expenses saved as a result of the removal and the department shall assist the resident in returning to the facility, if assistance is requested. No resident removed may be held liable for the charge for care which would have been made had the resident remained in the facility. The department shall assume this liability, if any. If a resident prevails after hearing, the department shall reimburse the resident for any excess expenses directly caused by the order to remove.

SECTION 360. 51.37 (title) of the statutes is amended to read:

51.37 (title) Criminal commitments; mental health institutes.

SECTION 361. 51.37 (2) of the statutes is repealed.

SECTION 362. 51.37 (8) (b) and (9) of the statutes are amended to read:

51.37 (8) (b) If the prisoner's condition will require psychiatric or psychological treatment after his or her sentence expires, the director shall, within a reasonable time before the prisoner's sentence expires, make a written application to the court which committed the prisoner under sub. (5) (a). Thereupon the proceeding shall be upon application made under s. 51.20, but no physician or psychologist who is connected with a state prison, Winnebago or Mendota mental health institute, ~~central state hospital~~ or any county jail may be appointed as an examiner. If the court does not commit the prisoner, it may dismiss the application and order the prisoner returned to the institution from which he or she was transferred until expiration of the prisoner's sentence. If the court commits the prisoner for the period commencing upon expiration of his or her sentence, such commitment shall be to the care and custody of the board established under s. 51.42 or 51.437. ~~Any retransfer by the board to central state hospital is subject to s. 51.35 (1) (a).~~

(9) If in the judgment of the director of ~~central state hospital~~, Mendota mental health institute, Winnebago mental health institute or the Milwaukee county mental health center, any person who is committed under s. 971.14 or 971.17 is not in such condition as warrants his or her return to the court but is in a condition to receive a conditional transfer or discharge under supervision, the director shall report to the department and the committing court his or her reasons for such judgment. If the court does not file objection to the conditional transfer or discharge within 60 days of the date of the report, the director may, with the approval of the department, conditionally transfer any person to a legal guardian or other person, subject to the rules of the department.

SECTION 363. 51.42 (8) (b) 4 of the statutes is created to read:

51.42 (8) (b) 4. In addition to funds allocated under subs. 1 to 3, each board established under this section or s. 51.437 shall receive in its allocation funds appropriated by new legislation for new and expanded programs according to the purpose stated in such legislation.

SECTION 363m. 51.42 (8) (d) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

51.42 (8) (d) If any funds appropriated under s. 20.435 (2) (b) and (o) remain unallocated after application of the formula set forth in pars. (a) to (c), such funds shall be distributed by the department to boards established under s. 51.42 or 51.437, or both. Between January 1, 1978, and June 30, 1979, the amount so distributed shall not exceed ~~\$2,500,000~~ \$5,500,000, of which ~~\$500,000~~ \$3,500,000 shall be designated for community care of the developmentally disabled and \$2,000,000 for care of the long-term mentally ill. Not less than \$500,000 of the amount designated for care of the long-term mentally ill shall be for care other than inpatient treatment.

SECTION 364. 51.42 (8) (j) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

51.42 (8) (j) The department shall review each such annual program budget to ensure uniform costing of services. The department shall approve such budget unless it determines, after reasonable notice, that the budget includes proposed expenditures inconsistent with the purposes of this subsection. The joint committee on finance may require the department to submit contracts between boards established under this section or s. 51.437 and providers of service to the committee for review and approval. If the committee requires the submittal of the contracts, approval of the contracts shall be considered as are requests for supplemental appropriations under s. 13.101 (5) and (6).

SECTION 364m. 51.42 (9) (a) of the statutes, as affected by chapter 26, laws of 1977, is amended to read:

51.42 (9) (a) Authorization for all care of any patient in a state, local or private facility shall be provided under a contractual agreement between the board and the facility, unless the board governs such facility. The need for inpatient care shall be determined by the clinical director of the program prior to the admission of a patient to the facility except in the case of emergency services. In cases of emergency, a facility under contract with any board shall charge the board having jurisdiction in the county where the patient is found. The board shall reimburse the facility for the actual cost of all authorized care and services less applicable collections according to s. 46.036, unless the department determines that a charge is administratively infeasible, or unless the department, after individual review, determines that the charge is not attributable to the cost of basic care and services. However, boards shall not reimburse any state institution nor receive credit for collections for care received therein by nonresidents of this state, interstate compact clients, transfers under s. 51.35 (3) (a) and transfers from Wisconsin state prisons under s. 51.37 (5) (a), commitments under s. 971.14, 971.17, 975.01, 975.02, 975.06 or admissions under s. 975.17, or children placed in the guardianship or legal custody of the department under s. 48.34, 48.35 or 48.43. The exclusionary provisions of s. 46.03 (18) do not apply to direct and indirect costs which are attributable to care and treatment of the client.

SECTION 365. 51.42 (10) (g) of the statutes is created to read:

51.42 (10) (g) Ensure that the boards provide special educational services to children aged 3 years and under, except where such services are provided by a school district under s. 115.85 (1) (b) according to standards and rules promulgated by the department.

SECTION 366. 51.437 (12) (c) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

51.437 (12) (c) If a center for the developmentally disabled has provided a board established under this section with service, the department shall regularly bill the board. If collections for such care exceed current billings, the difference shall be remitted to the board through the appropriation under s. 20.435 (2) (d) or (gm), as appropriate. Under this section, collections on or after January 1, 1976, from medical assistance shall be the approved amounts listed by the patient on remittance advices

from the Title XIX carrier less any refunds to the medical assistance program. Payment shall be due from the board within 60 days of the billing date subject to provisions of the contract. If any payment has not been received within 60 days, the department shall deduct all or part of the amount due from any payment due from the department to the board.

SECTION 367. 51.437 (14) (g) of the statutes is created to read:

51.437 (14) (g) Ensure that the boards provide special educational services to children aged 3 years and under, except where such services are provided by a school district under s. 115.85 (1) (b) according to standards and rules promulgated by the department.

SECTION 367m. 52.37 (2) (intro.) of the statutes is amended to read:

52.37 (2) The defendant shall also pay to the county the costs of the action and is chargeable for the future support of the child until it attains the age of 18 years. The amount of such future support shall be established after considering the criteria under sub. (2m). Payments for such future support shall be directed to be made in either of the 2 following methods:

SECTION 367p. 52.37 (2m) of the statutes is created to read:

52.37 (2m) The court shall establish the amount of future support under sub. (2) after consideration of the following criteria:

- (a) The financial resources of the child.
- (b) The financial resources of both parents.
- (c) The desirability that the custodian remain in the home as a full-time parent.
- (d) The cost of day care if the custodian works outside the home, or the value of custodial services performed by the custodian if the custodian remains in the home.
- (e) The physical and emotional health needs of the child.
- (f) The child's educational needs.
- (g) The tax consequences to each party.
- (h) Such other factors as the court may in each individual case determine to be relevant.

SECTION 368. 52.37 (3) of the statutes is amended to read:

52.37 (3) All of the foregoing matters shall be ascertained and fixed by the court and, together with such ~~attorneys'~~ attorney fees as have been allowed, shall be inserted in the judgment, with an order directed to the clerk of the court to file with the state registrar a certified copy of all judgments determining the paternity of the child, and a report showing the name, date and place of birth of the child and the name, color, residence, age, birthplace and occupation of the father of the child. The registrar shall thereupon issue a new certificate in accordance with the judgment of the court. Such new certificate shall be issued substantially in accordance with ss. 69.24 (1) (e) and 69.33 and the clerk of the court shall collect a fee of \$4 which shall be transmitted to the ~~department~~ state registrar. Judgments entered upon agreement of the parties shall conform to the above unless the parties are unable to agree as to the paternity of the child, when such adjudication may be omitted.

SECTION 368m. 52.37 (5) of the statutes is created to read:

52.37 (5) At any time after judgment the court may make an order directing the father to assign such salary or wages due or to be due in the future from his employer or successor employers to the clerk of court where the judgment was granted, as will be sufficient to pay an amount adjudged by the court for the support, maintenance and education of his minor child. Such assignment shall be binding upon the employer and successor employers one week after service upon the employer of a true copy of the assignment signed by the employe and annexed to a copy of the order, by personal service or by registered or certified mail until further order of the court. For each payment the employer shall receive \$1 which the employer shall deduct from the

money to be paid the employe. Section 241.09 does not apply to assignments under this section. The employer may not use such assignments as a basis for the discharge of an employe or for any disciplinary action against the employe. Compliance by an employer with the order operates as a discharge of the employer's liability to the employe as to that portion or the employe's wages so affected.

SECTION 369. 53.01 of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

53.01 Names of prisons. The penitentiary at Waupun is named "~~Wisconsin State Prison~~" "Waupun Correctional Institution". The correctional treatment center at Waupun is named "Wisconsin Treatment Institution". The penitentiary at ~~Oregon Green Bay~~ is named "~~Wisconsin Correctional Institution - Oakhill~~" "Green Bay Correctional Institution". The medium security penitentiary near Fox Lake is named "Fox Lake Correctional Institution". The penitentiary at Taycheedah is named "Taycheedah Correctional Institution". ~~The penitentiary at Green Bay is named "Wisconsin State Reformatory"~~. The medium security penitentiary at Plymouth is named "Kettle Moraine Correctional Institution". The minimum security penitentiary at Oregon is named "Oakhill Correctional Institution". The institutions named in this section, the Wisconsin correctional camp system ~~and~~, the Wisconsin correctional reception and treatment center, and community correctional residential centers when established under s. 46.043, are state prisons.

SECTION 370. 53.02 (title), (1), (2) and (4) of the statutes are amended to read:

53.02 (title) Jurisdiction and extent of state correctional institutions; service of process therein. (1) (title) WAUPUN CORRECTIONAL INSTITUTION. For all purposes of discipline and for judicial proceedings, the ~~Wisconsin state prison~~ Waupun correctional institution and the precincts thereof shall be deemed to be in Dodge county, and the courts of that county shall have jurisdiction of all crimes committed within the ~~same county~~. Every activity conducted under the jurisdiction of and by the ~~prison institution~~, wherever located, is a precinct of the prison; and each precinct is part of the ~~prison institution~~.

(2) (title) GREEN BAY CORRECTIONAL INSTITUTION. For all purposes of discipline and for judicial proceedings, the ~~Wisconsin state reformatory~~ Green Bay correctional institution and the precincts thereof shall be deemed to be in Brown county, and the courts of that county shall have jurisdiction of all crimes committed within the ~~same county~~. Every activity conducted under the jurisdiction of and by the ~~reformatory institution~~, wherever located, is a precinct of the ~~reformatory institution~~; and each precinct is part of the ~~reformatory institution~~.

(4) (title) FOX LAKE CORRECTIONAL INSTITUTION. For all purposes of discipline and for judicial proceedings, the ~~Wisconsin~~ Fox Lake correctional institution and the precincts thereof are deemed to be in Dodge county, and the courts of that county shall have jurisdiction of all crimes committed within the ~~same county~~. Every activity conducted under the jurisdiction of and by the ~~Wisconsin~~ Fox Lake correctional institution wherever located is a precinct of the institution.

SECTION 371. 53.02 (4n) of the statutes, as created by chapter 29, laws of 1977, is amended to read:

53.02 (4n) (title) OAKHILL CORRECTIONAL INSTITUTION. For all purposes of discipline and for judicial proceedings, the ~~Wisconsin correctional institution - Oakhill~~ Oakhill correctional institution and the precincts thereof are deemed to be in Dane county, and the courts of that county shall have jurisdiction of all crimes committed within the ~~same county~~. Every activity conducted under the jurisdiction of and by such correctional institution wherever located is a precinct of the institution.

SECTION 372. 53.02 (4s) of the statutes is created to read:

53.02 (4s) COMMUNITY CORRECTIONAL RESIDENTIAL CENTERS. For all purposes of discipline and judicial proceedings, the community correctional residential centers and precincts thereof shall be deemed, as to each inmate, to be in the county in which the

residential center to which the inmate is assigned is located, and the courts of that county shall have jurisdiction of all crimes committed within the center. Every activity conducted under the jurisdiction of and by the community correctional residential centers wherever located is, as to each inmate, a precinct of the center to which he or she is assigned.

SECTION 373. 53.05 (intro.) and (1) of the statutes are amended to read:

53.05 (title) Wisconsin substance abuse program. (intro.) A section of ~~central state hospital shall~~ the mental health institutes may be designated a correctional treatment facility for the ~~social rehabilitation and~~ treatment of substance abuse of inmates transferred from Wisconsin state prisons. This section shall be administered by the department and shall be known as the Wisconsin ~~treatment institution~~ substance abuse program. The department shall ensure that the ~~patients~~ residents at ~~central state hospital~~ the institution and the ~~inmates at~~ residents in the ~~treatment institution~~ substance abuse program:

(1) Have access to all those facilities which are available at the ~~hospital and~~ institution and are necessary for the treatment ~~and rehabilitation~~ programs designed by the department.

SECTION 373m. 53.05 (3) of the statutes is created to read:

53.05 (3) Transfer to a correctional treatment facility for the treatment of substance abuse shall be considered a transfer under s. 53.18.

SECTION 374. 53.055 of the statutes, as created by chapter 29, laws of 1977, is repealed.

SECTION 376. 53.21 of the statutes is amended to read:

53.21 (title) Vocational education program in auto body repair at the green bay correctional institution. (1) The department may maintain and operate a vocational education program in auto body repair at the ~~Wisconsin state reformatory~~ Green Bay correctional institution. Notwithstanding s. 56.06, in connection with the vocational education program the ~~reformatory institution~~ may receive from licensed automobile dealers and regularly established automobile repair shops vehicles to be repaired, painted or otherwise processed by residents enrolled in the program.

(2) Prices for repairing, painting or otherwise processing vehicles in the program shall be fixed as near as possible to the market value of the labor and materials furnished. Proceeds received from the repairing, painting or other processing of vehicles shall be deposited as provided in s. 20.435 (3) (h) and shall be available to the ~~reformatory institution~~ to purchase materials, supplies and equipment necessary to operate the vocational education program in auto body repair.

SECTION 377. Chapter 54 of the statutes, as affected by chapters 26 and 29, laws of 1977, is repealed.

SECTION 378. 56.18 (1) and (4) of the statutes are amended to read:

56.18 (1) Every court, municipal justice or other officer in such county, authorized to commit any person to the county jail upon conviction of any offense or violation of any city or village ordinance, or authorized to sentence any person to imprisonment in the Wisconsin state prison prisons for any term not exceeding 2 years, may, in lieu of such sentence, commit or sentence ~~such the~~ person to said the house of correction for an equivalent term, at hard labor. All mittimus and warrants of commitment in ~~such those~~ cases shall be directed to superintendent of said the house of correction and shall be ~~his~~ the authority of the superintendent for the detention of the person sentenced or committed.

(4) Whenever it appears that the continued presence of any person convicted of a felony and committed to the house of correction ~~and whose continued presence~~ is detrimental to himself or herself, or to other inmates, or to the discipline of ~~such the~~ house of correction, the superintendent may forthwith return ~~him~~ the person to the committing court and the court shall sentence ~~said the~~ person to the Wisconsin state prison prisons for the remainder of the term for which originally sentenced, less any credits for good behavior accumulated under s. 56.19.

SECTION 379. 57.06 (3) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

57.06 (3) Every paroled prisoner remains in the legal custody of the department unless otherwise provided by the department. If the department alleges that any condition or rule of parole has been violated by the prisoner, the department may take physical custody of the prisoner for the investigation of the alleged violation. If the department is satisfied that any condition or rule of parole has been violated it shall afford the prisoner such administrative hearings as are required by law. The final administrative hearing shall be held before hearing examiners who are licensed to practice law in this state. The hearing examiners shall recommend to the secretary whether parole should be revoked. If the secretary enter an order revoking or not revoking parole which order shall be, upon request by either party, reviewed by the secretary. If the examiner or the secretary upon review finds that the prisoner has violated the rules or conditions of parole, the examiner, or the secretary upon review, may order the prisoner ~~to return~~ returned to prison to continue serving his or her sentence, or to continue on parole, and in either case, may order that the prisoner forfeit good time as provided in s. 53.11 (2a). If the prisoner claims or appears to be indigent, the department shall refer the prisoner to the state public defender for an indigency determination and appointment of counsel under ch. 977.

SECTION 379d. 59.07 (97) of the statutes is amended to read:

59.07 (97) CHILD SUPPORT AND PATERNITY PROGRAM. The county board of each county shall designate by board resolution any office, officer, board, department or agency, as the county designee. The department of health and social services shall contract with the county board or its designee to implement the child support and establishment of paternity program provided for by Title IV of the federal social security act. The board or its designee shall implement and administer the child support and establishment of paternity program in accordance with the contract with the state department of health and social services. The department shall ensure that such contracts are for amounts reasonable and necessary to assure quality of service. If a county refuses to name a local designee, the state may implement the program. The county shall charge the fee established by the department under s. 46.25 for services provided hereunder to individuals not receiving assistance under s. 49.19.

SECTION 379m. 59.23 (3) of the statutes is amended to read:

59.23 (3) Attend upon the circuit court held in ~~his~~ the sheriff's county during its session, and at the ~~commencement of every term~~ request of such the court file with the clerk thereof a list of ~~his~~ the deputies, not exceeding ~~three~~ 3, who are to receive a per diem for attendance on ~~such~~ the court. The court, ~~however,~~ may by special order authorize a greater number of deputies to attend when the court is engaged in the trial of any person charged with a crime. The sheriff or one or more deputies shall attend the court of appeals when it is in session in the sheriff's county. The state shall reimburse the county from the appropriation under s. 20.660 (1) for the actual salary paid to the sheriff or deputies for the service.

SECTION 380. 59.395 (5) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

59.395 (5) Pay monthly to the county treasurer for the use of the state the state tax required to be paid on each civil action, cognovit judgment and special proceeding filed during the preceding month, after adjustments for transfer of cases between the circuit and county courts, and pay monthly to the county treasurer for the use of the state the amount for court imposed fines and forfeitures required by law to be deposited in the state treasury and the amounts required by s. 165.87 (2) (b) for the penalty assessment surcharge. Such The payments shall be made by the 15th day of the month following receipt thereof. ~~The clerk shall take duplicate receipts from the treasurer and shall forward one receipt to the secretary of administration within 10 days with a certificate of the number of actions, cognovit judgments and special proceedings filed during the preceding month.~~

SECTION 380f. 59.42 (2) (b) of the statutes, as affected by chapter 105, laws of 1977, is amended to read:

59.42 (2) (b) All special proceedings independent of an action taken at the instance and for the benefit of one party without notice to or contest by any person adversely interested, ~~and any proceeding under s. 245.10 or 245.105 for court permission to marry, \$4.~~

SECTION 380m. 59.968 (4) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

59.968 (4) Acquire a transportation system by purchase, condemnation under s. 32.05 or otherwise and provide funds for the operation and maintenance of such a system. "Transportation system" means all land, shops, structures, equipment, property, franchises and rights of whatever nature required for transportation of passengers or freight within the county, or ~~contiguous or cornering~~ between counties, including, without limitation, street railways, elevated railroads, subways, underground railroads, motor vehicles, trackless trolley busses, motor busses and any combination thereof, and any other form of mass transportation. Such acquisition and operation ~~within contiguous or cornering~~ between counties shall be subject to chs. 193 and 194 and whenever the proposed operations ~~into or within~~ between such ~~contiguous or cornering~~ counties would be competitive with the urban or suburban operations of another existing common carrier of passengers or freight, the county shall coordinate proposed operations with such carrier to eliminate adverse financial impact for such carrier. This coordination may include, but is not limited to, route overlapping, transfers, transfer points, schedule coordination, joint use of facilities, lease of route service and acquisition of route and corollary equipment. If such coordination does not result in mutual agreement, the proposals shall be submitted to the transportation commission for arbitration. The following forms of transportation are excepted from the definition of "transportation system":

SECTION 380s. 59.968 (7) (d) of the statutes is created to read:

59.968 (7) (d) Maintain and improve a railroad right-of-way and improvements thereon for future use.

SECTION 381. 60.175 (1) of the statutes, as affected by chapter 113, laws of 1977, is amended to read:

60.175 (1) Tax levies of towns in 1975, payable in 1976, and subsequent years for town purposes, shall not exceed the levy of the prior year by a greater percentage than the percentage of the increase, if any, of the equalized value of all general property assessed in the entire state in 1975 and in subsequent years over the equalized value of all general property assessed in the entire state in 1974 and in subsequent years, respectively, except as provided in subs. (2), (5), (8), (9) and (10) and except that levies for the payment of principal and interest on general obligation bonds and notes issued for an original term of more than one year shall not be affected by this section. In determining the levies to be limited by this section, an amount equal to principal and interest on general obligation bonds and notes issued for an original term of more than one year included in the prior year's levy shall be excluded from the prior year's levy. In determining levies of 1976 and in subsequent years there shall be an additional exclusion from the prior year's levy of all nonlevy receipts for the retirement of general obligation bonds and notes issued for an original term of more than one year. After the 1977 levy, payable in 1978, and for subsequent years, "equalized value of all general property assessed in the entire state" shall not include property eligible for relief under s. 79.17.

SECTION 382. 60.175 (2) (a) of the statutes is renumbered 60.175 (2) and amended to read:

60.175 (2) In addition to the increase allowed under sub. (1), a town may increase its 1976 levy for town purposes in the amount that ~~shared taxes distributed to it in 1975 under subch. I of ch. 79 exceed the estimated shared taxes revenues distributable to it in 1976 under subch. I of ch. 79; and may increase its 1977 levy for~~

~~town purposes in the amount that shared taxes distributed to it in 1976 under subch. I of ch. 79 exceed the estimated shared taxes distributable to it in 1977 under subch. I of ch. 79; and may increase its 1978 levy for town purposes in the amount that shared taxes distributed to it in 1977 under subch. I of ch. 79 in the year of the levy exceed the estimated shared taxes revenues distributable to it in 1978 under subch. I of ch. 79 the subsequent year.~~

SECTION 383. 60.175 (2) (b) of the statutes is repealed.

SECTION 384. 60.175 (4m) of the statutes is amended to read:

60.175 (4m) The amount of increase allowed under this subsection may be further increased ~~in 1975~~ by an amount representing the difference between the amount of surplus funds used to reduce the prior year's levy ~~of 1974~~ and the amount of surplus funds available to reduce the 1975 current year's levy, if the latter is the lesser; ~~in 1976 by an amount representing the difference between the amount of surplus funds used to reduce the levy of 1975 and the amount of surplus funds available to reduce the 1976 levy, if the latter is the lesser; in 1977 by an amount representing the difference between the amount of surplus funds used to reduce the levy of 1976 and the amount of surplus funds available to reduce the 1977 levy, if the latter is the lesser; and in 1978 by an amount representing the difference between the amount of surplus funds used to reduce the levy of 1977 and the amount of surplus funds available to reduce the 1978 levy, if the latter is the lesser.~~

~~SECTION 384m. 60.175 (5m) (e) of the statutes is created to read:~~

~~60.175 (5m) (e) The amount needed for increased costs for retroactive salary increases for the prior year, as determined in the current year, made under the decision of a mediator-arbitrator acting under s. 111.70 (4) (cm).~~

Vetoed
in Part

SECTION 385. 60.175 (13) of the statutes is created to read:

60.175 (13) For levies of towns in 1979, the percentage increase provided for under sub. (1) shall be the same as that for levies in 1978.

SECTION 387. 60.32 of the statutes is amended to read:

60.32 Auditing accounts; meetings for; vacancies in board. The town board shall meet on the 2nd ~~Tuesday next preceding the annual town meeting and also on the first~~ Tuesday of ~~December~~ January, and at such other times as they deem necessary to audit and settle all charges against the town and if the 3 supervisors are not present, the chairman, or in her or his absence, either of the other supervisors attending, shall call the municipal justice of the town to act instead of the absent supervisor or supervisors, and if any such vacancy cannot be filled by reason of there being no legally qualified municipal justice in the town, the vacancy may be filled by selecting a qualified elector ~~thereof. Said of the town.~~ The elector if so chosen shall take and file the usual oath of office, so as to make a board of audit composed of 3. No such special meeting ~~shall~~ may be held unless notice ~~of the same~~ is given to each supervisor at least 2 days prior to the time fixed ~~therefor~~, and none but supervisors ~~shall~~ may act on the board of audit at such special meetings.

SECTION 388. 60.74 (1) (b) of the statutes is amended to read:

60.74 (1) (b) Any such town board may by ordinance regulate, restrict and determine the location, height, bulk, number of stories and size of buildings and other structures and objects of natural growth, in any territory in the town in the vicinity of any airport owned by ~~such~~ the town or privately owned, and may divide ~~such~~ the territory into several areas and impose different restrictions with respect to each area which restrictions may be applicable to the entire town or only a portion thereof. In the exercise of its power under this paragraph, the town board may, by eminent domain, remove or alter any buildings, structures or objects of natural growth which are contrary to the restrictions imposed in the area in which they are located, except railroad buildings, bridges or facilities, provided that ~~railroad~~ telegraph, telephone and overhead signal system poles and wires ~~shall~~ may not be exempt from the operation of this section.

SECTION 389. 61.46 (3) (a) of the statutes, as affected by chapter 113, laws of 1977, is amended to read:

61.46 (3) (a) Tax levies of villages in 1975, payable in 1976, and subsequent years, for village purposes, shall not exceed the levy of the prior year by a greater percentage than the percentage of the increase, if any, of the equalized value of all general property assessed in the entire state in 1975 and in subsequent years over the equalized value of all general property assessed in the entire state in 1974 and in subsequent years, respectively, except as provided in pars. (b), (e), (h), (i) and (j) and except that levies for the payment of principal and interest on general obligation bonds and notes issued for an original term of more than one year shall not be affected by this subsection. In determining the levies to be limited by this subsection, an amount equal to principal and interest on general obligation bonds and notes issued for an original term of more than one year included in the prior year's levy shall be excluded from the prior year's levy. In determining levies of 1976 and in subsequent years there shall be an additional exclusion from the prior year's levy of all nonlevy receipts for the retirement of general obligation bonds and notes issued for an original term of more than one year. After the 1977 levy, payable in 1978, and subsequent years, "equalized value of all general property assessed in the entire state" shall not include property eligible for relief under s. 79.17.

SECTION 390. 61.46 (3) (ae) of the statutes is created to read:

61.46 (3) (ae) Tax incremental finance tax increments paid by any village under s. 66.46 are excluded from village levies for purposes of determining maximum allowable levies under par. (a) unless the tax increments, in whole or in part, revert to the village upon termination of a tax incremental district.

SECTION 391. 61.46 (3) (b) 1 of the statutes is renumbered 61.46 (3) (b) and amended to read:

61.46 (3) (b) In addition to the increase allowed under par. (a), a village may increase its ~~1975~~ levy for village purposes in the amount that estimated shared ~~taxes~~ revenues distributable to it in ~~1975~~ under subch. I of ch. 79 in the year of the levy exceed the estimated shared ~~taxes~~ revenues distributable to it in ~~1976~~ under subch. I of ch. 79; and may increase its ~~1976~~ levy for village purposes in the amount that estimated shared ~~taxes~~ revenues distributable to it in ~~1976~~ under subch. I of ch. 79, exceed the estimated shared ~~taxes~~ revenues distributable to it in ~~1977~~ under subch. I of ch. 79; and may increase its ~~1977~~ levy for village purposes in the amount that shared ~~taxes~~ revenues distributed to it in ~~1977~~ under subch. I of ch. 79 exceed the estimated shared ~~taxes~~ revenues distributable to it in ~~1978~~ under subch. I of ch. 79 the subsequent year.

SECTION 392. 61.46 (3) (b) 2 of the statutes is repealed.

SECTION 393. 61.46 (3) (dm) of the statutes, as affected by chapter 142, laws of 1977, is amended to read:

61.46 (3) (dm) The amount of increase allowed under this subsection may be further increased ~~in 1975~~ by an amount representing the difference between the amount of surplus funds used to reduce the prior year's ~~levy of 1974~~ and the amount of surplus funds available to reduce the ~~1975~~ current year's ~~levy~~, if the latter is the lesser; ~~in 1976~~ by an amount representing the difference between the amount of surplus funds used to reduce the ~~levy of 1975~~ and the amount of surplus funds available to reduce the ~~1976~~ levy, if the latter is the lesser; ~~in 1977~~ by an amount representing the difference between the amount of surplus funds used to reduce the ~~levy of 1976~~ and the amount of surplus funds available to reduce the ~~1977~~ levy, if the latter is the lesser; and ~~in 1978~~ by an amount representing the difference between the amount of surplus funds used to reduce the ~~levy of 1977~~ and the amount of surplus funds available to reduce the ~~1978~~ levy, if the latter is the lesser.

~~SECTION 393m. 61.46 (3) (em) 5 of the statutes is created to read:~~

~~61.46 (3) (em) 5. The amount needed for increased costs for retroactive salary increases for the prior year, as determined in the current year, made under the decision of a mediator-arbitrator acting under s. 111.70 (4) (cm).~~

SECTION 394. 61.46 (3) (L) of the statutes is created to read:

61.46 (3) (L) For levies in 1979, the percentage increase provided for under par. (a) shall be the same as that for levies in 1978.

SECTION 395. 62.12 (4m) (a) of the statutes, as affected by chapter 113, laws of 1977, is amended to read:

62.12 (4m) (a) Tax levies of cities in 1975, payable in 1976, and in subsequent years, for city purposes, shall not exceed the levy of the prior year by a greater percentage than the percentage of the increase, if any, of the equalized value of all general property assessed in the entire state in 1975 and subsequent years over the equalized value of all general property assessed in the entire state in 1974 and subsequent years, respectively, except as provided in pars. (b), (e), (h), (i) and (j) and except that levies for the payment of principal and interest on general obligation bonds and notes issued for an original term of more than one year shall not be affected by this subsection. In determining the levies to be limited by this subsection, an amount equal to principal and interest on general obligation bonds and notes issued for an original term of more than one year included in the prior year's levy shall be excluded from the prior year's levy. In determining levies of 1976 and in subsequent years there shall be an additional exclusion from the prior year's levy of all nonlevy receipts for the retirement of general obligation bonds and notes issued for an original term of more than one year. After the 1977 levy, payable in 1978, and for subsequent years "equalized value of all general property assessed in the entire state" shall not include property eligible for relief under s. 79.17.

SECTION 396. 62.12 (4m) (ae) of the statutes is created to read:

62.12 (4m) (ae) Tax incremental finance tax increments paid by any city under s. 66.46 are excluded from city levies for purposes of determining maximum allowable levies under par. (a) unless the tax increments, in whole or in part, revert to the city upon termination of a tax incremental district.

SECTION 397. 62.12 (4m) (b) 1 of the statutes is renumbered 62.12 (4m) (b) and amended to read:

62.12 (4m) (b) In addition to the increase allowed under par. (a), a city may increase its ~~1975~~ levy for city purposes in the amount that ~~estimated shared taxes revenues~~ distributable to it in ~~1975~~ the year of the levy under subch. I of ch. 79 exceed the ~~estimated shared taxes revenues~~ distributable to it in ~~1976~~ under subch. I of ch. 79; and may increase its ~~1976~~ levy for city purposes in the amount that ~~estimated shared taxes~~ distributable to it in ~~1976~~ under subch. I of ch. 79; exceed the ~~estimated shared taxes~~ distributable to it in ~~1977~~ under subch. I of ch. 79; and may increase its ~~1977~~ levy for city purposes in the amount that ~~shared taxes~~ distributed to it in ~~1977~~ under subch. I of ch. 79 exceed the ~~estimated shared taxes~~ distributable to it in ~~1978~~ under subch. I of ch. 79 the subsequent year.

SECTION 398. 62.12 (4m) (b) 2 of the statutes is repealed.

SECTION 399. 62.12 (4m) (dm) 1 of the statutes is renumbered 62.12 (4m) (dm) and amended to read:

62.12 (4m) (dm) The amount of increase allowed under this subsection may be further increased ~~in 1975~~ by an amount representing the difference between the amount of surplus funds used to reduce the ~~prior year's~~ levy of 1974 and the amount of surplus funds available to reduce the ~~1975~~ current year's levy, if the latter is the lesser; ~~in 1976 by an amount representing the difference between the amount of surplus funds used to reduce the levy of 1975 and the amount of surplus funds available to reduce the 1976 levy, if the latter is the lesser; in 1977 by an amount representing the difference between the amount of surplus funds used to reduce the levy of 1976 and the amount of surplus funds available to reduce the 1977 levy, if the latter is the lesser; and in 1978 by an amount representing the difference between the amount of surplus funds used to reduce the levy of 1977 and the amount of surplus funds available to reduce the 1978 levy, if the latter is the lesser.~~

Vetoed
in Part

~~SECTION 400m. 62.12 (4m) (em) 5 of the statutes is created to read:
62.12 (4m) (em) 5. The amount needed for increased costs for retroactive salary
increases for the prior year, as determined in the current year, made under the decision
of a mediator-arbitrator acting under s. 111.70 (4) (cm).~~

SECTION 400p. 62.12 (4m) (j) of the statutes, as affected by chapter 203, laws of 1977, is amended to read:

62.12 (4m) (j) If the amount of an assessment is lowered pursuant to s. 70.995 (8) (a) so as to require a refund of property taxes, an amount not to exceed the amount of refund may be added to the next levy. Any such amount added to the next levy under this paragraph shall be excluded from the base in determining the following levy. If, pursuant to s. 70.995 (8) (d), the ~~town~~ city receives property taxes in excess of the levy amount allowed under this subsection, an equivalent amount shall be subtracted from the next levy. Any such amount subtracted from the next levy under this paragraph may be added to the following levy.

SECTION 401. 62.12 (4m) (L) of the statutes is created to read:

62.12 (4m) (L) For levies of cities in 1979, the percentage increase provided for under par. (a) shall be the same as that for levies in 1978.

SECTION 402. 65.07 (2) (a) of the statutes, as affected by chapter 113, laws of 1977, is amended to read:

65.07 (2) (a) Tax levies of the city in 1975, payable in 1976, and in subsequent years, for city purposes, shall not exceed the levy of the prior year by a greater percentage than the percentage of increase, if any, of the equalized value of all general property assessed in the entire state in 1975 and subsequent years over the equalized value of all general property assessed in the entire state in 1974 and in subsequent years, respectively, except as provided in pars. (b), (e), (h), (i) and (j) and except that levies for the payment of principal and interest on general obligation bonds and notes issued for an original term of more than one year shall not be affected by this subsection. In determining the levies to be limited by this subsection, an amount equal to principal and interest on general obligation bonds and notes issued for an original term of more than one year included in the prior year's levy shall be excluded from the prior year's levy. In determining levies of 1976 and in subsequent years there shall be an additional exclusion from the prior year's levy of all nonlevy receipts for the retirement of general obligation bonds and notes issued for an original term of more than one year. After the 1977 levy, payable in 1978, and for subsequent years, "equalized value of all general property assessed in the entire state" shall not include property eligible for relief under s. 79.17.

SECTION 403. 65.07 (2) (am) of the statutes is created to read:

65.07 (2) (am) Tax incremental finance tax increments paid by any city under s. 66.46 are excluded from city levies for purposes of determining maximum allowable levies under par. (a) unless the tax increments, in whole or in part, revert to the city on termination of a tax incremental district.

SECTION 404. 65.07 (2) (b) 1 of the statutes is renumbered 65.07 (2) (b) and amended to read:

65.07 (2) (b) In addition to the increase allowed under par. (a), the city may increase its ~~1975~~ levy for city purposes in the amount that estimated shared ~~taxes~~ revenues distributable to it in ~~1975~~ the year of the levy under subch. I of ch. 79 exceed the estimated shared ~~taxes~~ revenues distributable to it in ~~1976~~ under subch. I of ch. 79; and may increase its ~~1976~~ levy for city purposes in the amount that estimated shared ~~taxes~~ revenues distributable to it in ~~1976~~ under subch. I of ch. 79 exceed the estimated shared ~~taxes~~ revenues distributable to it in ~~1977~~ under subch. I of ch. 79; and may increase its ~~1977~~ levy for city purposes in the amount that shared ~~taxes~~ distributed to it in ~~1977~~ under subch. I of ch. 79 exceed the estimated shared ~~taxes~~ distributable to it in ~~1978~~ under subch. I of ch. 79 the subsequent year.

SECTION 405. 65.07 (2) (b) 2 of the statutes is repealed.

SECTION 406. 65.07 (2) (dm) 1 of the statutes is renumbered 65.07 (2) (dm) and amended to read:

65.07 (2) (dm) The amount of increase allowed under this subsection may be further increased ~~in 1975~~ by an amount representing the difference between the amount of surplus funds used to reduce the prior year's levy of 1974 and the amount of surplus funds available to reduce the 1975 current year's levy, if the latter is the lesser; ~~in 1976 by an amount representing the difference between the amount of surplus funds used to reduce the levy of 1975 and the amount of surplus funds available to reduce the 1976 levy, if the latter is the lesser; in 1977 by an amount representing the difference between the amount of surplus funds used to reduce the levy of 1976 and the amount of surplus funds available to reduce the 1977 levy, if the latter is the lesser; and in 1978 by an amount representing the difference between the amount of surplus funds used to reduce the levy of 1977 and the amount of surplus funds available to reduce the 1978 levy, if the latter is the lesser.~~

~~SECTION 406m. 65.07 (2) (em) 5 of the statutes is created to read:
65.07 (2) (em) 5. The amount needed for increased costs for retroactive salary increases for the prior year, as determined in the current year, made under the decision of a mediator-arbitrator acting under s. 111.70 (4) (cm).~~

Vetoed
in Part

SECTION 407. 65.07 (2) (L) of the statutes is created to read:

65.07 (2) (L) For levies in 1979, the percentage increase provided for under par. (a) shall be the same as that for levies in 1978.

SECTION 408. 65.90 (4) of the statutes is amended to read:

65.90 (4) Not less than 15 days after the publication of the proposed budget and the notice of hearing thereon a public hearing shall be held at the time and place stipulated at which ~~time~~ any resident or taxpayer of the governmental unit shall have an opportunity to be heard on the proposed budget. The budget hearing may be adjourned from time to time. In ~~towns and~~ school districts holding an annual meeting the time and place of the budget hearing shall be the time and place of the annual meeting ~~thereof~~.

~~SECTION 408j. 66.054 (10m) (a) and (am) of the statutes, as created by chapter ... (Assembly Bill 1119), laws of 1977, are consolidated and amended to read:
66.054 (10m) (a) Every city council, village board or town board which may issue a Class "B" license under this section or a "Class B" license under s. 176.05 may provide by ordinance that manager's licenses shall be issued as provided by this section.~~

Vetoed
in Part

~~(am) The city council, village board or town board electing by ordinance as provided by par. (a) may issue manager's licenses issue a "manager's" license, which shall be granted only upon application in writing. A manager's license shall be required only for the purpose of compliance with par. (c) or s. 176.05 (10m) (a). A manager's license shall be issued only to persons 18 years of age or over of good moral character who are residents of this state. A manager's license is valid only within the limits of the city, village or town in which it is issued.~~

~~SECTION 408k. 66.054 (10m) (c) (intro.) of the statutes, as created by chapter ... (Assembly Bill 1119), laws of 1977, is amended to read:~~

~~66.054 (10m) (c) (intro.) If the city council, village board or town board elects by ordinance to issue manager's licenses, no person may manage premises operating under a Class "B" license issued by that city, village or town, unless the person is the licensee, an agent of a corporation appointed as required by s. 176.05 (13) or has a manager's license. A person manages Class "B" premises if that person has responsibility or authority for:~~

SECTION 408m. 66.12 (2) of the statutes is amended to read:

66.12 (2) APPEALS. Appeals in actions to recover forfeitures and penalties imposed by any ordinance, resolution or bylaw of the city or village may be taken either by the

defendant or by ~~such~~ the municipality ~~to the circuit court~~. Appeals from municipal court shall be taken under s. 300.10, except that ~~such~~ the appeals shall be perfected within 10 days after judgment is entered. Appeals from county court in actions to recover forfeitures for ordinances enacted under ch. 349 shall be ~~taken under s. 345.50~~. ~~All other appeals from county court shall be taken in accordance with ch. 299 to the court of appeals~~. If the appeal is taken by the defendant, ~~he or she~~ shall, as a part thereof, execute a bond to the city or village with surety, to be approved by the municipal justice or judge, conditioned that if judgment is affirmed in whole or in part ~~he~~ the defendant will pay the same and all costs and damages awarded against him ~~or her~~ on ~~such~~ appeal. If the judgment is affirmed in whole or in part, execution may issue against both the defendant and his ~~or her~~ surety. The appellant shall pay the fees and suit taxes prescribed in s. 300.20 (3). Upon perfection of the appeal the defendant shall be discharged from custody.

SECTION 409. 66.191 (1) of the statutes, as affected by chapter 182, laws of 1977, is amended to read:

66.191 (1) Whenever a police officer, fire fighter, county undersheriff, deputy sheriff, county traffic police officer, conservation warden, state forest ranger, field conservation employe of the department of natural resources who is subject to call for forest fire control or warden duty, member of the state traffic patrol, university of Wisconsin full-time police officer, guard or any other employe whose principal duties are supervision and discipline of inmates at a state penal institution ~~including central state hospital~~, investigator employed by the division of criminal investigation of the department of justice who is a participating employe under subch. I or IV of ch. 41 shall, while engaged in the performance of duty, be injured or contract a disease due to his or her occupation, and be found upon examination to be so disabled by a disability which is likely to be permanent, as to render necessary the person's retirement from any of the aforesaid services, the department of industry, labor and human relations shall order payment to him or her monthly, under s. 20.865 (1) (d) or 102.21, of a sum equal to one-half the person's monthly salary in such service at the time that the person became so disabled. A disability of such a nature as to require reduction in pay or position or assignment to light duty or to adversely affect promotional opportunities within the service shall be deemed sufficient to permit the employe the option of retirement.

SECTION 409m. 66.30 (6) of the statutes is created to read:

66.30 (6) (a) *In this subsection:*

1. "School district" means a common, union high, unified or city school district, or a school district organized under ch. 119.
2. "School board" has the meaning designated for the term in s. 115.01 (4).

(b) *Two or more school boards of school districts may by written contract executed by all participants to the contract, own, construct, lease or otherwise acquire school facilities including real estate located within or outside the boundaries of any participating school district.*

(c) *School district boards entering into a contract under this subsection may, without limitation because of enumeration:*

1. *Provide for acquisition, construction, operation and administration of a facility, and establish the functions, projects and services to be provided in the facility, including, without limitation because of enumeration, proration of all expenses involved, operational and fiscal management including deposit and disbursement of funds appropriated, designation of the municipal employer for purposes of compliance with s. 111.70, teacher retirement, worker's compensation and unemployment compensation.*
2. *Purchase real estate and personal property, including a fractional or other interest in the real estate and personal property and enter into leases for sites, building and equipment for a term not exceeding 50 years.*

Partial
Veto

Overruled

3. Finance and equip any facility through a school building corporation under s. 120.19.

4. Issue municipal obligations subject to the procedures and limitations of ch. 67.

5. Provide the terms and conditions for accepting additional school districts as participants in the plan and for withdrawal from or termination of the contract including apportionment of assets and liabilities.

(d) A contract entered into under this subsection shall at all times be limited to a period of 50 years but may, by mutual written consent of all participants, be modified or extended beyond the initial term.

(e) A contract or any extension of the contract of over 5 years which includes a city school district participant shall be subject to approval of the city council or, where applicable, the fiscal board under s. 120.50.

(f) A contract or any extension of the contract of over 5 years duration which includes a common or union high school district participant shall be approved by the annual or special school district meeting.

(g) At least 30 days prior to entering into a contract under this subsection or a modification or extension of the contract, the school boards of the districts involved or their designated agent shall file the proposed agreement with the state superintendent to enable the state superintendent or state superintendent's designee to assist and advise the school boards involved in regard to the applicable recognized accounting procedure for the administration of the school aid programs. The state superintendent shall review the terms of the proposed contract to ensure that each participating district's interests are protected.

(h) School district boards entering into a contract under this subsection shall designate for each employe providing services under the contract either a school district entering into the contract or a cooperative educational service agency under ch. 116 as the employer for purposes of compliance with s. 111.70, teacher's retirement, worker's compensation and unemployment compensation.

Partial
Veto
Overruled

SECTION 410. 66.40 (24) of the statutes is renumbered 66.40 (24) (a).

SECTION 411. 66.40 (24) (b) of the statutes is created to read:

66.40 (24) (b) An authority may contract for the acquisition of a housing project without submitting the contract for bids as required by par. (a) if:

1. The contract provides for undertaking of the housing project on land not owned at the time of the contract by the authority except the contract may provide for undertaking of the housing project on land acquired and owned by a community development authority for the purpose of ss. 66.405 to 66.425, 66.43, 66.431 or 66.46 if the community development authority is proceeding under this paragraph as provided by s. 66.4325 (4);

2. The contract provides for conveyance or lease of the project to the authority after completion of the project; and

3. The authority invites developers to submit proposals to provide a completed project and evaluates proposals according to site, cost, design, the developer's experience and other criteria specified by the authority.

SECTION 412. 66.46 (2) (f) (intro.) of the statutes is amended to read:

66.46 (2) (f) (intro.) "Project costs" mean any expenditures made or estimated to be made or monetary obligations incurred or estimated to be incurred by the city which are listed in a project plan as costs of public works or improvements within a tax incremental district or, to the extent provided in subd. 10, without the district, plus any costs incidental thereto, diminished by any income, special assessments, or other revenues, other than tax increments, received or reasonably expected to be received by the city in connection with the implementation of such plan. Such project costs include, but are not limited to:

SECTION 413. 66.46 (2) (f) 10 of the statutes is created to read:

66.46 (2) (f) 10. That portion of costs related to the construction or alteration of sewerage treatment plants, water treatment plants or other environmental protection devices, storm or sanitary sewer lines, water lines, or amenities on streets or the rebuilding or expansion of streets the construction, alteration, rebuilding or expansion of which is necessitated by the project plan for a district, whether or not the construction, alteration, rebuilding or expansion is within the district.

SECTION 414. 66.46 (2) (i) of the statutes is amended to read:

66.46 (2) (i) "Tax increment" means that amount obtained by multiplying the total county, city, school and other local general property taxes levied on all taxable property within a tax incremental district in ~~any a~~ year by a fraction having as a numerator ~~equal to that year's equalized value of all taxable property~~ the value increment for that year in such district ~~minus the tax incremental base and~~ as a denominator ~~equal to that year's equalized value of all taxable property in such~~ the district. In any year, a tax increment is "positive" if the ~~tax incremental base is less than the aggregate value of taxable property as equalized by the department of revenue~~ value increment is positive; it is "negative" if ~~such base exceeds such value~~ the value increment is negative.

SECTION 415. 66.46 (2) (m) of the statutes is created to read:

66.46 (2) (m) "Value increment" means the equalized value of all taxable property in a tax incremental district in any year minus the tax incremental base. In any year "value increment" is positive if the tax incremental base is less than the aggregate value of taxable property as equalized by the department of revenue; it is negative if that base exceeds that aggregate value.

SECTION 416. 66.46 (4) (d) of the statutes is amended to read:

66.46 (4) (d) Preparation and adoption by the planning commission of a proposed project plan for each tax incremental district ~~and submission of such plan to the local legislative body. Such plan shall include a statement listing the kind, number, and location of all proposed public works or improvements within such district; an economic feasibility study; a detailed list of estimated project costs; and a description of the methods of financing all estimated project costs and the time when such costs or monetary obligations related thereto are to be incurred. Such plan shall also include a map showing existing uses and conditions of real property in such district; a map showing proposed improvements and uses therein; proposed changes of zoning ordinances; master plan, map, building codes and city ordinances; a list of estimated nonproject costs; and a statement of a proposed method for the relocation of any persons to be displaced.~~

SECTION 417. 66.46 (4) (e) and (f) of the statutes are renumbered 66.46 (4) (g) and (h) and amended to read:

66.46 (4) (g) Approval by the local legislative body of a project plan within 6 months after the department of revenue certifies to the city clerk the tax incremental base of the district. Such ~~The~~ approval shall be by resolution which contains findings that ~~such~~ the plan is feasible and in conformity with the master plan, if any, of the city.

(h) The planning commission may at any time, by resolution, adopt an amendment to a project plan, which amendment shall be subject to approval by the local legislative body ~~in the same manner as an initial project plan and approval of the amendment shall require the same findings as provided in par. (g). Adoption of an amendment to a project plan shall be preceded by a public hearing held by the plan commission at which interested parties shall be afforded a reasonable opportunity to express their views on the amendment. Notice of the hearing shall be published as a class 2 notice, under ch. 985. Prior to such publication, a copy of the notice shall be sent by 1st class mail to the chief executive officer of all local governmental entities having the power to levy taxes on property within the district and to the school board of any school district which includes property located within the proposed district.~~

SECTION 418. 66.46 (4) (e) and (f) of the statutes are created to read:

66.46 (4) (e) Holding of a public hearing by the planning commission at which interested parties are afforded a reasonable opportunity to express their views on the proposed project plan. The hearing may be held in conjunction with the hearing provided for in par. (a). Notice of the hearing shall be published as a class 2 notice, under ch. 985. Prior to such publication, a copy of the notice shall be sent by 1st class mail to the chief executive officer of all local governmental entities having the power to levy taxes on property within the district and to the school board of any school district which includes property located within the proposed district.

(f) Adoption by the planning commission of a project plan for each tax incremental district and submission of the plan to the local legislative body. The plan shall include a statement listing the kind, number and location of all proposed public works or improvements within the district or, to the extent provided in sub. (2) (f) 10, outside the district, an economic feasibility study, a detailed list of estimated project costs, and a description of the methods of financing all estimated project costs and the time when the costs or monetary obligations related thereto are to be incurred. The plan shall also include a map showing existing uses and conditions of real property in the district; a map showing proposed improvements and uses in the district; proposed changes of zoning ordinances; master plan, map, building codes and city ordinances; a list of estimated nonproject costs; and a statement of the proposed method for the relocation of any persons to be displaced.

SECTION 419. 66.46 (5) (a) of the statutes is amended to read:

66.46 (5) (a) Upon the creation of a tax incremental district or upon adoption of any amendment subject to par. (c), its tax incremental base shall be determined ~~forthwith~~ as soon as reasonably possible.

SECTION 419m. 66.46 (5) (cm) of the statutes is created to read:

66.46 (5) (cm) The city clerk shall annually, after May 1 but before May 21, by written notice, inform the department of revenue of any amendment to the project plan which has been adopted. The city clerk shall also give written notice of the adoption of an amendment to the department of revenue within 60 days after its adoption. The department of revenue may prescribe forms to be used by the city clerk when giving notice as required by this paragraph.

SECTION 420. 66.46 (5) (d) to (f) of the statutes are renumbered 66.46 (5) (e) to (g), and 66.46 (5) (g), as renumbered, is amended to read:

66.46 (5) (g) The department of revenue shall annually give notice to the designated finance officer of all governmental entities having the power to levy taxes on property within each district as to ~~both the assessed and equalized value of such property and the assessed and equalized value of the tax increment base~~. Such notice shall also explain that the ~~taxes collected in excess of the base~~ entire amount of a tax increment allocable to a city will be paid to the city as provided under sub. (6) (b) from the taxes collected.

SECTION 421. 66.46 (5) (d) of the statutes is created to read:

66.46 (5) (d) The department of revenue shall not certify the tax incremental base as provided in par. (b) until it determines that each of the procedures and documents required by sub. (4) ~~(a) to (c) or (h)~~ has been timely completed and all notices required under sub. (4) ~~(a) to (c) or (h)~~ timely given. The facts supporting any document adopted or action taken to comply with sub. (4) ~~(a) to (c) or (h)~~ shall not be subject to review by the department of revenue under this paragraph.

Vetoed
in Part

SECTION 421m. 66.46 (6) (a) (intro.) of the statutes is amended to read:

66.46 (6) (a) (intro.) Positive tax increments with respect to a tax incremental district are allocated to the city which created such district for each year ~~from commencing after the date when such district is created~~ a project plan is adopted under sub. (4) (g) until the earlier of:

SECTION 422. 66.46 (6) (b) of the statutes is amended to read:

66.46 (6) (b) Notwithstanding any other provision of law, every officer charged by law to collect and pay over or retain local general property taxes shall, first, on the next settlement date provided by law, pay over to the city treasurer out of all ~~such~~ the taxes which the officer has collected ~~that portion which represents the total amount of~~ a tax increment allocable to ~~such~~ that city.

SECTION 423. 66.46 (7) (b) of the statutes is amended to read:

66.46 (7) (b) The local legislative body, by resolution, dissolves the district at which time the city shall become liable for all unpaid project costs actually incurred, except this paragraph does not make the city liable for any tax incremental bonds or notes issued.

SECTION 424. 66.46 (9) (a) 7 and 8 of the statutes are amended to read:

66.46 (9) (a) 7. Payment out of the proceeds of revenue bonds issued by it under s. 66.51; ~~or~~

8. Payment out of the proceeds of the sale of tax incremental bonds or notes issued by it under this subsection; ~~or~~

SECTION 425. 66.46 (9) (a) 9 of the statutes is created to read:

66.46 (9) (a) 9. Payment out of the proceeds of revenue bonds issued by the city as provided by s. 66.521, for a purpose specified in that section.

SECTION 426. 66.46 (9) (b) 3 of the statutes is amended to read:

66.46 (9) (b) 3. Tax incremental bonds or notes may not be issued in an amount exceeding the aggregate project costs. Such bonds or notes shall mature over a period not exceeding 20 years from the date thereof or a period terminating with the date of termination of the tax incremental district, whichever period terminates earlier. Such bonds or notes may contain a provision authorizing the redemption thereof, in whole or in part, at stipulated prices, at the option of the city, on any interest payment date and shall provide the method of selecting the bonds or notes to be redeemed. The principal and interest on such bonds and notes may be payable at any time and at any place. Such bonds or notes may be payable to bearer or may be registered as to the principal or principal and interest. Such bonds or notes may be in any denominations. Such bonds or notes may be sold at public or private sale. Insofar as they are consistent with this subsection, the provisions of ch. 67 relating to procedures for issuance, form, contents, execution, negotiation, and registration of municipal bonds and notes are incorporated herein by reference.

SECTION 427. 66.46 (11) (a) of the statutes is amended to read:

66.46 (11) (a) With respect to the county, school districts, and any other local governmental body having the power to levy taxes on property located within a tax incremental district, the calculation of the equalized valuation of taxable property in a tax incremental district ~~under ch. 70 for the apportionment of property taxes~~ may not exceed the tax incremental base of the district until the district is terminated.

SECTION 428. 66.46 (11) (b) of the statutes, as affected by chapter 29, laws of 1977, is repealed and recreated to read:

66.46 (11) (b) The tax increment share of any local taxing jurisdiction paid under this section shall not be counted as part of local tax levies or in the calculation of allowable local levies under ss. 61.46 (3), 62.12 (4m), 65.07 (2) and 70.62 (4) unless the tax increments, in whole or in part, revert to the jurisdiction of origin on termination of a tax incremental district.

SECTION 429. 66.465 of the statutes is created to read:

66.465 Reinvestment neighborhoods. (1) DEFINITIONS. In this section:

(a) An "area in need of rehabilitation" is a neighborhood or area in which buildings, by reason of age, obsolescence, inadequate or outmoded design, or physical deterioration have become economic or social liabilities, or both; in which such conditions impair the economic value of such neighborhood or area, infecting it with economic blight, and which is characterized by depreciated values, impaired

investments, and reduced capacity to pay taxes; in which the existence of such conditions and the failure to rehabilitate such buildings results in a loss of population from the neighborhood or area and further deterioration, accompanied by added costs for creation of new public facilities and services elsewhere; in which it is difficult and uneconomic for individual owners independently to undertake to remedy such conditions; in which it is necessary to create, with proper safeguards, inducements and opportunities for the employment of private investment and equity capital in the rehabilitation of such buildings; and in which the presence of such buildings and conditions has resulted, among other consequences, in a severe shortage of financial resources available to finance the purchase and rehabilitation of housing and an inability or unwillingness on the part of private lenders to make loans for and an inability or unwillingness on the part of present and prospective owners of such housing to invest in the purchase and rehabilitation of housing in such neighborhood or area.

(b) "Local legislative body" means the common council, village board of trustees or town board of supervisors.

(c) "Municipality" means any city, village or town in this state.

(d) "Planning commission" means a plan commission created under s. 62.23 or a plan committee of the local legislative body.

(e) "Reinvestment neighborhood or area" means a geographic area within any municipality not less than one-half of which, by area, meets 3 of the 5 following conditions:

1. It is an area in need of rehabilitation as defined in par. (a).
2. It has a rate of owner-occupancy of residential buildings substantially below the average rate for the municipality as a whole.
3. It is an area within which the market value of residential property, as measured by the rate of change during the preceding 5 years in the average sale price of residential property or the recommended full value of residential property as established by the department of revenue, has decreased or has increased at a rate substantially less than the rate of increase in average sale price or recommended full value of residential property in the municipality as a whole.
4. It is an area within which the number of persons residing has decreased during the past 5 years, or in which the number of persons residing has increased during that period at a rate substantially less than the rate of population increase in the municipality as a whole.
5. It is an area within which the effect of such detrimental conditions as may exist is to discourage private lenders from making loans for and present or prospective property owners from investing in the purchase and rehabilitation of housing.

(2) DESIGNATION OF REINVESTMENT NEIGHBORHOODS OR AREAS. Any municipality may designate reinvestment neighborhoods or areas after complying with the following steps:

(a) Holding of a public hearing by the planning commission or by the local governing body at which interested parties are afforded a reasonable opportunity to express their views on the proposed designation of a reinvestment neighborhood or area and the proposed boundaries thereof. Notice of such hearing shall be published as a class 2 notice, under ch. 985. Prior to such publication, a copy of the notice shall be sent by 1st class mail to the department of local affairs and development, and a copy shall be posted in each school building and in at least 3 other places of public assembly within the reinvestment neighborhood or area proposed to be designated.

(b) Designation by the planning commission of the boundaries of a reinvestment neighborhood or area recommended by it to be designated and submission of such recommendation to the local legislative body.

(c) Adoption by the local legislative body of a resolution which:

1. Describes the boundaries of a reinvestment neighborhood or area with sufficient definiteness to identify with ordinary and reasonable certainty the territory included therein. Such boundaries may, but need not, be the same as those recommended by the planning commission.

2. Designates such reinvestment neighborhood or area as of a date provided in the resolution.

3. Contains findings that the area to be designated constitutes a reinvestment neighborhood or area.

~~SECTION 429g. 66.521 (1) (c) of the statutes is created to read:~~

~~66.521 (1) (c) It is found and declared that commercial enterprises are moving from or ceasing operations in blighted areas, in whole or in part, to the detriment of state, county and municipal revenue raising through the loss or reduction of income taxes, real estate and other local taxes, and thereby causing an increase in unemployment in those areas; that such conditions now exist in certain areas of the state and may well arise in other areas; that economic insecurity due to unemployment is a serious menace to the general welfare of not only the people of the affected areas but of the people of the entire state; that unemployment results in obligations to grant public assistance and in the payment of unemployment compensation; that the absence of new economic opportunities has caused workers and their families to migrate elsewhere to find work and establish homes, which has resulted in a reduction of the tax base of counties, cities and other local governmental jurisdictions impairing their financial ability to support education and other local governmental services; that security against unemployment and the preservation and enhancement of the tax base can best be provided by the promotion, attraction, stimulation, rehabilitation and revitalization of commercial enterprise in blighted areas, in addition to those activities specified in par. (a); that there is a need to stimulate a larger flow of private investment funds from banks, investment houses, insurance companies and other financial institutions. It is therefore declared to be the policy of this state to promote the right to gainful employment, business opportunities and general welfare of the inhabitants thereof and to preserve and enhance the tax base by authorizing municipalities to acquire commercial facilities in blighted areas and to finance such acquisition through the issuance of revenue bonds for the purpose of fulfilling the aims of this section and such purposes are hereby declared to be public purposes for which public money may be spent and the necessity in the public interest for the provisions herein enacted is declared a matter of legislative determination.~~

Vetoed
in Part

~~SECTION 429m. 66.521 (2) (b) 16 and 17 of the statutes are created to read:~~

~~66.521 (2) (b) 16. Commercial laundry or drycleaning facilities located in industrial parks.~~

~~17. Commercial facilities located in blighted areas as defined by s. 66.46 (2) (a).~~

~~SECTION 430. 66.60 (4) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:~~

~~66.60 (4) A copy of the report when completed shall be filed with the municipal clerk for public inspection, and, if property of the state may be subject to assessment under s. 66.64, a copy of the report shall also be filed with the board of commissioners of public lands and the department of administration and, if the assessment of a project, as defined under s. 66.64 (2) (a), is \$50,000 or more, the building commission. The building commission shall review the assessment and shall determine within 90 days of receipt of the report if the assessment is just and legal and if the proposed improvement is compatible with state plans for the facility which is the subject of the proposed improvement. No project assessed at \$50,000 or more may be commenced and no contract on such project may be let without the approval of the building commission under this subsection. The building commission shall submit a copy of all of its decisions under this subsection to the board of commissioners of public lands.~~

~~SECTION 431. 66.64 of the statutes, as affected by chapter 29, laws of 1977, is amended to read:~~

66.64 Special assessments for local improvements. (1) The property of the state, except that held for highway ~~right-of-way~~ right-of-way purposes, and the property of every county, city, village, town, school district, sewerage district or commission, sanitary or water district or commission, or any public board or commission within this state, and of every corporation, company or individual operating any railroad or street railway, telegraph, telephone, electric light or power system, or doing any of the business mentioned in ch. 76, and of every other corporation or company whatever, shall be in all respects subject to all special assessments for local improvements. Certificates and improvement bonds therefor may be issued and the lien thereof enforced against such property, except property of the state, in the same manner and to the same extent as the property of individuals. Such assessments shall not extend to the right, easement or franchise to operate or maintain railroads, street railways, telegraph, telephone or electric light or power systems in streets, alleys, parks or highways. The amount represented by any certificate or improvement bond issued as aforesaid shall be a debt due personally from such corporation, company or individual, payable in the case of a certificate when the taxes for the year of its issue are payable, and in the case of a bond according to the terms thereof. ~~In the case of a special assessment upon property of the state, the clerk of the municipality levying the assessment shall notify the~~

(2) (a) In this subsection, "assessment" means a special assessment on property of the state and "project" means any continuous improvement within overall project limits regardless of whether small exterior segments are left unimproved. The board of commissioners of public lands of the amount of the assessment and a description of the property. If the board finds that the shall determine if an assessment is just and legal it. If the assessment of a project is less than \$50,000, the board shall order the same assessment paid.—It under s. 20.865 (3) (b). If the assessment of a project is \$50,000 or more and if, the building commission approves the assessment under s. 66.60 (4), the board shall order the assessment paid under s. 20.865 (3) (b).

(b) The board of commissioners of public lands shall transmit a certified copy of its any order to pay an assessment to the department of administration, and upon its audit and warrant drawn upon the state treasurer the amount of the assessment shall be paid out of the appropriation under s. 20.865 (3) (b), and when paid shall be charged to the general, conservation or state highway funds as equitably as possible in the judgment of the board when considering the agencies or departments occupying or having jurisdiction over the state property involved.

SECTION 431g. 66.943 (8) of the statutes is amended to read:

66.943 (8) The Except as further provided in this subsection, the jurisdiction, powers and duties of the transit commission shall extend to the comprehensive unified local transportation system for which the commission is established including any portion of such system extending into adjacent or suburban territory within this state lying outside of the city not more than 30 miles from the nearest point marking the corporate limits of the city. The jurisdiction, powers and duties of a transit commission providing rail service shall extend to the comprehensive unified local rail transportation system for which the commission is established including any portion of such system extending into adjacent or suburban territory lying outside of the city and in an adjoining state whose laws permit, subject to the laws of that state but subject to the laws of this state in all matters relating to rail service.

SECTION 431m. 66.944 of the statutes is created to read:

66.944 Transit employes; retirement fund. (1) This section shall apply to all affected employes of a transportation system which is acquired by a city, a city transit commission or a metropolitan transit authority on or after June 30, 1975.

(2) Within 60 days after the effective date of this act (1977), or within 60 days after a system is acquired by a city, a city transit commission or a metropolitan transit authority, whichever is later, an election shall be conducted by the department of employe trust funds under procedures adopted by the department of employe trust funds. If all of the affected employes of the transportation system vote to be included

within the Wisconsin retirement fund rather than their present retirement system, their eligibility for participation within the Wisconsin retirement fund shall be computed from the date of acquisition.

(3) Notwithstanding s. 66.94 (29) or any other law, after the election under sub. (2), no city, city transit commission or metropolitan transit authority may be required to contribute to more than one retirement fund for the affected employees.

SECTION 432. 66.945 (1) of the statutes, as affected by chapter 29, laws of 1977, is repealed and recreated to read:

66.945 (1) DEFINITIONS. In this section:

(a) "Governing body" means the town, village or county board or the legislative body of a city.

(b) "Local governmental units" or "local units" means cities, villages, towns and counties.

(c) "Population" means the population of a local unit as shown by the last federal census or by any subsequent population estimate under s. 16.96.

SECTION 433. 67.025 of the statutes is amended to read:

67.025 Certification of municipal obligations. In any municipality, the officers charged with the negotiation and sale of its municipal obligations may, in their discretion, prior to the issuance thereof, submit to the attorney general or to an attorney employed pursuant to under s. 67.10 (7) a certified copy of all its proceedings preliminary to such issue, and also a printer's proof or sample of or the unsigned obligations, for examination and certification. Such attorney shall examine the proceedings and, if found regular and valid, shall execute a certificate of such examination and validity. As soon as such certificate is returned, the clerk of the municipality shall cause such certificate to be recorded. This section applies to obligations issued pursuant to under ss. 59.071, 66.46 (9) (b), 66.521 and 66.54.

SECTION 433d. 67.04 (2) (b) of the statutes is amended to read:

67.04 (2) (b) For the purchase or erection of new school buildings, or additions to old buildings or to purchase school sites, school transportation vehicles or school equipment for the purpose of providing for the educational requirements of the city including territory attached to such city for school purposes; to acquire sites and erect or enlarge buildings thereon, and to equip such new or old buildings for parental schools; ~~and to do renovating, remodeling and repairing of existing buildings; and to provide funds allocated under the contract to the city school district as a participant in a contract under s. 66.30 (6) if within the purposes authorized by this paragraph.~~

Partial
Veto
Overruled

SECTION 433f. 67.04 (6m) of the statutes is created to read:

67.04 (6m) *By any common school district, union high school district or unified school district to provide the funds allocated under the contract to such district as a participant in a contract under s. 66.30 (6) if within the purposes authorized for such participant under sub. (6).*

SECTION 433m. 67.101 (11) of the statutes, as created by chapter 119, laws of 1923, withdrawn from the statutes by chapter 385, laws of 1925, and as last amended by chapter 281, laws of 1973, is amended to read:

67.101 (11) The public debt commission shall, from time to time, cause investment of said fund or part thereof as it accrues, to be made by the proper officer in city of Milwaukee bonds or the bonds or securities or other evidences of indebtedness of the United States, or in bonds or securities of ~~any instrumentality of the United States or agency thereof~~ where the indebtedness and interest are guaranteed by the United States either primarily or secondarily, or in certificates of time deposit, or in bonds that are the general obligations of cities or other municipal subdivisions of the state of Wisconsin after said bonds have been approved as to the regularity of their issue by the city attorney of such city or in tax certificates of such city or of the county in which it is located, or in securities of such city whether a direct obligation thereof or

not secured by such tax certificates; and from time to time to sell, dispose of, or exchange any such securities in which the said fund may be invested and to reinvest the proceeds thereof in any other of the securities herein enumerated. Whenever investment is made in tax certificates of such city or county the public debt commission shall be entitled to the services of the city treasurer, tax commissioner and such other city officers and employes as may be required for the prudent selection, protection and enforcement of such investment and the limitations of time for all actions, proceedings and applications for tax deeds upon such certificates shall be such as are applicable to certificates owned or held by such city.

SECTION 433r. 67.12 (12) (g) of the statutes is created to read:

67.12 (12) (g) *A common school district, union high school district, unified school district or city operating a city school district may, upon compliance with the requirements of this section, issue its note or notes for any purpose authorized in this section in order to provide funds allocated under the contract to the school district as a participant in a contract under s. 66.30 (6).*

Partial
Veto
Overruled

SECTION 434. 69.05 of the statutes is amended to read:

69.05 Forms prepared by registrar. The state registrar shall prepare forms of certificate of birth, ~~fetal deaths~~, deaths, marriages, divorces, ~~of fetal death reports~~ and of burial permits, and such other forms necessary to meet the requirements of this subchapter, which forms, ~~with the exception of marriage license forms~~, shall be printed and supplied in the same manner as are ~~blanks~~ blank forms and stationery for the use of other offices of the state government.

SECTION 435. 69.06 (intro.) of the statutes is created to read:

69.06 (intro.) The state registrar shall:

SECTION 436. 69.06 (1) to (5) of the statutes, as affected by chapter 83, laws of 1977, are amended to read:

69.06 (1) ~~The state registrar shall prepare~~ Prepare and issue detailed instructions required to secure the uniform observance and the maintenance of a perfect system of registration, ~~and no.~~ No blanks, ~~with the exception of marriage license blanks~~, ~~shall may~~ be used other than those supplied by ~~him~~ the state registrar.

(2) ~~He shall carefully~~ Carefully examine the reports and certificates received from the local registrars and registers of deeds and if any such are incomplete ~~or are~~ completed in other than unfading black ink or ~~are~~ unsatisfactory ~~he the registrar shall~~ require such further information or compliance as may be necessary to make the record complete and satisfactory.

(3) ~~He shall arrange~~ Arrange, bind and permanently preserve the certificates in a systematic manner and prepare and maintain a comprehensive and continuous index of all births, ~~fetal deaths~~, deaths, marriages and divorces registered.

(4) ~~He shall prepare~~ Prepare and publish biennially such of the vital facts appearing on the certificates, or copies thereof, of births, ~~fetal deaths~~, deaths, marriages, and divorces and fetal death reports as the department determines to be necessary and useful.

(5) ~~The state registrar shall at~~ At least once each year tabulate and classify all cases of children born with disabilities in the state since the preceding tabulation, and shall preserve the same in his or her office. Such tabulations shall be included in the biennial report of the department.

SECTION 437. 69.07 (2) and (3) of the statutes are amended to read:

69.07 (2) ~~He~~ The state registrar may investigate irregularities or violations of the law, and all local registrars and registers of deeds shall aid ~~him upon request~~, in such investigations upon request.

(3) ~~When he deems it~~ If deemed necessary, ~~he the state registrar shall~~ report violations to the district attorney of the proper county, with a statement of facts and circumstances, and ~~he the district attorney shall~~ forthwith initiate and promptly prosecute the violators of law, and upon request of the state registrar the attorney general shall likewise assist in the enforcement of this subchapter.

SECTION 438. 69.08 (1) of the statutes is amended to read:

69.08 (1) If it is impossible to obtain through the local registrars and registers of deeds complete reports of all births, deaths and marriages which they respectively are required to report, the department may cause these statistics to be collected and the necessary expenses incurred by so doing shall be charged to and paid for by the respective county, city, village or town whose officer caused this expense to be ~~necessarily~~ incurred.

SECTION 439. 69.10 and 69.11 of the statutes are amended to read:

69.10 Local statistics; copies; filing. Each register of deeds and city health officer shall collect and file certificates of births, ~~fetal deaths~~, deaths and marriages that occur in ~~his the~~ county or city ~~as provided in under~~ s. 69.09 ~~and after making a copy thereof transmit the original to the state registrar.~~

69.11 Deputy local registrars. Each local registrar shall, upon assuming the duties of ~~his the~~ office, appoint a deputy who shall act ~~in his stead as alternate~~ under this subchapter in case of the absence, illness or disability of the local registrar. The deputy shall accept such appointment in writing and shall be subject to all rules and regulations governing the local registrars under this subchapter. The state registrar shall be notified immediately of the appointment of a deputy registrar.

SECTION 440. 69.14 and 69.15 of the statutes are amended to read:

69.14 Certificates, numbering. The register of deeds and city health officer shall number and date consecutively the certificates of births, deaths and marriages, ~~as he receives them~~ received and affix the date when received thereto.

69.15 Reports of births, marriages and deaths to other local registrars. Each register of deeds and city health officer shall, on the first day of each month, make an exact copy of all births, marriages and deaths recorded by him or her during the previous month, whenever the parents of the child born, or the bride or the groom, or the deceased person, was resident in any other city, village or town in this state at the time of such birth, marriage or death; and shall transmit such copies to the city health officer, or register of deeds of the county in which such parents, the bride or the groom, or the deceased, were resident at the time of the birth, marriage or death. ~~Such copies shall be made upon blanks to be furnished for that purpose by the department.~~ The registrars receiving such copies shall file the same.

SECTION 441. 69.18 (1) of the statutes is amended to read:

69.18 (1) The city health officer and the register of deeds shall promptly upon receipt of an original certificate of birth, ~~fetal death~~, death ~~and or~~ marriage make a complete and accurate copy of each certificate filed ~~with him~~ upon a form identical with the original certificate for his record local registration and transmit the original to the state registrar ~~on or before~~ not later than the ~~seventh~~ 7th day of each month. The city health officer and the register of deeds shall promptly upon receipt of an original fetal death report transmit the report to the state registrar not later than the 7th day of each month.

SECTION 442. 69.18 (3) of the statutes is amended to read:

69.18 (3) The city health officer, as to births, ~~fetal deaths~~, deaths ~~and or~~ marriages occurring in such city, shall within 5 days of the original filing transmit a copy of the original certificate of ~~such births, fetal deaths, deaths and marriages~~ birth, death or marriage to the register of deeds.

SECTION 443. 69.21 of the statutes is amended to read:

69.21 Register of deeds' duties. Every register of deeds shall make, file and index copies of all certificates of births, ~~fetal deaths~~, deaths or marriages, ~~received by him~~ and properly bind the copies in book form.

SECTION 444. 69.22 (3) of the statutes is repealed and recreated to read:

69.22 (3) If a delayed birth record is filed with the state registrar, a copy shall be forwarded to the register of deeds of the county in which the birth occurred.

SECTION 445. 69.23 (3) of the statutes is amended to read:

69.23 (3) The state registrar, register of deeds or local registrar of any city shall issue without charge certified copies of certificates of birth, death, marriage and divorce when required in support of any claim for benefits, federal or state, where such claims have arisen out of or by reason of service in the wars of the country except that in counties where the register of deeds is under the fee system and not paid a fixed salary ~~he shall be paid by the county the usual fee for each such service~~ the usual fee for such service shall be paid by the county.

SECTION 446. 69.23 (4) of the statutes is created to read:

69.23 (4) Nothing in this subchapter may be construed to permit disclosure of information contained in the "confidential information for medical and health use only" section of the birth certificate to any person other than to the subject of that information or his or her authorized guardian or to the parent if the subject is a minor, unless specifically authorized by the state registrar for statistical, research or public health purposes or unless ordered by a county judge or judge of the juvenile court.

SECTION 447. 69.24 (1) (intro.) of the statutes is amended to read:

69.24 (1) (intro.) The state registrar, register of deeds, and city health officer who are authorized to issue certified copies, as stated in this subchapter, shall collect the following fees for the search, filing and issuing of certified copies of birth, ~~fetal death,~~ death, marriage and divorce records and for making authorized corrections, alterations or additions:

SECTION 448. 69.24 (3) of the statutes is amended to read:

69.24 (3) The state registrar shall collect a reasonable fee for special searches which may be requested ~~of him~~ to adequately meet the cost of such special search.

SECTION 449. 69.25 (3) of the statutes is amended to read:

69.25 (3) ~~Whenever~~ If there ~~shall be~~ is filed with the state registrar ~~of vital statistics~~ a certificate of death of any resident of this state, who died ~~without~~ outside the state, the registrar shall file the certificate, make a copy thereof and transmit it to the register of deeds of the county ~~or the health officer of the city~~ in which such deceased person resided ~~as provided in section~~ under s. 69.09, who shall make a proper record of the same.

SECTION 450. 69.29 (2) of the statutes is amended to read:

69.29 (2) The standard short form certificate of birth shall contain only the following information: The name of the person whom it concerns as originally recorded, or as subsequently changed pursuant to law, the sex of the person, the date on which ~~he or she~~ the person was born, the name of the town, village or city, and county in which ~~he or she~~ the person was born, and the date when the record was filed; ~~no.~~ No court order shall be required for the issuance of this certificate, whether for legitimate births or ~~illegitimate~~ births out of wedlock.

SECTION 451. 69.30 (1) and (2) of the statutes are amended to read:

69.30 (1) The physician or midwife in attendance upon any birth shall file a certificate of birth, properly and completely filled out, giving all the particulars required by this subchapter, with the register of deeds of the county in which the birth occurred within 5 days after birth, except that in cities such certificate shall be filed with the health officer. In counties having a population of 500,000 or more, the register of deeds and the city health officer shall, within 10 days after the filing of an original birth certificate, make an exact copy of such birth record whenever the parents of the child born were residents of any town or village in such county, and shall transmit such copies to the town or village clerk for a charge of 25 cents per copy, payable by the town or village treasurer. All certificates for ~~illegitimate~~ births out of wedlock subsequent to October 1, 1907, shall be kept in a separate file and shall be subject to public inspection only upon court order, except for obtaining proof of heirship. A copy of ~~an illegitimate~~ the record of a birth record out of wedlock shall be furnished only upon the order of any county judge or judge of the juvenile court. All

charges for professional services rendered by the physician or midwife in attendance upon a birth shall be unlawful if the birth certificate, properly filled out, is not reported ~~as herein provided under this subsection.~~

(2) If there ~~be is~~ no attending physician or midwife, ~~then~~ the parent of the child, householder or owner of the premises, manager or superintendent of a public or private institution in which the birth occurred shall file a satisfactory certificate of birth with the register of deeds, or city health officer, within 5 days ~~as provided in section under~~ s. 69.09.

SECTION 452. 69.31 of the statutes is amended to read:

69.31 Foundlings reported. ~~It shall be the duty of anyone~~ Anyone finding an unknown child, ~~to shall~~ immediately report that fact to the register of deeds of the county, or city health officer of the city where the child was found, as provided in ~~section s. 69.09; such.~~ The report shall show the sex and color of the child, the date and place of finding the child, and the name of the person or institution in charge of such child. The town, village or city in which the child is found shall be known as the place of legal birth and the date of birth shall be stated by the person in charge of the child as nearly as can be determined and the date so given shall be known as the legal date of birth. The person or superintendent of the institution with whom the child is placed for care shall give the child a name and shall be responsible for filling out as completely as possible the regular form of birth certificate and filing it with such register of deeds or the city health officer, who shall make a copy for ~~his own record~~ local files and forward the original to the department. If the child should later be identified and a certificate of birth be found or obtained, the record provided for by this section shall be destroyed. When foundlings or other children for whom it is impossible to provide a regular form of birth certificate are adopted, it shall be lawful for the adoptive parents to fill out and sign a birth record, giving their names as the adoptive parents.

SECTION 453. 69.32 (1) of the statutes, as affected by chapter 83, laws of 1977, is repealed.

SECTION 454. 69.32 (2) of the statutes, as affected by chapter 83, laws of 1977, is amended to read:

69.32 (2) ~~The reports~~ Reports, notices or explanations of all cases of congenital disability ~~provided for by this section~~ shall be treated as confidential to the extent that the name or address of the disabled person shall not be published by any newspaper, magazine or other paper or publication of general or special circulation.

SECTION 455. 69.33 (1), (5) to (7) and (9) of the statutes are amended to read:

69.33 (1) On being advised ~~pursuant to~~ under s. 48.94 of the adoption of any child whose birth has previously been registered or ~~pursuant to~~ under s. 245.25 of the legitimation of any child by the marriage of the parents, the state registrar ~~of vital statistics~~ shall file a new birth certificate filled out and signed by ~~himself~~ the registrar or ~~his~~ the registrar's authorized representative. In this new certificate reference shall be made to this section by number only. In all other respects the certificate shall be the same as other birth certificates and shall contain nothing else to differentiate it therefrom. In case such adopted child was born elsewhere a new certificate may be filed ~~as herein provided under this section~~ if the adoptive parent ~~shall file~~ files with the state registrar a certified copy of the original birth certificate or satisfactory proof that the birth was not recorded. The place of birth may be given as the place where the adoption order was made and the date of birth shall be taken from the original certificate, or, in the absence thereof, from the adoption order except that if the child was born outside the United States, the actual place of birth shall be given whether or not the natural parents were ~~United States~~ U.S. citizens, but if they were not, the certificate shall not be issued until proof of naturalization of the child has been furnished to the registrar.

(5) The new certificate shall then be filed in place of the original, and the original, together with all correspondence, affidavits, court orders, ~~etc. and other material~~ pertaining thereto, shall be filed away from all public access. Copies of or access to these originals or any material pertaining thereto shall be obtained only on court order or at the discretion of the state registrar. Copies of the new certificate shall be issued under the same laws and rules as apply to the issuing of other certificates.

(6) The state registrar shall send a copy of each new certificate to the register of deeds or city health officer where a copy of the original was filed. Such register of deeds or city health officer and state registrar shall file ~~this~~ the new record in their regular file, and impound the original which shall not be examined except upon court order or request of the state registrar.

(7) ~~Whenever~~ If a child born in the United States ~~shall have been~~ is adopted in another state by residents of this state, the adoptive parent may file an authenticated copy of the order or judgment of adoption with the state registrar, together with a certified copy of the original birth certificate, if any. Thereupon the state registrar shall proceed ~~as provided in subsections~~ under subs. (1), (2) and (5) so far as the same may be applicable. The residence of the adoptive parents may be recorded as the place of birth.

(9) ~~Whenever the state registrar is notified of a judgment entered pursuant to s. 52.37 (3) he~~ If the state registrar receives notification of a judgment entered under s. 52.37 (3), the state registrar shall in his discretion either make and file a new certificate, following the provisions of this section so far as applicable, or correct the old certificate ~~in the manner~~ as provided in s. 69.335.

SECTION 456. 69.335 of the statutes is amended to read:

69.335 Correction of birth records. A person born in this state may request the state registrar or the register of deeds of the county of ~~his~~ his birth or in cities the health officer of ~~a the~~ the city of ~~his~~ his birth, to correct ~~his the registrant's~~ the registrant's birth record. Minor corrections in the record of ~~his the registrant's~~ the registrant's given name, ~~or the spelling of his surname~~ may be made upon filing a supplementary report signed by ~~him or his the registrant or the registrant's~~ him or his the registrant or the registrant's parent, guardian, sister or brother. Major corrections of the record as to ~~his~~ his surname, sex, date and place of birth may be made by the state registrar, the register of deeds or city health officer only upon filing ~~his an~~ an affidavit setting forth the corrections to be made and the reasons therefor. All corrections shall be made in red ink on the original record without erasures. On the margin of the record the officer shall make, date and sign the following notation: The corrections entered in red ink on the adjoining birth record were made this day of 19.... by me and are based on (a supplementary report or an affidavit).

Signed
(State Registrar),
(City Health Officer)
or (Register of Deeds.)

Supporting documentation to confirm correct spelling of surname, or date or place of birth, shall be required. The state registrar, city health officer or the register of deeds to whom such requests are made shall promptly notify each other of the ~~corrections which have been made; and the other shall make and sign the same corrections and notation in red ink on his records. Affidavits upon which corrections are based shall be permanently filed with the state registrar~~ corrections to be made and each shall make the same corrections or notations to the record in red ink.

SECTION 457. 69.336 of the statutes is amended to read:

69.336 Same; court proceedings. (1) ~~Whenever~~ If any court ~~pursuant to~~ under s. 891.39 ~~shall adjudge~~ adjudges a child born ~~in wedlock to a married woman~~ to be illegitimate born out of wedlock, the clerk of court shall report the facts to the state registrar, who shall issue a new birth certificate showing the correct facts as found by the court, and shall dispose of the original, with the court's report attached, as provided in s. 69.33 (5). ~~He shall notify local~~ Local registrars ~~shall be notified~~ as provided in s. 69.33 (6).

(2) ~~Whenever~~ ~~If~~ the certificate originally filed ~~shall be~~ ~~is~~ substantially incorrect, the person whose birth is recorded or ~~his~~ ~~the~~ parent or guardian may petition any court of record in the county of ~~his~~ ~~the~~ registrant's residence or, if a nonresident, the county of ~~his~~ ~~the~~ registrant's birth, for a determination of the true facts. The court may take testimony and shall direct the clerk of court to report to the state registrar wherein the original certificate is incorrect and what are the true facts, so far as can be determined. No finding ~~shall~~ ~~may~~ be required as to paternity if the birth was ~~illegitimate out of wedlock~~. The state registrar shall proceed ~~as provided in section under s. 69.33 (5)~~.

SECTION 458. 69.34 (1) of the statutes is amended to read:

69.34 (1) The ~~certificate report~~ of fetal death shall contain ~~such~~ ~~the~~ items as the department determines are necessary and a definition of fetal death as the department may from time to time establish.

SECTION 459. 69.34 (2) of the statutes is amended to read:

69.34 (2) The funeral director or person selected by one of the parents to assume responsibility for disposition of the remains shall have the items pertaining to the causes and conditions of the fetal death ~~filled in and signed by~~ ~~and the name of~~ the physician or other person attending the birth ~~or, if no person attended, by the mother entered on the report~~, and shall be responsible for filing the ~~certificate with the nearest city health officer~~ report before obtaining a burial permit ~~from him~~.

SECTION 460. 69.34 (3) of the statutes is repealed.

SECTION 461. 69.35, 69.36 and 69.37 of the statutes are amended to read:

69.35 Standard death certificate. The certificate of death shall contain such items as the department may determine are necessary and shall agree in the main with the standard form recommended by the ~~United States~~ U.S. public health service.

69.36 Death particulars; authentication. The personal and statistical particulars shall be authenticated by the ~~signature~~ ~~name~~ of the informant who may be any competent person acquainted with the facts.

69.37 Statement of disposition of body. The statement of facts relating to the disposition of the body shall be signed by a funeral director licensed in ~~the~~ ~~this~~ state of ~~Wisconsin~~ or by an individual referred to in ~~ss. s.~~ s. 69.34 (2), 155.02 or 156.16, except that such statement of facts may be signed by any person who personally prepares for burial and conducts the funeral of any ~~deceased~~ member of ~~his~~ ~~the~~ immediate family.

SECTION 462. 69.38 (1), (2) and (5) of the statutes are amended to read:

69.38 (1) The certificate of death shall be made and signed by the physician last in attendance on the deceased and shall specify the time in attendance, the time ~~he~~ ~~the~~ physician last saw the deceased alive, and the hour and the day at which death occurred.

(2) ~~He~~ ~~The~~ physician shall state the causes of death so as to show the course of disease or sequence of causes resulting in death, and the duration of each.

(5) In case of deaths in hospitals, institutions, or other places away from home, the physician shall furnish the information required under this head section and shall state, when possible, where, ~~in his opinion~~, the disease was contracted.

SECTION 463. 69.39 of the statutes is amended to read:

69.39 Death without physician. In case of death without the attendance of a physician, or if the certificate of the attending physician cannot be obtained early enough for the purpose, any physician employed for the purpose shall upon the request of the local registrar or ~~his~~ deputy registrar, make such certificate as is required of the attending physician.

SECTION 464. 69.445, 69.45 and 69.46 of the statutes are amended to read:

69.445 Removal of corpse from hospital. When a funeral director signs, in duplicate, and delivers a notice to the superintendent of a hospital that ~~he is about to remove~~

~~therefrom~~ a designated corpse ~~he may be permitted~~ is about to be removed therefrom, permission may be granted to do so without presenting a certificate of death. The superintendent shall retain one notice in the hospital files and immediately forward the other notice to the city health officer, if the hospital is in a city, or to the register of deeds of the county, if the hospital is not in a city.

69.45 Duties as to death certificate and burial permits. (1) The funeral director, or person acting under authority of ~~ss. s.~~ 69.34 (2), 155.02 or 156.16, shall be responsible for obtaining and filing the certificate of death with the registrar and securing ~~from him~~ a burial or removal permit prior to any disposition of the body, except that any person who personally prepares for burial and conducts the funeral of any deceased member of ~~his~~ the person's immediate family may obtain and file such certificate.

(2) ~~He~~ The funeral director shall obtain the personal and statistical particulars required from the person best qualified to supply them over the signature name and address of ~~his~~ the informant. ~~He~~ The certificate of death shall then ~~present the certificate be presented~~ to the attending physician or other person authorized by law to fill out the medical certificate of the cause of death and other particulars necessary to complete the record, as specified in ~~sections ss.~~ 69.35 to 69.41. ~~He~~ The funeral director shall then state the facts required relative to the date and place of burial ~~over his signature and his,~~ enter the name and address of the funeral home, sign the certificate and present the completed certificate to the registrar who shall then issue a burial or removal permit.

(3) ~~He~~ The funeral director shall deliver the burial permit to the sexton or person in charge of the place of burial before interring the body, or attach the removal permit to the box containing the corpse, when shipped by any transportation company, to accompany the same to destination.

69.46 Burial within district, wording of permit. If the interment or other disposition of the body is to be made in the registration district in which the death occurred, the wording of the burial permit may be limited to a signed statement by the registrar ~~over his signature,~~ that a satisfactory certificate of death ~~having been~~ was filed ~~with him~~ as required by law, permission is granted to inter, remove, or otherwise dispose of the body of the deceased, stating the name, age, sex, cause of death and other necessary details upon the form prescribed by the state registrar.

SECTION 465. 69.48 (1) and (3) of the statutes are amended to read:

69.48 (1) No sexton or person in charge of any premises in which interments or cremations are made shall inter or cremate or permit the interment or cremation of any body unless it is accompanied by a burial permit as provided in ~~sections ss.~~ 69.45 and 69.46 or by the certificate ~~provided for in section~~ under s. 69.47.

(3) ~~He~~ The sexton shall keep a record of all interments made in the premises under his or her charge, stating the name of the deceased person, place of death, date of burial, and name and address of the funeral director.

SECTION 466. 69.48 (2) of the statutes is repealed and recreated to read:

69.48 (2) The permit shall contain the date of interment and signature of the sexton and shall be retained as part of the sexton's records.

SECTION 467. 69.52 (1) of the statutes is amended to read:

69.52 (1) The clerk of every court having jurisdiction of divorce proceedings shall, ~~within 30 days after January 1 of each year~~ prior to the 7th day of each month, return to the state registrar ~~of vital statistics~~ upon the blanks provided for that purpose, statistics relative to each action for annulment of marriage ~~or,~~ divorce or legal separation brought or acted upon in ~~said~~ the court during the preceding ~~year~~ month.

SECTION 468. 69.52 (2) of the statutes, as affected by chapter 105, laws of 1977, is repealed and recreated to read:

69.52 (2) The certificate of divorce, annulment or legal separation shall contain such items as the department may determine are necessary and shall agree in the main with the standard form recommended by the U.S. public health service.

SECTION 469. 69.53 (1) and (2) of the statutes are amended to read:

69.53 (1) Every person licensed to practice medicine and surgery in this state attending on or called in to visit a patient ~~whom he believes~~ believed to be suffering from poisoning from lead, phosphorus, arsenic or mercury or their compounds, or from compressed air illness, contracted as a result of the nature of the patient's employment, shall send to the department a notice, stating the name and full postal address and place of employment of the patient and the disease from which the patient is suffering.

(2) ~~If any~~ A person licensed to practice medicine and surgery who fails to comply with this section, ~~he shall be liable to a fine not exceeding~~ may be fined not more than \$10.

SECTION 469m. 70.11 (4m) of the statutes, as affected by chapters 29 and 83, laws of 1977, is amended to read:

70.11 (4m) **NONPROFIT HOSPITALS.** Real property owned and used and personal property used exclusively for the purposes of any hospital of 10 beds or more devoted primarily to the diagnosis, treatment or care of the sick, injured, or disabled, which hospital is owned and operated by a corporation, voluntary association, foundation or trust, no part of the net earnings of which inures to the benefit of any shareholder, member, director or officer, and which hospital is not operated principally for the benefit of or principally as an adjunct of the private practice of a doctor or group of doctors. This exemption does not apply to property used for commercial purposes or as a doctor's office. The exemption for residential property shall be limited to dormitories of 12 or more units which house student nurses enrolled in a state accredited school of nursing affiliated with the hospital.

SECTION 470. 70.119 (3) (d) of the statutes is repealed.

SECTION 471. 70.119 (3) (e) of the statutes, as affected by chapter 29, laws of 1977, is renumbered 70.119 (3) (d) and amended to read:

70.119 (3) (d) "Municipal Services" means police and fire protection, ~~extraordinary police service~~, garbage and trash disposal and collection not paid for under sub. (1) and, subject to the approval of the committee acting under s. 13.101, any other direct general government service provided to state facilities by municipalities.

SECTION 472. 70.119 (3) (f) of the statutes is renumbered 70.119 (3) (e).

SECTION 473. 70.119 (8) of the statutes is amended to read:

70.119 (8) This section supersedes other statutes relating to payments for ~~these~~ municipal services. Extraordinary police services provided to state facilities are subject to reimbursement under s. 16.008.

SECTION 474. 70.32 (2) (d) of the statutes, as created by chapter 29, laws of 1977, is amended to read:

70.32 (2) (d) Commencing with the ~~1978~~ 1979 assessment, improvement assessments, as defined in s. 79.25 (1) (c), shall be set forth separately on the assessment roll for the purpose of administering s. 79.25.

SECTION 475. 70.337 (title) of the statutes is amended to read:

70.337 (title) Tax exemption requirements.

SECTION 476. 70.337 (4) of the statutes is created to read:

70.337 (4) The secretary of revenue may direct the assessor of any taxation district to deny specific claims for property tax exemption or to terminate specific existing property tax exemptions prospectively. After receiving such direction, the assessor shall enter the property on the next assessment roll.

SECTION 477. 70.365 of the statutes is amended to read:

70.365 Notice of higher assessment. When the assessor places a valuation of any taxable real property which is \$100 or more higher than the valuation placed on it for the previous year ~~he, the assessor~~ shall notify the person assessed if the address of ~~such~~

the person is known to the assessor, otherwise the occupant of such the property. Such
The notice shall be in writing and shall be sent by ordinary mail at least 10 days
before the meeting of the board of review and shall contain the amount of the
increased assessment and the date of the meeting of the local board of review.
However, if the assessment roll is not complete, such the notice shall be sent by
ordinary mail at least 10 days prior to the date to which the board of review has
adjourned. The assessor shall attach to the assessment roll a statement that the
notices required by this section have been mailed and failure to receive such the notice
shall in no way not affect the validity of the increased assessment, the resulting
increased tax on real property, the procedures of the board of review or the
enforcement of delinquent taxes by statutory means. This section shall not apply to
any municipality in any year in which a general reassessment or percentage increase is
made in the assessment of the whole or any class of real property in such municipality.
The secretary of revenue shall by rule prescribe the form of the notice required under
this section. The form shall include information notifying the taxpayer of the
procedures to be used to object to the assessment.

SECTION 478. 70.40 (1) of the statutes, as created by chapter 29, laws of 1977, is amended to read:

70.40 (1) Except as provided in sub. (6), every person operating an iron ore concentrates dock in this state, shall on or before December 15 of each year pay an annual occupational tax equal to 5 cents per ton upon all iron ore concentrates handled by or over the dock during the preceding year ending April 30 except that as of December 15, 1979, such tax shall apply to the year ending on the preceding December 31. Iron ore concentrates taxed under ~~s. 70.94~~ ss. 70.37 to 70.395 are exempt from taxation under this section. In this section "dock" means a wharf or platform for the loading or unloading of materials to or from ships.

SECTION 479. 70.40 (3) of the statutes, as created by chapter 29, laws of 1977, is amended to read:

70.40 (3) The tax provided for in this section shall be separately assessed to the person chargeable therewith by the assessor and shall be included in the assessment roll annually submitted by the assessor to the town, village or city clerk and shall be entered by the clerk on the tax roll. The tax shall be paid and collected as taxes on personal property are paid and collected in the town, city or village where the dock is situated, and shall be deductible from gross income for income tax purposes as personal property taxes are deductible under s. 71.04 (3). Taxes collected under this section shall be divided as follows: ~~30%~~ 10% to the state general fund, 20% to the investment and local impact fund created under s. 70.395 (2) and 70% to the town, city or village in which the taxes are collected, which shall be remitted and accounted for in the same manner as the state and county taxes collected from property are remitted and paid.

SECTION 480. 70.58 (title) and (2) of the statutes, as affected by chapter 29, laws of 1977, are amended to read:

70.58 (title) Forestation state tax. ~~(2)~~ There is levied an annual tax of two-tenths of one mill for each dollar of the assessed valuation of the property of the state as determined by the department of revenue under s. 70.57, for the purpose of acquiring, preserving and developing the forests of the state and for the purpose of forest crop law and county forest law administration and aid payments, including the aerial photographic survey under s. 16.965, the proceeds of the tax to be paid into the conservation fund. The tax shall not be levied in any year in which general funds are appropriated for the purposes specified in this section, equal to or in excess of the amount which the tax would produce.

SECTION 481. 70.58 (3) of the statutes is repealed.

SECTION 482. 70.62 (4) (a) of the statutes, as affected by chapter 113, laws of 1977, is amended to read:

70.62 (4) (a) Tax levies of counties in 1975, payable in 1976, and in subsequent years for county purposes, shall not exceed the levy of the prior year by a greater percentage than the percentage of increase, if any, of the equalized value of all general property assessed in the state in 1975 and in subsequent years over the equalized value of all general property assessed in the state in 1974 and in subsequent years, respectively, except as provided in pars. (b), (e), (h) and (i) and except that levies for the payment of principal and interest on general obligation bonds and notes issued for an original term of more than one year shall not be affected by this subsection. In determining the levies to be limited by this subsection, an amount equal to principal and interest on general obligation bonds and notes issued for an original term of more than one year included in the prior year's levy shall be excluded from the prior year's levy. In determining levies of 1976 and in subsequent years there shall be an additional exclusion from the prior year's levy of all nonlevy receipts for the retirement of general obligation bonds and notes issued for an original term of more than one year. After the 1977 levy, payable in 1978, and for subsequent years, "equalized value of all general property assessed in the state" shall not include property eligible for relief under s. 79.17.

SECTION 483. 70.62 (4) (ae) of the statutes is created to read:

70.62 (4) (ae) Tax incremental finance tax increments paid by any county under s. 66.46 are excluded from county levies for purposes of determining maximum allowable levies under par. (a) unless the tax increments, in whole or in part, revert to the county on termination of a tax incremental finance district.

SECTION 484. 70.62 (4) (b) 1 of the statutes is renumbered 70.62 (4) (b) and amended to read:

70.62 (4) (b) In addition to the increase allowed under par. (a), a county may increase its ~~1975~~ levy for county purposes in the amount that estimated shared ~~taxes revenues~~ distributable to it in ~~1975 the year of the levy~~ under subch. 1 of ch. 79 exceed the estimated shared ~~taxes revenues~~ distributable to it in ~~1976 under subch. 1 of ch. 79~~; and may increase its ~~1976~~ levy for county purposes in the amount that estimated shared ~~taxes~~ distributable to it in ~~1976 under subch. 1 of ch. 79~~ exceed the estimated shared ~~taxes~~ distributable to it in ~~1977 under subch. 1 of ch. 79~~; and may increase its ~~1977~~ levy for county purposes in the amount that shared ~~taxes~~ distributed to it in ~~1977 under subch. 1 of ch. 79~~ exceed the estimated shared ~~taxes~~ distributable to it in ~~1978 under subch. 1 of ch. 79~~ the subsequent year.

SECTION 485. 70.62 (4) (b) 2 of the statutes is repealed.

SECTION 486. 70.62 (4) (dm) 1 of the statutes is renumbered 70.62 (4) (dm) and amended to read:

70.62 (4) (dm) The amount of increase allowed under this subsection may be further increased ~~in 1975~~ by an amount representing the difference between the amount of surplus funds used to reduce the ~~prior year's~~ levy of 1974 and the amount of surplus funds available to reduce the ~~1975 current year's~~ levy, if the latter is the lesser; ~~in 1976~~ by an amount representing the difference between the amount of surplus funds used to reduce the levy of 1975 and the amount of surplus funds available to reduce the 1976 levy, if the latter is the lesser; ~~in 1977~~ by an amount representing the difference between the amount of surplus funds used to reduce the 1976 and the amount of surplus funds available to reduce the 1977 levy, if the latter is the lesser; and ~~in 1978~~ by an amount representing the difference between the amount of surplus funds used to reduce the levy of 1977 and the amount of surplus funds available to reduce the 1978 levy, if the latter is the lesser.

SECTION 486g. 70.62 (4) (em) 5 of the statutes is created to read:

70.62 (4) (em) 5. The amount needed for increased costs for retroactive salary increases for the prior year, as determined in the current year, made under the decision of a mediator/arbiter acting under s. 111.70 (4) (em).

SECTION 486r. 70.62 (4) (em) 7 of the statutes is created to read:

70.62 (4) (em) 7. For the 1978 and 1979 levies, an amount equal to the increase in costs related to the provision of new or expanded programs under subch. IV of ch. 115.

SECTION 487. 70.62 (4) (L) of the statutes is created to read:

70.62 (4) (L) For levies in 1979, the percentage increase provided for under par. (a) shall be the same as that for levies in 1978.

SECTION 488. 70.665 (2) of the statutes, as created by chapter 29, laws of 1977, is amended to read:

70.665 (2) The real and personal property tax bills prepared by the clerks of each taxation district, after January 1, ~~1978~~ 1979, shall show the amount of improvement assessment, as defined in s. 79.25 (1) (c).

SECTION 489. 70.995 (8) (e) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

70.995 (8) (e) Upon completion of and review by the tax appeals commission and receipt of the statement of assessments required under s. 70.53, the department of revenue shall be responsible for equating all full-value manufacturing property assessments entered in the manufacturing property assessment roll to the general level of assessment of all other property except merchants' stock-in-trade and livestock within the individual taxation district. Thereafter, the manufacturing property assessment roll shall be delivered to the municipal clerk and annexed to the municipal assessment roll containing all other property.

SECTION 490. 70.995 (8) (f) of the statutes is created to read:

70.995 (8) (f) No manufacturing property assessment may be reviewed in a proceeding under s. 70.75 (3) or 70.85, but such assessment may be reviewed in reassessment proceedings under s. 70.75 (1).

SECTION 490m. 70.995 (10) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

70.995 (10) ~~All local assessors~~ Municipalities, and counties with a county assessor system, shall have access to all manufacturing property for the purpose of making appraisals of valuation of such property and may employ appraisal personnel, who need not be certified under s. 70.05 (4), for such purpose.

SECTION 491. 70.995 (12) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

70.995 (12) The department of revenue shall prescribe a standard manufacturing property report form to be submitted annually on or before ~~February~~ March 1 by all manufacturers included in a classification specified in sub. (2). The report shall contain all information deemed necessary by the department and shall include, without limitation, income and operating statements, fixed asset schedules and a report of new construction or demolition. Submission of the report shall be mandatory and failure to submit the report shall result in denial of any right of redetermination by the tax appeals commission. If any real or personal property is omitted or understated in the assessment roll in any of the next 5 previous years except 1973, 1972, 1971, 1970 and 1969, the value of the omitted or understated property shall be entered by the assessor once for each previous year of such omission or understatement designating each such additional entry as omitted or understated for the year 19.. (giving year of omission or understatement) and affixing a just valuation to each entry for a former year as the same should have been assessed according to the assessor's best judgment, and taxes shall be apportioned and collected on the tax roll for such entry.

SECTION 492. 70.996 (1) of the statutes, as affected by chapter 29, laws of 1977, effective April 30, 1978, is repealed and recreated to read:

70.996 (1) DEFINITIONS. In this section:

(a) The "adjusted base amount" is the base amount increased each year by the same rate as the actual rate of annual increase in the amount of general fund tax

revenue collected by the state, subject to s. 79.03 (4) (d), but not more than 12% or less than 5%, except that for the 1979 distribution under this section the adjusted base amount shall equal the base amount.

(b) The "base amount" is \$44,250,000.

(c) The "1975 manufacturing machinery and equipment aid payment" is the April 20, 1975, payment to counties, towns, villages and cities under s. 70.996 as corrected and adjusted by the department of revenue.

SECTION 492m. 70.996 (1m) of the statutes is created to read:

70.996 (1m) DISTRIBUTIONS. On or about April 20, 1979, and annually thereafter until 1983, counties, towns, villages and cities shall be paid by the state from the appropriation under s. 20.835 (2) (ds) the following amounts:

(a) Distributed proportionately according to each county's or municipality's share of the 1975 manufacturing machinery and equipment aid payment, the following percentages of the adjusted base amount:

1. In 1979, 80%.
2. In 1980, 60%.
3. In 1981, 40%.
4. In 1982, 20%.
5. In 1983, 0%.

(b) Distributed proportionately according to population, as defined in s. 79.07 (2), the following percentages of the adjusted base amount:

1. To municipalities:
 - a. In 1979, 4.1875%.
 - b. In 1980, 8.375%.
 - c. In 1981, 12.5625%.
 - d. In 1982, 16.75%.
 - e. In 1983, 20.9375%.
2. To counties:
 - a. In 1979, .8125%.
 - b. In 1980, 1.625%.
 - c. In 1981, 2.4375%.
 - d. In 1982, 3.25%.
 - e. In 1983, 4.0625%.

(c) Distributed according to the method of distribution under s. 79.03 (3) (e), the following percentages of the adjusted base amount:

1. In 1979, 15%.
2. In 1980, 30%.
3. In 1981, 45%.
4. In 1982, 60%.
5. In 1983, 75%.

SECTION 493. 71.01 (4) (g) 2 of the statutes, as created by chapter 29, laws of 1977, is amended to read:

71.01 (4) (g) 2. For taxable year 1977 ~~and subsequent years~~, "internal revenue code" means the federal internal revenue code as amended to December 31, 1976, or the code as subsequently amended or changed by the U.S. congress and effective for the taxable year for federal income tax purposes, at the option of the insurance company; and "life insurance" includes annuities.

SECTION 494. 71.01 (4) (g) 3 of the statutes is created to read:

71.01 (4) (g) 3. For taxable year 1978 and subsequent years, "internal revenue code" means the federal internal revenue code as amended to December 31, 1977, or the code as subsequently amended or changed by the U.S. congress and effective for the taxable year for federal income tax purposes, at the option of the insurance company; and "life insurance" includes annuities.

SECTION 495. 71.02 (1) (a) 3 of the statutes, as created by chapter 29, laws of 1977, is amended to read:

71.02 (1) (a) 3. For taxable year 1977 ~~and subsequent years~~, for a corporation or common law trust which qualifies as a regulated investment company or real estate investment trust under the internal revenue code as amended to December 31, 1976, or such code as subsequently amended or changed by the U.S. congress and effective for the taxable year for federal income tax purposes, at the option of the corporation or trust, "net income" means the federal regulated investment company taxable income or the federal real estate investment trust taxable income of the corporation or trust as determined under the internal revenue code as amended to December 31, 1976, or the code as subsequently amended or changed by the U.S. congress and effective for the taxable year for federal income tax purposes, at the option of such corporation or trust. The same version of the internal revenue code shall be used by the corporation or trust under this subdivision to determine its qualification and to define its "net income".

SECTION 496. 71.02 (1) (a) 4 of the statutes is created to read:

71.02 (1) (a) 4. For taxable year 1978 and subsequent years, for a corporation or common law trust which qualifies as a regulated investment company or real estate investment trust under the internal revenue code as amended to December 31, 1977, or such code as subsequently amended or changed by the U.S. congress and effective for the taxable year for federal income tax purposes, at the option of the corporation or trust, "net income" means the federal regulated investment company taxable income or the federal real estate investment trust taxable income of the corporation or trust as determined under the internal revenue code as amended to December 31, 1977, or the code as subsequently amended or changed by the U.S. congress and effective for the taxable year for federal income tax purposes, at the option of such corporation or trust. The same version of the internal revenue code shall be used by the corporation or trust under this subdivision to determine its qualification and to define its "net income".

SECTION 497. 71.02 (2) (b) 3 of the statutes, as created by chapter 29, laws of 1977, is amended to read:

71.02 (2) (b) 3. For the taxable year 1977 ~~and thereafter~~ "internal revenue code" means the federal internal revenue code in effect on December 31, 1976, except that it includes section 214 of the code (relating to deduction of certain dependent care expenses) as it existed immediately prior to its repeal in 1976 by section 504 (b) (1) of P.L. 94-455 and it does not include the changes to the code enacted in 1976 by section 2112 (relating to tax treatment of certain pollution control facilities) of P.L. 94-455. Amendments to the internal revenue code enacted after December 31, 1976, shall not apply to this subsection with respect to the taxable year 1977 ~~and thereafter~~.

SECTION 498. 71.02 (2) (b) 4 of the statutes is created to read:

71.02 (2) (b) 4. For the taxable year 1978 and thereafter, "internal revenue code" means the federal internal revenue code in effect on December 31, 1977, except that it includes section 214 of the code (relating to deduction of certain dependent care expenses) as it existed immediately prior to its repeal in 1976 by section 504 (b) (1) of P.L. 94-455 and it does not include the changes to the code enacted in 1976 by section 2112 (relating to tax treatment of certain pollution control facilities) of P.L. 94-455. Amendments to the internal revenue code enacted after December 31, 1977, shall not apply to this subsection with respect to the taxable year 1978 and thereafter.

SECTION 498m. 71.05 (1) (g) of the statutes is amended to read:

71.05 (1) (g) Add or subtract from federal adjusted gross income, as appropriate, on sale, exchange, abandonment or other disposition in a transaction in which gain or loss is recognized to the owner of property acquired from a decedent, as described in ~~see. section~~ 1014 of the internal revenue code in effect on December 31, 1975, by inheritance, exclusive of property constituting income under ~~see. section~~ 102 (b) of the internal revenue code, the difference between the federal basis and the Wisconsin basis. The Wisconsin basis of property acquired from a decedent by inheritance shall be determined under the internal revenue code in effect on December 31, 1975, but the value of property properly includible for Wisconsin inheritance tax purposes shall be used in lieu of the value of property includible for federal estate tax purposes. In this paragraph, the exemption under s. 72.12 (6) (b) shall not be deemed property properly includible for inheritance tax purposes.

SECTION 499. 71.09 (7) (a) 1 of the statutes, as affected by chapter 105, laws of 1977, is amended to read:

71.09 (7) (a) 1. "Income" means the sum of adjusted gross income as defined in s. 71.02 (2) (e), maintenance payments, support money, cash public assistance and relief (not including credit granted under this subsection), the gross amount of any pension or annuity (including railroad retirement benefits, all payments received under the federal social security act and veterans disability pensions), nontaxable interest received from the federal government or any of its instrumentalities, worker's compensation, unemployment compensation, the gross amount of "loss of time" insurance and compensation and other cash benefits received from the United States for past or present service in the armed forces, and scholarship and fellowship gifts or income, all regardless of the fact that they may be excluded from adjusted gross income as defined in s. 71.02 (2) (e). ~~It~~ "Income" does not include gifts from natural persons, cash reimbursement payments made under title XX of the federal social security act, or surplus food or other relief in kind supplied by a governmental agency.

SECTION 500. 71.09 (7) (a) 3 of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

71.09 (7) (a) 3. "Household income" means all income received by all persons of a household in a calendar year while members of such household. ~~For claims filed in 1978 and thereafter and based upon property taxes accrued or rent constituting property taxes accrued in the preceding calendar year, household income shall be reduced by \$600 if the claimant, spouse or any dependent of the claimant, as claimed allowable under sub. (6p), is 65 years of age or older prior to the close of the year to which the claim relates.~~

SECTION 501. 71.09 (7) (a) 8 of the statutes, as affected by chapters 29 and 142, laws of 1977, is amended to read:

71.09 (7) (a) 8. "Property taxes accrued" means property taxes, exclusive of special assessments, delinquent interest and charges for service, levied on a claimant's homestead in 1964 or any calendar year thereafter under ch. 70, less the tax credit, if any, afforded in respect of such property by ~~s. ss.~~ ss. 79.10 (3) and 79.25 (5). If a homestead is owned by 2 or more persons or entities as joint tenants or tenants in common and one or more such persons or entities is not a member of claimant's household, "property taxes accrued" is that part of property taxes levied on such homestead (reduced by the tax credit under ~~s. ss.~~ ss. 79.10 (3) and 79.25 (5)) as reflects the ownership percentage of the claimant and the claimant's household. For purposes of this paragraph property taxes are "levied" when the tax roll is delivered to the local treasurer with the warrant for collection. If a homestead is sold during the calendar year of the levy the "property taxes accrued" for the seller and buyer shall be the amount of the tax levy prorated to each in the closing agreement pertaining to the sale of the homestead or, if not so provided for in the closing agreement, the tax levy shall be prorated between seller and buyer in proportion to months of their respective ownership, provided that the seller and buyer occupy the homestead during the periods of their respective ownership. If a household owns and occupies 2 or more homesteads

in the same calendar year "property taxes accrued" shall be the sum of the prorated taxes attributable to the household for each of such homesteads. If the household owns and occupies the homestead for part of the calendar year and rents a household for part of the calendar year, it may include both the proration of taxes on the homestead owned and "rent constituting property taxes accrued" with respect to the months the homestead is rented, in computing the amount of the claim under pars. (g), (gn) and (go). If a homestead is an integral part of a larger unit such as a farm, or a multipurpose or multidwelling building, property taxes accrued shall be that percentage of the total property taxes accrued as the value of the homestead is of the total value, except that the claimant may use the total property taxes accrued for the larger unit, but not exceeding 120 acres of land, except as the limitations of par. (h) apply. For claims for 1967 and subsequent years, monthly parking permit fees collected under s. 66.058 (3) (c) shall be considered property taxes.

SECTION 502. 71.09 (7) (p) of the statutes is amended to read:

71.09 (7) (p) No claim for credit under this section may be allowed to any claimant who at the time of filing such claim ~~is a recipient of assistance under s. 49.19~~ ~~or~~ is receiving general relief from any municipality or county or is a recipient of assistance under s. 49.19, except assistance received:

1. Under s. 49.19 (10) (a).

2. As a relative, other than a parent, with whom any dependent child is living, if the assistance does not include aid to meet the needs of the claimant or the claimant's spouse or children.

SECTION 502m. 71.09 (7) (t) of the statutes, as created by chapter 29, laws of 1977, is amended to read:

71.09 (7) (t) No claim for credit under this section may be allowed to any claimant who ~~at the time of filing the claim:~~

1. ~~Resides Resided for the entire calendar year to which the claim relates in housing which is was exempt from taxation under ch. 70, except nursing homes or housing for which payments in lieu of taxes are made under s. 66.40 (22). If the claimant lived in housing which was subject to taxation under ch. 70 for any part of the calendar year to which the claim relates, the property taxes accrued or rent constituting property taxes accrued, or both, shall be based on the period during which such housing constituted the claimant's homestead.~~

Vetoed
in Part

2. Resides in a nursing home and receives assistance under s. 49.45 at the time of filing.

SECTION 503. 71.09 (8) of the statutes is amended to read:

71.09 (8) (a) If ~~in the~~ calendar year 1962 or thereafter, a natural person domiciled in this state pays a net income tax to another state ~~or the District of Columbia~~ upon income derived from the performance of personal services outside Wisconsin in ~~the~~ calendar ~~year~~ ~~years~~ 1961 ~~to 1977~~ or corresponding fiscal ~~year~~ ~~or thereafter~~ ~~years~~, such person may credit the tax paid to such other state ~~or the District of Columbia~~ on such income against the net income tax otherwise payable to ~~Wisconsin~~ this state on income of the year in which such personal services were performed. No such credit shall be allowed unless claimed within the time provided in s. 71.10 (10) (bn) but s. 71.10 (10) (d) shall not apply to such credits. For purposes of this section, amounts withheld from wages or declared and paid pursuant to the income tax law of another state shall be deemed a net income tax paid to such other state only in the year in which the income tax return for such state was required to be filed. The department of revenue shall compute the revenue loss to the state, county and various tax districts resulting from the tax credits granted under this subsection, and may from time to time correct its computations.

(b) If ~~in the~~ calendar year 1976 or thereafter a resident individual, estate or trust pays a net income tax to another state ~~or the District of Columbia~~ upon income from business conducted in such state ~~or the District of Columbia~~ or upon income from

rentals and royalties from real estate or tangible personal property or from the operation of any farm, mine or quarry, or from the sale of real or tangible personal property located in such state ~~or the District of Columbia~~, in the calendar year years 1975 to 1977 or corresponding fiscal year ~~or thereafter years~~, such resident individual, estate or trust may credit the net tax paid to such other state ~~or the District of Columbia~~ on such income against the net income tax otherwise payable to ~~Wisconsin~~ this state on income of the same year. The credit shall not be allowed if such income was not considered income for Wisconsin tax purposes. The credit shall not be allowed unless claimed within the time provided in s. 71.10 (10) (bn) but s. 71.10 (10) (d) does not apply to such credits. For purposes of this section amounts declared and paid pursuant to the income tax law of another state shall be deemed a net income tax paid to such other state only in the year in which the income tax return for such state was required to be filed.

SECTION 504. 71.09 (8) (c) of the statutes is created to read:

71.09 (8) (c) If in calendar year 1979 or thereafter a resident individual, estate or trust pays a net income tax to another state upon income taxable by such state for calendar year 1978 or corresponding fiscal year or thereafter, such resident individual, estate or trust may credit the net tax paid to such other state on such income against the net income tax otherwise payable to this state on income of the same year. The credit shall not be allowed unless the income taxed by the other state is also considered income for Wisconsin tax purposes. The credit shall not be allowed unless claimed within the time provided in s. 71.10 (10) (bn) but s. 71.10 (10) (d) does not apply to such credits. For purposes of this section amounts declared and paid pursuant to the income tax law of another state shall be deemed a net income tax paid to such other state only in the year in which the income tax return for such state was required to be filed.

SECTION 505. 71.09 (8) (d) of the statutes is created to read:

71.09 (8) (d) In this subsection "state" includes the District of Columbia, but does not include the commonwealth of Puerto Rico or the several territories organized by Congress.

SECTION 505e. 71.09 (11) (a) 1. (intro.) of the statutes, as affected by chapters 29 and 169, laws of 1977, is amended to read:

71.09 (11) (a) 1. (intro.) "Claimant" means an owner of farmland, as defined in s. 91.01 (9), domiciled in this state during the entire year for which a credit under this subsection is claimed ~~who reports farm income on a farm business schedule or corporate income schedule in filing a Wisconsin income or franchise tax report for the year.~~

SECTION 505m. 71.09 (11) (a) 3 of the statutes, as created by chapter 29, laws of 1977, is amended to read:

71.09 (11) (a) 3. "Farmland" means 35 or more acres of real property in this state owned by the claimant at the close of the income year for which a credit under this ~~section~~ subsection is claimed which farmland, during that year, produced not less than \$6,000 in gross farm profits ~~as determined for tax purposes in accordance with federal schedule F (farm income and expenses) resulting from the farmland's agricultural use, as defined in s. 91.01 (1)~~, or which, during that year and the 2 years immediately preceding that year, produced not less than \$18,000 in such profits.

SECTION 505s. 71.09 (11) (a) 3m of the statutes is created to read:

71.09 (11) (a) 3m. "Gross farm profits" means gross receipts, excluding rent, from agricultural use, as defined in s. 91.01 (1), less the cost or other basis of livestock or other items purchased for resale which are sold or otherwise disposed of during the income year.

SECTION 505w. 71.09 (11) (a) 6. a of the statutes, as affected by chapters 29 and 169, laws of 1977, is amended to read:

71.09 (11) (a) 6. a. For an individual, means income as defined under sub. (7) (a) 1 ~~plus the amount of real property taxes deducted from reported farm business income, including a proportionate share of real property taxes reported by partnerships, but not to exceed \$4,000, less the first \$7,500 of nonfarm wages, tips and salaries earned by the household.~~

SECTION 506. 71.09 (11) (a) 7 of the statutes, as created by chapter 29, laws of 1977, is amended to read:

71.09 (11) (a) 7. "Property taxes accrued" means property taxes, exclusive of special assessments, delinquent interest and charges for service, levied on a claimant's farmland and improvements in any calendar year under ch. 70, less the tax credit, if any, afforded in respect of the property by ~~ss. 79.10 (3) and 79.25 (5).~~ "Property taxes accrued" shall not exceed ~~\$4,000~~ \$6,000. If farmland is owned by 2 or more persons or entities as joint tenants, tenants in common or partners and one or more such persons or entities is not a member of the claimant's household, "property taxes accrued" is that part of property taxes levied on the farmland (reduced by the tax credit under ~~ss. 79.10 (3) and 79.25 (5)~~) as reflects the ownership percentage of the claimant and the claimant's household. For purposes of this paragraph, property taxes are "levied" when the tax roll is delivered to the local treasurer with the warrant for collection. If farmland is sold during the calendar year of the levy the "property taxes accrued" for the seller and buyer shall be the amount of the tax levy prorated to each in the closing agreement pertaining to the sale of the farmland or, if not so provided for in the closing agreement, the tax levy shall be prorated between the seller and buyer in proportion to months of their respective ownership.

SECTION 506d. 71.09 (11) (b) 1 of the statutes, as created by chapter 29, laws of 1977, is amended to read:

71.09 (11) (b) 1. The amount of excessive property taxes shall be computed by subtracting from property taxes accrued the amount of 3% of the first \$5,000 of household income plus ~~5%~~ 4% of the 2nd \$5,000 of household income plus ~~7%~~ 6% of the 3rd \$5,000 of household income plus ~~10%~~ 8% of the 4th \$5,000 of household income plus 15% of the 5th \$5,000 of household income plus 25% of the 6th \$5,000 of household income plus ~~20%~~ 35% of household income in excess of ~~\$25,000~~ \$30,000. The maximum excessive property tax which can be utilized is ~~\$4,000~~ \$6,000.

SECTION 506e. 71.09 (11) (b) 2 of the statutes, as created by chapter 29, laws of 1977, is amended to read:

71.09 (11) (b) 2. The credit allowed under this subsection shall be limited to 80% of the first ~~\$1,000~~ \$4,000 of excessive property taxes plus 70% of the 2nd \$1,000 of excessive property taxes plus 60% of the 3rd \$1,000 of excessive property taxes plus 50% of the 4th \$1,000 next \$2,000 of excessive property taxes. The maximum credit shall not exceed ~~\$2,600~~ \$4,200 for any claimant. The credit for any claimant shall be the greater of either the credit as calculated under this subsection as it exists at the end of the year for which the claim is filed or as it existed on the date on which the farmland became subject to a current agreement under subch. II or III of ch. 91 or as it existed on the date on which the farmland became subject to a certified exclusive agricultural use zoning ordinance under subch. V of ch. 91, using for such calculations household income and property taxes accrued of the year for which the claim is filed.

SECTION 506m. 71.09 (11) (c) of the statutes, as created by chapter 29, laws of 1977, is amended to read:

71.09 (11) (c) All amounts allowed as credits under this subsection constitute income for ~~individual~~ income and ~~corporate~~ franchise and ~~income~~ tax purposes and are reportable as such in the year of receipt.

SECTION 506n. 71.09 (12) of the statutes is created to read:

71.09 (12) No lessor may charge a fee for supplying a claimant with the information necessary for the claimant to comply with sub. (7) (j).

SECTION 507. 71.10 (10) (a) of the statutes is amended to read:

71.10 (10) (a) Except as provided in ss. 71.04 (15) and 71.11 (21) (d) and (g) 2, the provisions for refunds and credits provided in this subsection shall be the only method for the filing and review of claims for refund of income and surtaxes, and no person may bring any action or proceeding for the recovery of such taxes other than as provided in this subsection.

SECTION 508. 71.10 (18) (c) of the statutes, as created by chapter 29, laws of 1977, is amended to read:

71.10 (18) (c) Any employer who fails to comply with par. (a) shall be fined subject to a penalty of \$25 per entertainer or entertainment corporation for each entertainment event. This penalty shall be assessed, levied and collected in the same manner as additional income or franchise taxes, and shall be in addition to any other penalties imposed under this chapter.

SECTION 509. 71.11 (21) (title) and (d) of the statutes are amended to read:

71.11 (21) (title) ADDITIONAL ASSESSMENTS AND REFUNDS; WHEN PERMITTED.

(d) The limitation periods provided in this subsection may be extended by written agreement between the taxpayer and the department of revenue entered into prior to the expiration of such limitation periods or any extension of such limitation periods. During any such extension period, the department may issue an assessment or a refund relating to the year which the extension covers. Paragraph (cm) shall not apply to any assessment made in any such extended period.

SECTION 510. 71.11 (44) (a) of the statutes is amended to read:

71.11 (44) (a) No person shall may divulge or circulate for revenue or offer to obtain, divulge or circulate for compensation any information derived from an income tax or gift tax return including information which may be furnished by the department of revenue as provided in this subsection; ~~provided, that this shall.~~ This paragraph does not be construed to prohibit publication by any newspaper of information lawfully derived from income tax or gift tax returns for purposes of argument nor to or prohibit any public speaker from referring to such information in any address. This paragraph does not prohibit the department of revenue from publishing statistics classified so as not to disclose the identity of particular returns or reports and the items thereof.

SECTION 511. 71.11 (44) (c) (intro.) of the statutes, as affected by chapter 143, laws of 1977, is amended to read:

71.11 (44) (c) (intro.) Subject to pars. (d) and (e) and to regulations of the department, any income tax or gift tax returns, or any schedules, exhibits, writings, or audit reports pertaining to the same, on file with the department shall be open to examination by any of the following persons or the contents thereof divulged or used as provided in the following cases and only to the extent therein authorized; but the use of information so obtained is restricted to the discharge of duties imposed upon the persons by law or by the duties of their office, and any of the persons who use or permit the use of any information directly or indirectly so obtained beyond the duties imposed upon them by law or by the duties of their office or by order of a court as set forth in subd. 6 shall be deemed in violation of this subsection:

SECTION 512. 71.11 (44) (c) 2 of the statutes is repealed and recreated to read:

Vetoed
in Part

71.11 (44) (c) 2. The attorney general, department of justice employes ~~and~~ ~~district attorneys under par. (g);~~

SECTION 513. 71.11 (44) (c) 3 and 6 of the statutes are amended to read:

Vetoed
in Part

71.11 (44) (c) 3. Members of ~~any legislative~~ [any legislative] ~~the senate~~ committee on organization or the assembly committee on organization or its authorized agents where deemed by them necessary to accomplish the purpose for which the committee was organized provided the examination is approved by a majority vote of a quorum of its members and the tax return information is disclosed only in a meeting closed to the public. The committee may disclose tax return information to the senate or assembly or to other legislative committees if the information does not disclose the identity of particular returns or reports and the items

thereof. The department of revenue shall provide assistance to the committees or their authorized agents in order to identify returns deemed necessary by them to accomplish the review and analysis of tax policy;

6. Any person examining ~~such a~~ return pursuant to a court order duly obtained upon a showing to the court that the information contained in ~~such the~~ return is relevant to a pending court action or pursuant to a subpoena signed by a judge of a court of record ordering the department's custodian of returns to produce a return in open court in a court action pending before the judge.

SECTION 514. 71.11 (44) (c) 7 of the statutes is created to read:

71.11 (44) (c) 7. Employees of this state, to the extent that the department of revenue deems the examination necessary for the employees to perform their duties under contracts or agreements between the department and any other department, division, bureau, board or commission of this state relating to the administration of tax laws or child support enforcement under s. 46.25.

SECTION 515. 71.11 (44) (d) of the statutes is renumbered 71.11 (44) (h).

SECTION 516. 71.11 (44) (d) to (g) of the statutes are created to read:

71.11 (44) (d) Copies of income tax or gift tax returns, schedules, exhibits, writings or audit reports shall not be furnished to the persons listed under par. (c), except persons under par. (c) 5 or under an agreement between the department of revenue and another agency of government.

(e) The use of information obtained under par. (c) or (d) is restricted to the discharge of duties imposed upon the persons by law or by the duties of their office or by order of a court as provided under par. (c) 6.

(f) The department of revenue may charge for the reasonable cost of divulging information under this subsection.

~~(g) The attorney general, department of justice employees and district attorneys may examine tax information of persons on file with the department of revenue under par. (c) 2 as follows:~~ Vetoed in Part

1. Such tax information may be examined for use in preparation for any judicial proceeding or any investigation which may result in a judicial proceeding involving income or gift tax if:

- a. The taxpayer is or may be a party to such proceeding;
- b. The treatment of an item reflected in such tax information is or may be related to the resolution of an issue in the proceeding or investigation; or
- c. The tax information relates or may relate to a transactional relationship between the taxpayer and a person who is or may be a party to the proceeding which affects or may affect the resolution of an issue in such proceeding or investigation.

2. When the department of revenue allows examination of tax information under subd. 1:

a. If the department has referred the case to ~~the attorney general, a department of justice employee or a district attorney,~~ Vetoed in Part the department may make disclosure on its own motion.

b. If ~~the attorney general, a department of justice employee or a district attorney~~ Vetoed in Part requests examination of tax information relating to a person, the request must be in writing, clearly identify the requester and the person to whom the information relates and explain the need for the information. The department may then allow the examination of tax information so requested and the information may be examined and used solely for the proceeding or investigation for which it was requested.

3. Such tax information may be examined for use in preparation for any administrative or judicial proceeding or an investigation which may result in such proceeding pertaining to the enforcement of a specifically designated state criminal statute not involving tax administration to which this state or a governmental subdivision thereof is a party. Such tax information may be used solely for the proceeding or investigation for which it is requested.

Vetoed
in Part

4. The department of revenue may allow an examination of tax information under subd. 3 only if ~~the attorney general, a department of justice employe or a district attorney petitions a court of record in this state for an order allowing the examination and the court issues an order after finding:~~

a. There is reasonable cause to believe, based on information believed to be reliable, that a specific criminal act has been committed;

b. There is reason to believe that such tax information is probative evidence of a matter in issue related to the commission of such criminal act; and

c. The information sought to be examined cannot reasonably be obtained from any other source, unless it is determined that, notwithstanding the reasonable availability of the information from another source, the tax information constitutes the most probative evidence of a matter in issue relating to the commission of such criminal act.

5. If the department determines that examination of tax information ordered under subd. 4 would identify a confidential informant or seriously impair a civil or criminal tax investigation, the department may deny access and shall certify the reason therefor to the court.

SECTION 517. 71.20 (4) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

71.20 (4) Every employer who deducts and withholds any amount under this section shall deposit such amount on a quarterly basis, except that if the amount deducted and withheld in any quarter exceeds \$300, the department may require by written notice to the employer, that amounts deducted and withheld on and after the date indicated on such notice be deposited on a monthly basis. Employers who are required to file reports and deposit withheld taxes on a monthly, quarterly or annual basis, as the case may be, shall file such reports and deposit such taxes on or before the last day of the month next succeeding the withholding period. If the amount deducted and withheld in any quarter exceeds \$5,000, the department may require by written notice to the employer, that for amounts deducted and withheld from the first day of the month through the 15th day of the month, the employer shall file reports and deposit such taxes on or before the last day of such month; and that for amounts deducted and withheld from the 16th day of the month through the last day of the month the employer shall file reports and deposit such taxes on or before the 15th day of the next succeeding month. Employers shall file reports and deposit taxes with such public depository in Wisconsin as the ~~investment board~~ department of administration designates a public depository therefor under s. ~~25.17 (61)~~ 34.05 to the credit of the general fund. With each deposit the employer shall include a deposit report on a form to be provided by the department. The department may, when satisfied that the revenues will be adequately safeguarded, permit an employer whose withheld taxes do not exceed \$50 per month to deposit withheld taxes and reports for other than quarterly periods. The department may revoke such permission at any time. The department, if it deems it necessary in order to insure payment to or facilitate the collection by the state of the amount of taxes, may require reports or payments of the amount of withheld taxes for other than quarterly periods. The public depository shall record on such deposit report the amount deposited and shall then forward such report to the department in such manner and at such time as the department by rule prescribes. On or before January 31 of each year every employer shall file with the department at its offices in Madison, or at such other place as the department by rule prescribes, a withholding report on a form to be provided by the department showing the amount withheld from the wages paid each employe in the previous calendar year, the amount deposited in respect to each employe on wages paid in the previous calendar year and a reconciliation of the aggregate of the amounts deposited in respect to each employe on wages paid in the previous calendar year with the aggregate of the amounts shown on the semimonthly, monthly and quarterly deposit reports filed in respect to such withholding. Every employer who discontinues business prior to the end of a calendar year shall, within 30 days of such discontinuance, deposit withheld taxes not previously deposited and submit a deposit report concerning such deposit

with the public depository and file a withholding report with the department covering the period from the beginning of the calendar year to the date of discontinuance. No employee shall have any right of action against an employer in regard to money deducted from wages and deposited with the public depository in compliance or intended compliance with this section.

SECTION 517b. 72.01 (15m) of the statutes is created to read:

72.01 (15m) "Mutually acknowledged parent" is a person with whom a decedent or donor stood in a mutually acknowledged relationship of his or her child commencing prior to the decedent's or donor's 16th birthday and continuing for a minimum of 5 years, or a shorter period only if that shorter period immediately preceded the decedent's death.

SECTION 517e. 72.01 (17) of the statutes is repealed and recreated to read:

72.01 (17) "Power of appointment" means any general power to appoint, as defined by section 2041 (relating to estate taxes) or 2514 (relating to gift taxes) of the internal revenue code, as defined in s. 71.02 (2) (b).

SECTION 517h. 72.12 (5) of the statutes is repealed and recreated to read:

72.12 (5) TRANSFER UNDER POWER OF APPOINTMENT. When the transfer results from the possession, exercise or release of a power of appointment, including the exercise of a power of appointment by the creation of another power of appointment, in a manner which is taxable under section 2041 of the internal revenue code, as defined in s. 71.02 (2) (b).

SECTION 517k. 72.12 (6) (b) (title) and (c) of the statutes are amended to read:

72.12 (6) (b) (title) *Joint tenancy exclusion.*

(c) (title) *Application of exclusion.* The amount determined in par. (b) 2 shall be subtracted from the amount determined under par. (a) prior to application of the tax rates under s. 72.18. ~~The amount determined in par. (b) 1 shall be added to the exemption allowed under s. 72.17 (1) to (3) and shall be applied to the lowest tax bracket or brackets under s. 72.18. The remaining tax rates shall then be applied to the balance of property, the transfer of which is taxable under this subchapter, beginning at the tax rate applicable to the bracket in which the exemptions end.~~

SECTION 517n. 72.15 (4) of the statutes is created to read:

72.15 (4) HOUSEHOLD FURNISHINGS EXCEPTION. No tax is imposed on the transfer of the first \$2,500 of the aggregated clear market value of household furniture, furnishings and appliances otherwise taxable under s. 72.12. This exception shall be in addition to all other exemptions and allowances.

SECTION 517q. 72.16 (1) of the statutes is amended to read:

72.16 (1) Class A consists of distributees in the following relationships to the decedent: surviving spouse, lineal issue, lineal ancestor, wife or widow of a son, or husband or widower of a daughter. For the purpose of this classification, a mutually acknowledged child, her or his spouse and issue, shall be treated the same as a natural child, its her or his spouse and issue and a mutually acknowledged parent shall be treated the same as a natural parent.

SECTION 517t. 72.28 (1) (e) ~~(title)~~ and 1 of the statutes are [is] ~~consolidated~~ and amended to read:

72.28 (1) (e) (title) ~~General power of appointment. A General power~~ [1. General power.] A transfer of an estate for life or years or of a beneficial interest in property accompanied by a general power of appointment, as defined in s. 72.01 (17), over the remainder is taxed to the life or term tenant or transferee of the beneficial interest as the transfer of absolute ownership.

~~SECTION 517x. 72.28 (1) (e) 2 of the statutes is repealed.~~

SECTION 517y. 72.75 (2) of the statutes is amended to read:

Vetoed
in Part

Vetoed
in Part

72.75 (2) (title) TRANSFERS UNDER A GENERAL POWER OF APPOINTMENT. Any lifetime transfer ~~within the meaning of s. 72.12 (5), with respect to~~ under a general power of appointment, which is not a transfer taxable under subch. II or III constitutes a transfer taxable under this subchapter. All sections of subch. II, relating to the tax on a transfer with respect to a power of appointment, shall apply to the tax imposed by this subchapter if they are applicable to, not covered by and not in conflict with this subchapter.

SECTION 518. 73.10 (5) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

73.10 (5) The department shall inquire into the system of accounting of public funds in use by towns, villages, cities, counties, vocational, technical and adult education districts and all other local public bodies, boards, commissions, departments or agencies except school districts and boards of education; devise, prescribe and at the request of any town, village, city, county, vocational, technical and adult education districts or other local public body, board, commission, department or agency except school districts and boards of education, install a system of accounts which is as nearly uniform as practicable and when so installed the system shall be retained in use and at the request of school districts and boards of education, install accounting systems which conform to the uniform financial accounting system prescribed by s. 115.28 (13); and audit the books of the town, village, city, county, school district, board of education, vocational, technical and adult education districts or other local public body, board, commission, department or agency, or any municipal electric utility upon the request of the governing board, council, commission or body thereof, or upon its own motion or under a contractual arrangement with a state agency which has statutory authority and responsibility for auditing specified activities of towns, villages, cities, counties, school districts, boards of education, vocational, technical and adult education districts, or other local public bodies, boards, commissions, departments or agencies and has sufficient funds to pay the department amounts specified by the contract. Nothing in this subsection may be construed to be exclusive and prevent a local governing body from employing an auditor of its own choice duly licensed under ch. 442.

SECTION 519. 73.10 (6) of the statutes, as affected by chapter 29, laws of 1977, is repealed and recreated to read:

73.10 (6) The department shall establish a scale of charges for system installations, audits, inspections and other services rendered by the department in connection with financial records or procedures of towns, villages, cities, counties, school districts, boards of education, vocational, technical and adult education districts and all other local public bodies, boards, commissions, departments or agencies. Upon the completion of such work or at the department's discretion, during work in progress, the department shall transmit to the clerk of the town, village, city, county, school district, board of education, vocational, technical and adult education districts or other local public body, board, commission, department or agency, or any state agency contracting for audit services, a statement of such charges. Duplicates of the statements shall be filed in the offices of the state treasurer. Within 60 days after the receipt of the above statement of charges, the same shall be audited as other claims against towns, villages, cities, counties, school districts, boards of education, vocational, technical and adult education districts and other local public bodies, boards, commissions, departments or agencies are audited, and shall be paid into the state treasury and credited to the appropriation under s. 20.566 (2) (g). Past due accounts of towns, villages, cities, counties, school districts, boards of education, vocational, technical and adult education districts and all other local public bodies, boards, commissions, departments or agencies shall be certified on October 1 of each year and included in the next apportionment of state special charges to local units of government.

SECTION 519m. 74.025 of the statutes is amended to read:

74.025 Postmarking by due date; timely payment. Whenever in this chapter or in ch. 75 a payment is required to be made by a taxpayer on or before a certain date, ~~such~~ payment shall be considered timely made if mailed in a properly addressed envelope with postage ~~duly~~ prepaid, which envelope is postmarked before midnight of the last date prescribed for the making of ~~such the~~ payment ~~and or~~ if received by the proper official to whom directed within 5 days of ~~such the~~ prescribed date.

SECTION 520. 74.76 (3) (a) (intro.) of the statutes is amended to read:

74.76 (3) (a) (intro.) If a notice of federal tax lien, ~~a refiling of a notice of tax lien,~~ or a notice of revocation of ~~any a~~ certificate ~~described in par. (b) of release~~ is presented to the filing officer and;

SECTION 521. 74.76 (3) (b) of the statutes is repealed and recreated to read:

74.76 (3) (b) 1. If a refiling of a notice of tax lien is presented to the secretary of state for filing, the secretary shall cause the refiled notice of federal tax lien to be marked, held and indexed in accordance with s. 409.403 as if the refiling were a continuation statement within the meaning of the uniform commercial code, except that the time period in par. (d) shall apply instead of the uniform commercial code time period in s. 409.403 (2) and (3).

2. If a certificate of release is presented to the secretary of state for filing, the secretary shall cause the certificate to be marked, held and indexed in accordance with s. 409.404 as if the certificate were a termination statement within the meaning of the uniform commercial code, and the secretary may remove the notice of federal tax lien and any related refiling of a notice of tax lien, certificate of nonattachment, discharge or subordination from the files at any time after receipt of the certificate of release, provided that the secretary of state shall keep the certificate of release or a microfilm or other photographic record of the certificate of release in a file, separate from those containing currently effective notices of tax liens, for a period of 30 years after the date of filing of the certificate of release.

3. If a certificate of discharge is presented to the secretary of state for filing, the secretary shall cause the certificate to be marked, held and indexed as if the certificate were a release of collateral within the meaning of the uniform commercial code.

4. If a certificate of nonattachment or subordination of any tax lien is presented to the secretary of state for filing, the secretary shall cause the certificate to be marked, held and indexed as if the certificate were an amendment within the meaning of the uniform commercial code.

SECTION 522. 74.76 (3) (c) of the statutes is renumbered 74.76 (3) (c) 1 and amended to read:

74.76 (3) (c) 1. If a refiled notice of federal tax lien ~~referred to in par. (a) or any of the certificates or notices referred to in par. (b) or a certificate of nonattachment, discharge or subordination~~ is presented for filing with any other filing officer specified in sub. (1), ~~he the officer~~ shall permanently attach the refiled notice or the certificate to the original notice of lien and shall enter the refiled notice or certificate with the date of filing in any alphabetical federal tax lien index on the line where the original notice of lien is entered.

SECTION 523. 74.76 (3) (c) 2 of the statutes is created to read:

74.76 (3) (c) 2. If a certificate of release is presented for filing with any other filing officer specified in sub. (1), the officer shall enter the certificate with the date of filing in any alphabetical federal tax lien index on the line where the original notice of lien is entered and may then remove the notice of federal tax lien and any related refiling of a notice of tax lien, certificate of nonattachment, discharge or subordination from the files, provided that the officer shall keep the certificate of release or a microfilm or other photographic record of the certificate of release in a file, separate from those containing currently effective notices of tax liens, for a period of 30 years after the date of filing of the certificate of release.

SECTION 524. 74.76 (3) (d) of the statutes is renumbered 74.76 (3) (e) and amended to read:

74.76 (3) (e) Upon request of any person, the filing officer shall issue ~~his a~~ certificate showing whether there is on file, on the date and hour stated therein, any notice of federal tax lien or any related refiling of a notice of tax lien, certificate ~~or notice affecting the lien, of nonattachment, discharge or subordination~~ filed on or after February 1, 1968, naming a particular person, and if a notice or certificate is on file, giving the date and hour of filing of each notice or certificate. The fee for a certificate is \$1. Upon request the filing officer shall furnish a copy of any notice of federal tax lien or notice or certificate affecting a federal tax lien for a fee of 50 cents per page.

SECTION 525. 74.76 (3) (d) of the statutes is created to read:

74.76 (3) (d) Unless a refiling of a notice of tax lien is presented to a filing officer for filing within 7 years and 60 days after the date on which a notice of tax lien or the latest refiling of a notice of that tax lien is filed with that officer, the filing officer may remove the notice of federal tax lien and any related refiling of a notice of tax lien, certificate of nonattachment, discharge or subordination from the files. Any refiling of a notice of tax lien presented to a filing officer after such removal shall be marked, held and indexed as though the document were a notice of federal tax lien instead of a refiling of a notice of tax lien.

SECTION 526. 74.76 (4m) of the statutes, as created by chapter 29, laws of 1977, is repealed.

SECTION 526m. 74.79 (1) of the statutes, as affected by chapter 174, laws of 1977, is amended to read:

74.79 (1) The common council of any city authorized by its charter to sell land for nonpayment of city taxes may by ordinance extend the time for payment without interest of all or a portion of the real estate taxes and special assessments of the city, except special assessments as to which no extension is allowed, for a period of time not exceeding ~~10~~ 2 months from January 31 in one or more instalments under conditions set forth in the ordinance. Real estate property taxes, at the option of the taxpayer, may be paid in 10 equal instalments, each of which shall be paid on or before the last day of each month from January through October. The taxpayer must exercise the option of paying the taxes in 10 equal monthly instalments by making the first instalment payment on or before January 31 of the year in which the taxes become due. If one instalment only is not paid on the due date it shall not be deemed delinquent or to render the unpaid balance delinquent, but such instalment shall be collected together with interest thereon at the rate of one percent per month, or fraction thereof, from ~~January 1 preceding the day following the due date~~. If a 2nd instalment is not paid on the due date the city treasurer shall declare the unpaid balance delinquent and such taxes and special assessments shall be collected together with interest at one percent per month, or fraction thereof, from January 1 preceding. If the final payment is not made in the month following the due date, the delinquent unpaid balance shall be collected together with interest thereon at the rate of one percent per month, or fraction thereof, from January 1 preceding. The treasurer shall, ~~on the 15th day after the date that payment of the final instalment provided for in the ordinance is due~~ December 1, commence by public auction the sale of all tracts and lots or parcels upon which instalments of city taxes and special assessments remain unpaid in the same manner in which land is required to be sold for nonpayment of city taxes.

SECTION 527. 76.03 (5) of the statutes is created to read:

76.03 (5) Except as provided in s. 66.073 (16) (b), commencing with calendar year 1978 and thereafter, any electric generating or transmission utility plant located in this state which is owned or leased, wholly or in undivided interests, by any person, which is used in or necessary for the generation or transmission of power for use in this or any other state, shall be subject to taxation under ss. 76.01 to 76.26, except such generating or transmission plant or portion thereof as is owned or leased by a cooperative association subject to taxation under s. 76.48 and is used for the furnishing of electric power to members within this state. An electric generating or transmission plant subject to taxation ~~under ss. 76.01 to 76.26~~ shall be assessed to each owner or lessee, whether or not such owner or lessee is organized in this state, according to the proportionate interest in such property.

SECTION 528. 76.13 (2) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

76.13 (2) Every tax roll upon completion shall be delivered to the state treasurer and a copy of the tax roll filed with the secretary of administration. ~~The state treasurer department shall immediately notify, by certified mail, the several all companies taxed to pay the tax extended upon listed on the tax roll to the state treasurer of the amount of tax due, which shall be paid to the department,~~ as follows: In the case of companies assessed on or before June 15, not less than one-half of the amount of ~~such the~~ tax on or before July 10 and the remainder on or before October 15 of the same year; and in the case of all other companies on or before December 1 in the year 1971, and thereafter November 10 of each year. The payment dates in this subsection shall be applicable to the calendar year 1975 and prior years. Thereafter, the payment dates provided for in sub. (2a) shall apply. The payment of one-half of the 2nd instalment in the case of a company assessed on or before June 15 and the payment of one-fourth of the tax in the case of any other company may, if the company has brought an action in the Dane county circuit court under s. 76.08, be made without delinquent interest as provided in s. 76.14 any time prior to the date upon which ~~such the~~ appeal becomes final, but any part of the tax ultimately required to be paid shall bear interest from the original due date to the date ~~such the~~ appeal became final at the rate of 9% per annum and at 1.5% per month thereafter until paid. The taxes extended against any company after the same become due, with interest, shall be a lien upon all the property of the company prior to all other liens, claims and demands whatsoever, which lien may be enforced in an action in the name of the state in any court of competent jurisdiction against the property of the company within the state as an entirety.

SECTION 529. 76.13 (2a) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

76.13 (2a) Beginning with the calendar year 1976, taxes levied under this section shall be paid to the department in semiannual instalments, on May 10 and November 10, on a partially estimated basis. Companies assessed under s. 76.07 (1) in calendar year 1976 on or before June 15, 1976, and thereafter shall adjust the remaining semiannual payment made on November 10 so as to properly reflect and pay the total amount of tax assessed. Companies assessed under s. 76.07 (1) in calendar year 1976 on or before August 15, 1976, and thereafter shall adjust the remaining semiannual payment made on November 10 so as to properly reflect and pay the total amount of tax assessed. The semiannual instalments may be reduced by a pro rata share of the property tax credit provided by s. 79.10 (1a) (c) and any difference between the credit certified under s. 79.10 (1a) (c) and the total tax credit reductions in prior semiannual payments for the year shall be added to or subtracted from the November 10 payment in each year. If any company fails to make semiannual payments, prior to the assessment date, of at least 50% of either the total tax assessed less tax credit under s. 79.10 (1a) (c) for the previous calendar year or 80% of the tax assessed before applying the tax credit under s. 79.10 (1a) (c) for the current calendar year, any amounts not paid when due shall become delinquent and shall be subject to interest under s. 76.14. The payment of 25% of the tax of any company may, if the company has brought an action in the Dane county circuit court under s. 76.08, be made without delinquent interest as provided in s. 76.14 any time prior to the date upon which ~~such the~~ appeal becomes final, but any part thereof ultimately required to be paid shall bear interest from the original due date to the date ~~such the~~ appeal becomes final at the rate of 9% per annum and at 1.5% per month thereafter until paid. Commencing with calendar year 1978 and thereafter companies with a tax liability under this section of less than \$2,000 are not required to make semiannual payments but shall pay the full amount of taxes due on or before November 10.

SECTION 530. 76.15 (2) of the statutes is amended to read:

76.15 (2) The power to reassess the property of any company defined in ~~section s.~~ 76.02 and the general property of the state, and to redetermine the average rate of taxation, may be exercised ~~as aforesaid and~~ under sub. (1) as often as may be necessary until the amount of taxes legally due from any such company for any year

under ~~the provisions of this chapter, ss. 76.01 to 76.26~~ has been finally and definitely determined. Whenever any sum or part thereof, levied upon any property subject to taxation under ~~this act ss. 76.01 to 76.26~~ so set aside has been paid and not refunded, the payment so made shall be applied upon the reassessment upon ~~said the~~ property, and the reassessment of taxes to that extent shall be deemed to be satisfied. When the tax roll on the reassessment is completed and delivered to the state treasurer, ~~he the~~ department shall immediately notify by registered mail each of the several companies taxed ~~therein~~ to pay the amount of the taxes extended ~~thereon~~ on the tax roll within 30 days.

SECTION 531. 76.24 (intro.) of the statutes is amended to read:

76.24 Distribution of revenue. (intro.) All taxes collected from companies defined in s. 76.02 under this chapter shall be paid transmitted by the department to the state treasurer and become a part of the general fund for the use of the state, except:

SECTION 531m. 76.24 (4) of the statutes is created to read:

76.24 (4) The taxes paid into the state treasury by any railroad company, as defined in s. 76.02 (2), except those taxes distributed under sub. (1), shall be deposited in the transportation fund.

SECTION 532. 76.38 (3a) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

76.38 (3a) Beginning with the calendar year 1976, the license fees prescribed by this section shall be paid to the department on an estimated basis. Payment of the first instalment for 50% of the total estimated liability of the May 1, 1977, assessment is due on or before May 10, 1976, and payment of semiannual instalments of the total estimated liability for the year 1977 shall be due on or before May 10, 1976, and November 10, 1976. Thereafter, remittances of semiannual instalments of the total estimated payments for the then current calendar year shall be due on or before May 10, and November 10 of the current year. With respect to the May 1, 1977, license fee assessment under sub. (3) and each May 1 assessment thereafter each telephone company shall on May 10, 1977, and each May 10 thereafter pay or be credited an amount which is equal to the difference between the May 1 assessment and the sum of the semiannual instalment payments made in the preceding calendar year. The additional amount shall be added to the semiannual instalment due on May 10; if there has been an overpayment the amount of the overpayment shall be credited to the semiannual instalment due May 10. The semiannual instalments may be reduced by a pro rata share of the property tax credits provided by s. 79.10 (1a) (c) and any difference between the credit certified under s. 79.10 (1a) (c) and the sum of the property tax credit reductions reflected in the semiannual instalment payments, made the preceding calendar year, shall be added to or subtracted from the semiannual instalment due May 10. The receipt received by each telephone company with respect to the May 10, 1977, payment date and each May 10 payment date thereafter shall constitute the license provided by sub. (3). If any telephone company fails to make semiannual payments of at least 50% of either the total assessed liability less tax credit under s. 79.10 (1a) (c) for the current calendar year or 80% of the actual assessed liability computed before applying the tax credit under s. 79.10 (1a) (c) for the subsequent calendar year, any amounts not paid when due shall become delinquent and shall be subject to interest under sub. (3). Commencing with calendar year 1979 and thereafter companies with a liability under this section of less than \$2,000 are not required to make semiannual payments but shall pay the full amount of license fees due on or before May 10 of the year of assessment.

SECTION 533. 76.38 (10) of the statutes is amended to read:

76.38 (10) If any telephone company required under this section to file a report fails to file ~~such a~~ report within the time prescribed by law or as extended under sub. (2), unless it is shown that the failure is due to reasonable cause and not due to wilful neglect, there shall be added to the amount required to be shown as license fees on the report 5% of the amount of such fees if the failure is for not more than one month,

with an additional 5% for each additional month or fraction thereof during which the failure continues, not exceeding 25% in the aggregate. ~~For purposes of this subsection, the amount of license fees required to be shown on the report shall be reduced by the amount of any part of the fees paid on or before the due date prescribed for payment.~~

SECTION 534. 76.39 (3) of the statutes is amended to read:

76.39 (3) Every railroad company operating in this state shall file annually with the department, on or before March 15, on a form prepared by the department, a true and accurate statement of all rentals paid to each car line company during the previous calendar year and shall remit to the department the amount of the tax required to be withheld under sub. (2). Every car line company, which during the previous calendar year has received gross earnings in this state from a source other than a railroad company operating in this state, shall, on or before March 15, on a form prepared by the department, file with the department a true and accurate statement of such gross earnings in this state and the name of the company from which received and shall remit to the department the amount of the tax imposed under sub. (2) on such gross earnings in this state. With respect to remittance due subsequent to March 15, 1976, the payment dates provided for in sub. (3a) shall apply. Upon written request received by the department before March 15, the department may grant an extension of not to exceed 30 days for the filing of the report and the payment of the taxes levied in this section. If any railroad company or car line company fails to file such report when due, or as extended by the department, unless it is shown that the failure is due to reasonable cause and not due to wilful neglect, there shall be added to the amount required to be shown as gross earnings tax on the report 5% of the amount thereof if the failure is for not more than one month, with an additional 5% for each additional month or fraction thereof during which the failure continues, not exceeding 25% in the aggregate. ~~For purposes of this subsection, the amount of tax required to be shown on the report shall be reduced by the amount of any part of the tax paid on or before the due date prescribed for payment.~~ If any railroad company or car line company fails to pay all taxes due within the time prescribed or as extended by the department, the unpaid taxes shall be delinquent, and shall be subject to interest under sub. (4). All taxes, late filing fees, penalties and interest shall be deposited in the general fund.

SECTION 535. 76.39 (3a) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

76.39 (3a) Beginning with the calendar year 1976, tax due under this section shall be paid to the department on an estimated basis. Payments of semiannual instalments of the total estimated liability for the calendar year 1977 and thereafter shall be due on or before May 10 and November 10 of the year prior to assessment. On May 10, 1977, and on every May 10 thereafter each railroad company and car line company shall pay any additional amounts due or be credited for any overpayment based upon the actual liability of the current year. If any railroad company or car line company fails to make semiannual payments of at least 50% of either the actual tax liability for the current calendar year or 80% of the actual tax liability for the subsequent calendar year, any amounts not paid when due shall become delinquent and shall be subject to interest under sub. (4) (c). Commencing with calendar year 1979 and thereafter companies with a tax liability under this section of less than \$2,000 are not required to make semiannual payments but shall pay the full amount of taxes due on or before May 10 of the year of assessment.

SECTION 537. 76.48 (2) of the statutes is amended to read:

76.48 (2) Every such association shall on or before March 15 in each year make and return to the department of revenue, in such form and upon such blanks as it shall prescribe and furnish, a true statement of the gross receipts from the operation of its business during the preceding calendar year together with such other information as the department may require to enforce this section. Such The statement shall be verified by the president and treasurer of the association making the return. Upon written request, the department ~~of revenue~~ may grant an extension of not to exceed 30

days within which to file the return ~~required under this subsection~~. If any association fails to file ~~such~~ the return within the time prescribed by law, or as extended by the department, unless it is shown that the failure is due to reasonable cause and not due to wilful neglect, there shall be added to the amount required to be shown as the license fee on the return 5% of the amount thereof if the failure is for not more than one month, with an additional 5% for each additional month or fraction thereof during which the failure continues, not exceeding 25% in the aggregate. ~~For purposes of this subsection, the amount of license fee required to be shown on the return shall be reduced by the amount of any part of the license fee paid on or before the due date prescribed for payment.~~

SECTION 538. 76.48 (3) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

76.48 (3) On or before June 1 in each year, the department of revenue shall compute and assess the license fees provided for in sub. (1) and certify the amounts due to the state treasurer and file a duplicate thereof with the department of administration. ~~The state treasurer~~ department shall ~~immediately~~ notify each association of the amount of the license fees so assessed. On or before July 10 in each year, the fees shall be paid to the department and, upon collection, shall be forwarded to the state treasurer, except that for the year 1976 and thereafter the department shall compute and assess the fees on or before May 1 and the fees due for the year 1976 shall be paid on or before May 10, 1976. The fees shall become delinquent if not paid when due and when delinquent shall be subject to interest at the rate of 1.5% per month on the amount of license fee until paid. The interest shall be collected by the department and, upon collection, forwarded to the state treasurer and retained by the state. With respect to taxes assessed for the year 1977 and thereafter the payment dates provided for in sub. (3a) shall apply.

SECTION 539. 76.48 (3a) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

76.48 (3a) Beginning with the calendar year 1976, license fees due under this section shall be paid to the ~~state treasurer~~ department on an estimated basis. Payment of the first instalment for 50% of the total estimated liability for the year 1977 shall be due on or before May 10, 1976, and the remaining 50% on November 10, 1976. Thereafter, payments of semiannual instalments of the estimated tax liability for the subsequent year shall be due on or before May 10 and November 10 of the current year. With respect to the May 1, 1977, license fee assessment under sub. (3) and each May 1 assessment thereafter each association shall on May 10, 1977, and each May 10 thereafter pay or be credited an amount which is equal to the difference between the May assessment and the sum of the semiannual instalment payments made in the preceding calendar year. The additional amount shall be added to the semiannual instalment due on May 10. If there has been an overpayment the amount of the overpayment shall be credited to the semiannual instalment due May 10. The semiannual instalments may be reduced by a pro rata share of the property tax credits provided by s. 79.10 (1a) (c) and any difference between the credit certified under s. 79.10 (1a) (c) and the sum of the property tax credit reductions reflected in the semiannual instalment payments, made in the preceding calendar year, shall be added to or subtracted from the semiannual instalment due May 10. If any association fails to make semiannual payments at least 50% of either the actual tax assessed less tax credit under s. 79.10 (1a) (c) for the current calendar year or 80% of the actual tax assessed before applying the tax credit under s. 79.10 (1a) (c) for the subsequent calendar year, any amounts not paid when due shall become delinquent and shall be subject to interest under sub. (3). Commencing with calendar year 1979 and thereafter associations with a liability under this section of less than \$2,000 are not required to make semiannual payments but shall pay the full amount of license fees due on or before May 10 of the year of assessment.

SECTION 540. 77.02 (2), and (3), as affected by chapter 29, laws of 1977, of the statutes are amended to read:

77.02 (2) NOTICE OF HEARING, ADJOURNMENT. Upon receipt of such petition the department of natural resources shall investigate the same and shall file a listing of descriptions with the town chairman. For petitions received prior to ~~September~~ May 1, the department shall within the same calendar year cause a notice that such petition has been filed to be published as a class 3 notice, under ch. 985, in the newspaper having the largest general circulation in the county in which the lands are located, and notice by registered mail shall be given to the town clerk of any town in which the lands are located. Such notice shall contain the name of the petitioner, a description of the lands and a statement that any resident of or taxpayer in the town may within 15 days from the date of publication of the notice file a request with the department that it conduct a public hearing on the petition. Upon receipt of such a request the department shall conduct a public hearing on the petition. The department may conduct a public hearing on any petition without a request, if it deems it advisable to do so. Notice of the time and place of such hearing and a description, in specific or general terms, as the department deems advisable, of the property requested to be approved as "Forest Croplands" shall be given to persons making the request, the owner of such land and to the assessor of towns in which it is situated, by mail, at least one week before the day of hearing. The notice also shall be published as a class 1 notice, under ch. 985, in a newspaper having general circulation in the county in which such land is located, at least one week before the day of the hearing. Such hearing may be adjourned and no notice of the time and place of such adjourned hearing need be given, excepting the announcement thereof by the presiding officer at the hearing at which the adjournment is had.

(3) DECISION, COPIES. After receiving all the evidence offered at any hearing held on the petition and after making such independent investigation as it sees fit the department shall make its findings of fact and make and enter an order accordingly. If it finds that the facts give reasonable assurance that a stand of merchantable timber will be developed on such descriptions within a reasonable time, and that such descriptions are then held permanently for the growing of timber under sound forestry practices, rather than for agricultural, mineral, shoreland development of navigable waters, recreational, residential or other purposes, and that all persons holding encumbrances against such descriptions have in writing agreed to the petition, the order entered shall grant the request of the petitioner on condition that all unpaid taxes against said descriptions be paid within 30 days thereafter; otherwise the department of natural resources shall deny the request of the petitioner. If the request of the petitioner is granted, a copy of such order shall be filed with the department of revenue, the supervisor of assessments, the clerk of each town and the register of deeds of each county in which any of the lands affected by the order are located. The register of deeds shall record the entry, transfer or withdrawal of all forest croplands in a suitable manner on the county records. The register of deeds may collect recording fees under s. 59.57 from the owner. Any order of the department relating to the entry of forest croplands issued on or before ~~February 1~~ November 20 of any year shall take effect ~~in such year~~ on January 1 of the following calendar year, but all orders issued after ~~February 1 of any year~~ November 20 shall take effect ~~the year following~~ January 1 of the calendar year following the calendar year in which orders issued on or before November 20 would have been effective.

SECTION 541. 77.04 (2) and (3) of the statutes are amended to read:

77.04 (2) TAX PER ACRE; PAYMENT; PENALTY. Any owner shall be liable for and pay to the town treasurer on or before the last day of February of each year on each such description a sum herein called the "acreage share" computed at the rate of 10 cents per acre on all lands entered prior to 1972. On all lands entered after December 31, 1971, the "acreage share" shall be computed every 10 years to the nearest cent by the department of revenue at the rate of 20 cents per acre multiplied by a ratio using the equalized value ~~per acre~~ of the combined residential, mercantile, manufacturing, agricultural, swamp, or waste, productive forest land and nonproductive forest land classes under s. 70.32 (2) within the state in 1972 as the denominator, and using equalized value ~~per acre~~ for such combined land classes in 1982 and every 10th year

thereafter as the numerator. If such acreage share is not paid by the last day of February to the town treasurer it shall be subject to interest at the rate of one percent per month or fraction thereof from January 1 preceding. Such lands shall be returned as delinquent and sold for delinquent taxes as provided for the sale of lands for taxes but no bid shall be received on such sale except from the county, and the county shall not be liable to the town for any amount except the acreage share subsequently paid by the owner. At the expiration of 3 years from the date of sale of any tax certificate acquired by the county under this subsection, the county clerk shall promptly take a tax deed under s. 75.36, except that county board authorization shall not be required. On taking such deed the county clerk shall certify that fact and specify the descriptions to the department of natural resources.

(3) APPORTIONMENT OF FOREST CROPLAND INCOME. Out of all moneys received by any town from any source on account of forest croplands in such town, the town treasurer shall on or before ~~March~~ November 15 pay 20% to the county treasurer and retain the remainder.

SECTION 542. 77.05 (2) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

77.05 (2) PAYMENT. As soon after ~~April 20 of each year~~ receipt of the certification of the county treasurer as feasible, the department of natural resources shall pay to each town treasurer on each description as ~~above~~ certified under sub. (1), from the appropriation under s. 20.370 (1) (vn), the sum of 20 cents per acre.

SECTION 543. 77.16 (2), (4), and (7), as affected by chapter 29, laws of 1977, of the statutes are amended to read:

77.16 (2) The owner of 10 acres or more may file with the department an application setting forth a description of the lands which the owner desires to place under the woodland tax law and on which land the owner will practice forestry. Applications received prior to ~~September~~ May 1 each calendar year shall be processed for entry by ~~March~~ November 20 of ~~the following that~~ calendar year. Lands which include an entire quarter-quarter section, fractional lot or government lot as determined by U.S. government survey plat, excluding public roads and railroad rights-of-way that may have been sold, are not eligible for entry. Lands within recorded plats or the incorporated limits of cities or villages are not eligible for entry. Lands on which an improvement is located having an assessed value in itself are not eligible for entry.

(4) The application of the owner of the land, the signed management plan and the filing of the order by the department shall constitute a contract, running with the land, for a period of 15 years, unless terminated as provided in this section. Any order issued on or before ~~March~~ November 20 of any year shall take effect ~~in such year on~~ January 1 of the following calendar year, but all orders issued after ~~March~~ November 20 ~~in the calendar year~~ shall take effect ~~the following year~~ January 1 of the calendar year following the calendar year in which orders issued on or before November 20 would have been effective. If at the end of 15 years the contract is not renewed by mutual consent, the land is declassified and shall be removed from the provisions of this section.

(7) The owner of the land shall follow the management plan and shall prohibit grazing and burning on lands entered under the woodland tax law. The management plan may be revised by the owner with the consent of the department. The department ~~shall make an annual investigation as to the forest practices and ownership changes of lands entered under this section and~~ may at any time cause an investigation to be made as to whether lands may continue to be classified under this section. If the department finds that the owner has not complied with the law, or if the land is no longer used for forestry purposes, it shall issue an order removing the land from the woodland tax law classification. An owner may elect to withdraw lands from under this section by filing with the department a declaration of withdrawal for any entire entry. Contracts under the woodland tax law shall be conveyed with the land to the new owner. Conveyance of lands resulting in partition of the lands under a woodland

tax law contract shall be cause for declassification. Any declassification order issued on or before ~~February 1~~ November 20 of any year shall take effect ~~in that year on January 1 of the following calendar year~~ but all declassification orders issued after November 20 shall take effect January 1 of the calendar year following the calendar year in which declassification orders issued on or before November 20 would have been effective. A copy of the declassification order shall be sent to the owner of the land, to the supervisor of property assessments of the district wherein the land is located, to the clerk and the assessor of the town, and to the clerk and register of deeds of the county wherein the land is located.

SECTION 543m. 77.51 (7) (am) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

77.51 (7) (am) Any person making any retail sale of a motor vehicle, aircraft, snowmobile, mobile home not exceeding 45 feet in length, trailer, semitrailer or boat registered or titled, or required to be registered or titled, under the laws of this state.

SECTION 544. 77.52 (2) (a) 13 of the statutes, as created by chapter 29, laws of 1977, is repealed.

SECTION 544g. 77.53 (17) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

77.53 (17) This section does not apply to tangible personal property purchased outside this state, other than motor vehicles, boats, snowmobiles, mobile homes not exceeding 45 feet in length, trailers, semitrailers and airplanes registered or titled or required to be registered or titled in this state, which is brought into this state by a nondomiciliary for the person's own storage, use or other consumption while temporarily within this state when such property is not stored, used or otherwise consumed in this state in the conduct of a trade, occupation, business or profession or in the performance of personal services for wages or fees.

SECTION 544r. 77.54 (7) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

77.54 (7) The occasional sales of tangible personal property and services and the storage, use or other consumption in this state of tangible personal property, the transfer of which to the purchaser is an occasional sale, except that the exemption shall, in the case of motor vehicles, boats, snowmobiles, mobile homes not exceeding 45 feet in length, trailers, semitrailers or aircraft registered or titled, or required to be registered or titled, in this state, be limited to motor vehicles, boats, snowmobiles, mobile homes not exceeding 45 feet in length, trailers, semitrailers or aircraft transferred to the spouse, parent or child of the transferor and then only if the motor vehicle, boat, snowmobile, mobile home not exceeding 45 feet in length, trailer, semitrailer or aircraft has been previously registered or titled in this state in the name of the transferor and the person selling is not engaged in the business of selling the type of property for which exemption is claimed. This exemption does not apply to gross receipts from the sale of bingo supplies to players or to the sale, rental or use of regular bingo cards, extra regular cards and special bingo cards.

SECTION 545. 77.54 (10) of the statutes is created to read:

77.54 (10) The gross receipts from the sale of admission fees to state parks and forests under s. 27.01 (2r). The exemption provided under this subsection shall be effective until December 31, 1979.

SECTION 546. 77.54 (12) of the statutes is amended to read:

77.54 (12) The gross receipts from the sales of and the storage, use or other consumption in this state of rail freight or passenger cars, locomotives or other rolling stock used in railroad operations, or accessories, attachments, parts, lubricants or fuel therefor.

SECTION 546d. 77.54 (15) of the statutes is amended to read:

77.54 (15) The gross receipts from the sale of and the storage, use or other consumption of newspapers and periodicals regularly issued at average intervals not

exceeding 3 months and shoppers guides which distribute no less than 48 issues in a 12-month period. In this subsection, "shoppers guide" means a community publication delivered, or attempted to be delivered, to most of the households in its coverage area without a required subscription fee, which advertises a broad range of products and services offered by several types of businesses and individuals.

SECTION 546m. 77.54 (29) of the statutes is created to read:

77.54 (29) The gross receipts from the sales of and the storage, use or other consumption of equipment used in the production of maple syrup.

SECTION 546s. 77.61 (1) (a) and (c) of the statutes, as affected by chapter 29, laws of 1977, are amended to read:

77.61 (1) (a) No motor vehicle, boat, snowmobile, mobile home not exceeding 45 feet in length, trailer, semitrailer or aircraft shall be registered or titled in this state unless the registrant presents proof that the sales or use taxes imposed by this subchapter have been paid.

(c) In the case of motor vehicles, boats, snowmobiles, mobile homes not exceeding 45 feet in length, trailers, semitrailers or aircraft registered or titled, or required to be registered or titled, in this state purchased from persons who are not Wisconsin boat, trailer or semitrailer dealers or licensed Wisconsin aircraft, motor vehicle, mobile home or snowmobile dealers, the purchaser shall pay the tax prior to registering or titling the motor vehicle, boat, snowmobile, mobile home not exceeding 45 feet in length, trailer, semitrailer or aircraft in this state.

SECTION 547. 77.61 (5) (a) and (b) (intro.) of the statutes are amended to read:

77.61 (5) (a) It is unlawful for the department or any person having an administrative duty under this subchapter to make known in any manner whatever the business affairs, operations or information obtained by an investigation of records and equipment of any retailer or any other person visited or examined in the discharge of official duty, or the amount or source of income, profits, losses, expenditures, or any particular thereof, set forth or disclosed in any return, or to permit any return or copy thereof to be seen or examined by any person. This paragraph does not prohibit the department of revenue from publishing statistics classified so as not to disclose the identity of particular returns or reports and the items thereof.

(b) (intro.) Subject to pars. (c) and (d) and to rules of the department, any sales tax returns, or any schedules, exhibits, writings, or audit reports pertaining to the same, on file with the department ~~of revenue~~, shall be open to examination by any of the following persons or the contents thereof divulged or used as provided in the following cases and only to the extent therein authorized; ~~provided that the use of information so obtained is restricted to the discharge of duties imposed upon said persons by law or by the duties of their office, and any of said persons who use or permit the use of any information directly or indirectly so obtained beyond the duties imposed upon them by law or by the duties of their office or by order of a court as set forth in subd. 6 is deemed in violation of this subsection:~~

SECTION 548. 77.61 (5) (b) 2 of the statutes is repealed and recreated to read:

Vetoed
in Part

~~77.61 (5) (b) 2. The attorney general, department of justice employes and district attorneys under par. (f);~~

SECTION 549. 77.61 (5) (b) 3 and 6 of the statutes are amended to read:

77.61 (5) (b) 3. Members of ~~any legislative~~ the senate committee on organization or its authorized agents or the assembly committee on organization or its authorized agents where deemed by them necessary to accomplish the purpose for which the committee was organized provided the examination is approved by a majority vote of a quorum of its members and the tax return information is disclosed only in a meeting closed to the public. The committee may disclose tax return information to the senate or assembly or to other legislative committees if the information does not disclose the identity of particular returns or reports and the items thereof. The department of

revenue shall provide assistance to the committees or their authorized agents in order to identify returns deemed necessary by them to accomplish the review and analysis of tax policy;

6. Any person examining ~~such~~ a return pursuant to a court order duly obtained upon a showing to the court that the information contained in ~~such the~~ return is relevant to a pending court action or pursuant to a subpoena signed by a judge of a court of record ordering the department's custodian of returns to produce a return in open court in a court action pending before the judge.

SECTION 550. 77.61 (5) (b) 8 of the statutes is created to read:

77.61 (5) (b) 8. Employees of this state, to the extent that the department deems the examination necessary for the employees to perform their duties under contracts or agreements between the department and any other department, division, bureau, board or commission of this state relating to the administration of tax laws.

SECTION 551. 77.61 (5) (c) of the statutes is renumbered 77.61 (5) (g).

SECTION 552. 77.61 (5) (c) to (f) of the statutes are created to read:

77.61 (5) (c) Copies of sales tax returns, schedules, exhibits, writings or audit reports shall not be furnished to the persons listed under par. (b), except persons under par. (b) 5 or under an agreement between the department and another agency of government.

(d) The use of information obtained under par. (b) or (c) is restricted to the discharge of duties imposed upon the persons by law or by the duties of their office or by order of a court as specified under par. (b) 6.

(e) The department may charge for the reasonable cost of divulging information under this subsection.

(f) ~~The attorney general, department of justice employees and~~ district attorneys may examine tax information of persons on file with the department of revenue ~~under par. (b) 2~~ as follows: Vetoed in Part

1. Such tax information may be examined for use in preparation for any judicial proceeding or any investigation which may result in a judicial proceeding involving sales or use tax if:

- a. The taxpayer is or may be a party to such proceeding;
- b. The treatment of an item reflected in such tax information is or may be related to the resolution of an issue in the proceeding or investigation; or
- c. The tax information relates or may relate to a transactional relationship between the taxpayer and a person who is or may be a party to the proceeding which affects or may affect the resolution of an issue in such proceeding or investigation.

2. When the department of revenue allows examination of tax information under subd. 1:

a. If the department has referred the case to ~~the attorney general, a department of justice employee or~~ a district attorney, the department may make disclosure on its own motion. Vetoed in Part

b. If ~~the attorney general, a department of justice employee or~~ a district attorney requests examination of tax information relating to a person, the request must be in writing, clearly identify the requester and the person to whom the information relates and explain the need for the information. The department may then allow the examination of tax information so requested and the information may be examined and used solely for the proceeding or investigation for which it was requested. Vetoed in Part

3. Such tax information may be examined for use in preparation for any administrative or judicial proceeding or an investigation which may result in such proceeding pertaining to the enforcement of a specifically designated state criminal statute not involving tax administration to which this state or a governmental subdivision thereof is a party. Such tax information may be used solely for the proceeding or investigation for which it is requested.

Vetoed
in Part

4. The department of revenue may allow an examination of tax information under subd. 3 only if ~~the attorney general, a department of justice employee or a district attorney petitions a court of record in this state for an order allowing the examination and the court issues an order after finding:~~

a. There is a reasonable cause to believe, based on information believed to be reliable, that a specific criminal act has been committed;

b. There is reason to believe that such tax information is probative evidence of a matter in issue related to the commission of such criminal act; and

c. The information sought to be examined cannot reasonably be obtained from any other source, unless it is determined that, notwithstanding the reasonable availability of the information from another source, the tax information constitutes the most probative evidence of a matter in issue relating to the commission of such criminal act.

5. If the department determines that examination of tax information ordered under subd. 4 would identify a confidential informant or seriously impair a civil or criminal tax investigation, the department may deny access and shall certify the reason therefor to the court.

SECTION 553. 78.12 (5) of the statutes is amended to read:

78.12 (5) DEPOSITORIES OF TAXES. The requirements of this section with respect to filing of reports and payment of taxes to the department may be waived and, in lieu thereof, ~~the investment board, under the authority granted to it by s. 25.17 (61), upon consultation with the department, of administration~~ may designate a public depository with which such reports and taxes may be filed and deposited. Upon not less than 6 months' notice to the public depository, the secretary of revenue may direct that taxes required to be reported and remitted on and after a date specified be reported and remitted directly to the department of revenue.

SECTION 554. 78.68 (4) (c) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

78.68 (4) (c) In the case of a deficiency ~~redetermination~~ determination of taxes, 2 months from the date of demand.

SECTION 555. 78.70 (1) (f) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

78.70 (1) (f) Compromise delinquent estimated ~~redeterminations~~ determinations on the basis of fairness and equity.

SECTION 556. 78.84 of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

78.84 Public depository. Each wholesaler shall pay motor fuel taxes and each special fuel licensee shall pay special fuel taxes directly to such public depository in this state as the ~~investment board~~ department of administration designates therefor under s. ~~25.17 (61)~~ 34.05, to the credit of the transportation fund, if such public depository, prior to such designation, agrees to supply the department of revenue with such deposit reports at such times as the department deems necessary for the proper administration of this chapter. Upon not less than 6 months' notice to a public depository designated under this section, the secretary of revenue may determine that the taxes required to be remitted by wholesalers and special fuel licensees on and after a date specified be remitted directly to the department of revenue.

SECTION 556g. 79.03 (2) (b) of the statutes is amended to read:

79.03 (2) (b) For purposes of par. (a), ~~the~~ "final distribution per capita factor" ~~shall mean, for means:~~

1. For the 1976 distribution, \$40, and thereafter,

2. For the 1977 to 1983 distributions, the lesser of the product of the 1976 population of the state times \$40 divided by the population of the state in the current year, or \$40.

SECTION 556r. 79.03 (2) (b) 3 of the statutes is created to read:

79.03 (2) (b) 3. For the 1984 distribution and thereafter, the total amount distributed under s. 70.966 (2) (b) in 1983 divided by the population of the state in the current year, plus the amount determined under subd. 2.

SECTION 557. 79.03 (3) (e) 2. d and f of the statutes, as affected by chapter 29, laws of 1977, are amended to read:

79.03 (3) (e) 2. d. "Local purpose revenues" means the sum of the following: local general purpose taxes, except payments in lieu of taxes by enterprises; regulation and compliance revenues, except judgments and damages; revenues for services to private parties by a county's or municipality's general operations or enterprises, except services by hospitals, nursing and rest homes, mass transit systems, urban development and housing agencies, liquor stores, cemeteries, and electric, gas and water utilities; interest and rental income; and, special assessment revenues, or in the case of enterprises, those special assessment revenues that are transferred to the municipality and county for general operations. In this subdivision: "local general purpose taxes" means tax increments collected for payment to a municipality under s. 66.46 and those taxes collected to finance the operation of the general purpose government unit, including but not limited to general property taxes for local purposes, occupational taxes, forest cropland taxes, woodland taxes, interest on taxes, mobile home fees, room tax and retained sales tax; "regulation and compliance revenues" means revenue from local licenses, local permits, local law and ordinance violations, local contract and other noncompliance forfeitures; "revenues for services to private parties by a county's or municipality's general operation or enterprises" means those revenues collected from private parties for services provided, including but not limited to: judicial services such as court fees, probate fees and family court commissioner fees; general government services such as license publication fees, sale of publications, clerk's fees, register of deeds' fees, zoning fees and treasurer's fees; public safety services such as copies of accident reports, ambulance fees and fire calls; inspection services such as building, electrical, heat, plumbing, elevator and weights and measures; health and social services such as welfare repayments from individuals, home nursing services, health clinics, mental health services, sanatorium services, public health dispensary services, elderly nutrition program services; transportation services such as private road maintenance, sale of highway materials, parking ramps and meters, airport fees and dock and harbor fees; sanitation services such as refuse collection fees, sewage fees and landfill fees; leisure activity services such as library fines or fees, stadium, museum, zoo, golf, swimming pool and ice arena users or admission fees; conservation and development of natural resources services such as sale of trees, park use fees and weed cutting fees; except those services expressly excluded under this subdivision; "rental income" means rental of municipal facilities or property such as hall rentals and vacant land rentals but excluding rent to municipal departments or enterprises; and "special assessment revenues" means charges assessed against benefitted properties for certain public improvements or upkeep properties placed on the current tax roll for collection or collected during the year in advance of being placed on the tax roll, including but not limited to residential street improvements, sidewalks, storm sewers, curb and gutters, sanitary sewers, water mains, street lighting, snow removal, tree planting and removal, weed control and the interest and penalty charges thereon.

f. "Full valuation" means the full value of all taxable property for the preceding year as equalized for state tax purposes including value increments under s. 66.46.

SECTION 558. 79.03 (4) (b) 1 and (c) of the statutes, as affected by chapter 29, laws of 1977, are amended to read:

79.03 (4) (b) 1. \$300,000,000 increased by the actual rate of annual increase in the amount of general fund tax revenue collected by the state in the fiscal year ending during the calendar year of the distribution under this section, ~~excluding the amount transferred under s. 86.35~~, but not more than 12% or less than 5%.

(c) Annually, beginning in 1979, the amount entered into the shared revenue account for total distributions under this subchapter shall increase over the amount

entered for the prior year, excluding the amount transferred from the appropriation under s. 20.835 (2) (b) pursuant to s. 79.16, by the same rate as the actual rate of annual increase in the amount of general fund tax revenue collected by the state in the fiscal year ending during the calendar year of the distribution under this section, ~~excluding the amount transferred under s. 86.35~~, but not more than 12% or less than 5%. The amount entered in the shared revenue account in fiscal year 1982-83 under s. 79.17 (7) shall be considered as part of the prior year base amount for the purpose of computing the calendar year 1983 distribution under this paragraph. The total amount paid to municipalities and counties in 1983 under s. 70.996 shall be considered as part of the prior year base amount for the purpose of computing the calendar year 1984 distribution under this paragraph.

SECTION 559. 79.03 (4) (d) of the statutes is created to read:

79.03 (4) (d) To maintain comparability for the purpose of computing the actual rate of annual increase in pars. (b) 1 and (c), adjustments shall be made to reflect reclassification of tax revenues as between state general fund tax revenues and program revenue, segregated revenue and local tax revenue appropriated under s. 20.835 (4). If a tax, or part thereof, is included in state general fund tax revenue in the most recent fiscal year, such tax, or corresponding part thereof, shall also be included in state general fund tax revenue for the prior fiscal year. If a tax, or part thereof, is not included in state general fund tax revenue in the most recent fiscal year because of any reclassification, such tax, or corresponding part thereof, shall be excluded from state general fund tax revenue for the prior fiscal year.

SECTION 559g. 79.03 (4) (e) of the statutes is created to read:

79.03 (4) (e) In this subsection "state general fund tax revenue" means tax revenue collected by the state except taxes classified as program revenue, segregated revenue and local tax revenue appropriated under s. 20.835 (4).

SECTION 560. 79.04 (1) (intro.) of the statutes is amended to read:

79.04 (1) (intro.) Annually, beginning on the 3rd Monday in November ~~1976~~ 1977, the department of administration, upon certification by the department of revenue, shall distribute to a municipality having within its boundaries a production plant or a general structure, including production plants and general structures under construction, used by a light, heat or power company assessed under s. 76.07 except those described in s. 66.069 (2) or by an electric cooperative association assessed under ss. 76.07 and 76.48, respectively, the following amounts, except as affected by s. 79.06 (1) and, except that no distribution shall be made for a production plant if the municipality received a distribution under sub. (3), pertaining to the same production plant ~~or any production plant or general structure under construction~~:

SECTION 561. 79.04 (1) (a) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

79.04 (1) (a) An amount from the shared revenue account determined by multiplying by 3 mills in the case of a town, and 6 mills in the case of a city or village, the first \$100,000,000 of the amount shown in the account, plus leased property, of each public utility on December 31 of the preceding year for either "production plant, exclusive of land" and "general structures", or "work in progress" for production plants and general structures under construction, in the case of light, heat and power companies or electric cooperatives, for all property within a municipality in accordance with the system of accounts established by the public service commission or rural electrification administration, less depreciation thereon as determined by the department of revenue. The total of amounts, as depreciated, from the accounts of all public utilities for the same production plant is also limited to not more than \$100,000,000. The amount distributable to a municipality in any year shall not exceed \$300 times the population of the municipality, except for the guaranteed payment under par. (b).

SECTION 562. 79.04 (2) (a) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

79.04 (2) (a) Annually, beginning November 15, ~~1976~~ 1977, the department of administration, upon certification by the department of revenue shall distribute from the shared revenue account to any county having within its boundaries a production plant or a general structure, including production plants and general structures under construction, used by a light, heat or power company assessed under s. 76.07 or by an electric cooperative association assessed under ss. 76.07 and 76.48, respectively, an amount determined by multiplying by 6 mills the first \$100,000,000 of the amount shown in the account, plus leased property, of each public utility on December 31 of the preceding year for either "production plant, exclusive of land" and "general structures", or "work in progress" for production plants and general structures under construction, in the case of light, heat and power companies or electric cooperatives, for all property within a town in accordance with the system of accounts established by the public service commission or rural electrification administration, less depreciation thereon as determined by the department of revenue and by multiplying by 3 mills ~~times~~ the first \$100,000,000 of the amount as defined in this subsection for all property within a city or village. Amounts from the accounts, plus leased property, for production plants for which sub. (3) distributions pertain, shall be excluded in computing the distribution under this subsection. The total of amounts, as depreciated, from the accounts of all public utilities for the same production plant is also limited to not more than \$100,000,000. The amount distributable to a county in any year shall not exceed \$100 times the population of the county.

SECTION 563. 79.04 (3) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

79.04 (3) During each of the first 4 years after commencement of construction of a production plant described in sub. (1), which the public service commission certifies to the department of revenue will produce a nominal rated capacity of 250 megawatts or more, the county counties in which the plant is located shall receive from the shared revenue account a payment of \$100,000 and the municipality municipalities in which the plant is located shall receive from the shared revenue account a payment of \$100,000 and ~~the county and municipality shall not be subject to for purposes of these payments~~ the limitations of \$100 multiplied by the population of the county and \$300 multiplied by the population of the municipality shall not apply. When a production plant is located in more than one county or municipality, the payment shall be proportioned according to the amounts shown on the preceding December 31 for the production plant in the account described in sub. (1) for "production plant exclusive of land" within each county or municipality, except that each county and municipality shall receive a minimum payment of \$20,000 and the remainder of the \$100,000 payment shall be proportioned according to the remaining utility plant value in other counties or municipalities. Payments received under this subsection shall be excluded in determining maximum payments under s. 79.06 (1).

SECTION 564. 79.10 (4) (a) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

79.10 (4) (a) "Computed full value rate" means the sum total of all general property taxes (including state, county, local and school taxes, ~~but excluding and tax increments paid by any taxing jurisdiction under s. 66.46 unless such tax increments revert in whole or in part to the jurisdiction of origin on termination of the tax incremental district~~), the total amount of all special assessments made, assessed or levied for the year irrespective of the manner or time of collection, sewer service charges, occupational taxes, forest crop taxes and woodlands taxes levied and extended by a town, village or city, as reported to the department of revenue in its abstract of assessments and taxes, divided by the full value of all taxable property in the municipality as equalized for state purposes under s. 70.57 including value increments under s. 66.46, and the quotient expressed in mills per dollar of valuation.

SECTION 566. 79.17 (6) (a) of the statutes, as created by chapter 29, laws of 1977, is amended to read:

79.17 (6) (a) "Computed full value rate" means the sum total of all general property taxes (including state, county, local and school taxes, ~~but excluding and~~ tax increments paid by any taxing jurisdiction under s. 66.46, ~~unless such tax increments revert in whole or in part to the jurisdiction of origin on termination of the tax incremental district~~), the total amount of all special assessments made, assessed or levied for the year irrespective of the manner or time of collection, sewer service charges, occupational taxes, forest cropland taxes and woodlands taxes levied and extended by a town, village or city, as reported to the department of revenue on forms prescribed by it, divided by the full value of all taxable property in the municipality including value increments under s. 66.46, and the quotient expressed in mills per dollar of valuation.

SECTION 567. 79.17 (6) (b) of the statutes, created by chapter 29, laws of 1977, is amended to read:

79.17 (6) (b) "Full value of taxable merchants' stock-in-trade, manufacturers' materials and finished products, and livestock" refers to the full value of such property without reduction for fractional assessment under s. 70.57 (5). For purposes of the 1982 payment under sub. (1), "full value of taxable merchants' stock-in-trade, manufacturers' materials and finished products, and livestock" may be based upon estimates of the full value of property exempt under s. 70.111 (17) and shall not require assessment of such property.

SECTION 568. 79.24 of the statutes, under subchapter III of chapter 79, is created to read:

79.24 Legislative purpose and findings. (1) **PURPOSE.** It is the purpose of this subchapter to encourage residential property owners to improve their property by a system of state tax credits designed to offset increased property taxes resulting from such improvements.

(2) **FINDINGS.** The legislature finds:

(a) That residential property owners are often discouraged from making improvements to their property by the increases in property taxes which would result.

(b) That this problem is particularly acute in relationship to older structures which do not exceed \$50,000 in valuation, in the case of homes, or \$75,000 in valuation, in the case of rental units.

(c) That this problem has resulted in the deterioration of entire neighborhoods, especially in large metropolitan areas, in this state.

(d) That many property owners feel that the property tax system, in effect, penalizes those who improve their property and attempt to preserve the integrity of their neighborhoods and, in effect, rewards those who neglect their property.

(e) That the resulting deterioration of residential property in this state, caused in part by the burden of increased property taxes, is detrimental to the health, safety and welfare of the residents of this state and to the sound growth and development of Wisconsin communities.

SECTION 569. 79.25 (1) (ag) and (ar) of the statutes are created to read:

79.25 (1) (ag) "Full valuation" for any property means the assessed value of the property divided by the assessment ratio for that class of property within the taxation district.

(ar) "Full value tax rate" means the total amount of taxes for all purposes, less any credits received under s. 79.10 (3), in the taxation district divided by the full valuation of all classes of property in the tax district.

SECTION 570. 79.25 (1) (b), (c), (d) and (f), (2) to (4) and (7) of the statutes, as affected by chapter 29, laws of 1977, are amended to read:

79.25 (1) (b) "Home" means a one- or 2-family dwelling and appurtenant land which has a full valuation of \$50,000 or less, ~~derived by dividing the assessed value by the assessment ratio of the taxation district, and is occupied by the owner and is a principal residence of the occupants.~~

(c) "Improvement assessment" means the amount of the ~~assessed~~ full valuation of a home or rental unit in excess of the previous year's ~~assessment~~ full valuation which is directly attributable to improvements made during the previous year.

(d) "Improvements" means any addition to or alteration of a home or rental unit dwelling or garage which increases its market value.

(f) "Rental unit" means any ~~single family or multifamily~~ dwelling with 3 or more living units and appurtenant land which has a full valuation of \$75,000 or less, ~~derived by dividing the assessed value by the assessment ratio of the taxation district, which is rented or leased to persons by the owner who does not reside in the dwelling and any dwelling for 3 or more families with a full valuation of \$75,000 or less, derived by dividing the assessed value by the assessment ratio of the taxation district, in which the owner resides and is a principal residence of the occupants.~~

(2) Commencing January 1, ~~1979~~ 1980, every owner who improves his or her home or rental unit is eligible to receive a tax credit from the state in the amount determined by multiplying the local full value tax rate, for all purposes, by the improvement assessment on the property. This section does not apply to the owner of a new home or rental unit for which the original building permit was issued within the 10 years preceding application or, if no original building permit was issued, which was first entered on the local tax roll within the 10 years preceding application.

(3) Application under this section shall be made on forms prescribed by the department prior to June 30 of the year following the assessment for which credit is claimed. ~~A copy of the owner's property tax statement shall be included with the application.~~ Every claimant shall supply to the department, in support of the claim, reasonable proof of property taxes accrued, changes of ownership, value and age of the home or rental unit for which a claim is filed and whether the home or rental unit is in violation of any building code ordinances or statutes established for the protection of the health and safety of the dwelling's occupants.

(4) The department shall calculate the amount of the credit for the year of application by multiplying the owner's improvement assessment by the local full value tax rate. The amount of the improvement assessment used for this calculation, when added to the improvement assessments for which credit was applied for under this section in the 4 preceding years, shall not exceed \$3,000. Additional instalments, equal in amount to the credit calculated in the year of application shall be paid in the 4 succeeding years, in addition to any further credit granted under this section.

(7) If the ownership of a home or rental unit is transferred, other than by death of the owner, within ~~40~~ 7 years of any year in which tax credits are granted under this section, not including any year in which only subsequent instalments on an original grant of credit are received, the owner who has received such tax credits shall reimburse the department the full amount of the credits received as of the date of transfer plus interest at 6% per year compounded annually from the date of transfer. The credit shall be recovered by assessment as income taxes are assessed.

SECTION 571. 79.25 (14) of the statutes is created to read:

79.25 (14) Beginning January 1, 1982, and annually thereafter, the department shall review the improvements tax relief program created under this subchapter and report to the governor and the legislature, taking into account findings that the full value of homes and rental units, property taxes and the full value of improvements have increased or decreased and may propose appropriate legislation.

SECTION 571f. 79.25 (15) of the statutes is created to read:

79.25 (15) Applications under this section made prior to June 30, 1980, may also include the improvement assessment for all improvements made from May 1, 1977, to April 30, 1978, whether or not such improvement assessment has been shown on the claimant's local property tax statement.

SECTION 572. 84.03 (3) (b) and (c) of the statutes, as affected by chapter 29, laws of 1977, are repealed and recreated to read:

84.03 (3) (b) In counties where more than 60% of the state trunk highway system is constructed and surfaced with high type surfacing, satisfactory to the department, such portion of the allotment under this subsection as the department approves may be added to the aids provided for such county by s. 86.30 or used for the acquisition of rights of way for and construction of expressways and federal aid secondary projects in such county.

(c) Under this section no county shall be allotted less than \$40,000. Allotments under this subsection shall not lapse, but shall stand to the credit of the county for which allotted until expended as provided by law. The department and a county board, or a county highway committee when authorized by the county board, may agree upon projects on which one or more future years' allotments for such county shall be used. The cost of such projects to the extent so agreed may be advanced by the department from any funds available in the transportation fund, and the amounts so advanced shall be deducted from subsequent allotments under this subsection becoming available to the credit of the county.

SECTION 573. 84.03 (6) of the statutes, as affected by chapter 29, laws of 1977, is repealed.

SECTION 574. 84.07 (1) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

84.07 (1) STATE EXPENSE; WHEN DONE BY COUNTY; DEFINITION. The state trunk highway system shall be maintained by the state at state expense. The department shall prescribe by rule specifications for such maintenance and may contract with any county highway committee or municipality to have all or certain parts of the work of maintaining the state trunk highways within or beyond the limits of the county or municipality, including interstate bridges, performed by the county or municipality, and any county or municipality may enter into such contract. General maintenance activities include the application of protective coatings, the removal and control of snow, the removal, treatment and sanding of ice, interim repair of highway surfaces and adjacent structures, and all other operations, activities and processes required on a continuing basis for the preservation of the highways on the state trunk system, and including the care and protection of trees and other roadside vegetation and suitable planting to prevent soil erosion or to beautify highways pursuant to s. 80.01 (3), and all measures deemed necessary to provide adequate traffic service. Special maintenance activities include the restoration, reinforcement, complete repair or other activities which the department deems are necessary on an individual basis for specified portions of the state trunk system. ~~The department may, on or after March 30 of each year, enter into agreements with counties for special maintenance of the state trunk system.~~

SECTION 575. 84.09 (5) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

84.09 (5) Subject to the approval of the governor ~~as herein provided~~, the department ~~is authorized and empowered to~~ may sell at public or private sale property of whatever nature owned by the state and under the jurisdiction of the department when the department ~~shall determine~~ determines that ~~such~~ the property is no longer necessary for the state's use for highway purposes. The department shall present to the governor a full and complete report of the property to be sold, the reason for the sale, and the minimum price for which the same should be sold, together with an application for the governor's approval of ~~such~~ the sale. The governor shall thereupon make such investigation as he or she may deem necessary and approve or disapprove ~~such~~ the application. Upon such approval and receipt of the full purchase price, the department shall by appropriate deed or other instrument transfer the property to the purchaser. The approval of the governor is not required for public or private sale of property having a fair market value at the time of sale of not more than \$3,000. The funds derived from ~~such sale~~ sales under this subsection shall be deposited in the ~~appropriate~~ transportation fund, and the expense incurred by the department in connection with the sale shall be paid from such fund.

SECTION 576. 85.04 of the statutes is created to read:

85.04 Acquisition of replacement lands. If federal law prohibits the acquisition of lands determined by the secretary to be necessary for transportation purposes unless replacement lands are provided, the department may acquire by gift, devise, purchase or condemnation any lands or interests in lands necessary to satisfy the replacement requirement.

SECTION 577. 85.08 (4) of the statutes, as created by chapter 29, laws of 1977, is amended to read:

85.08 (4) RAIL FERRY AND RAIL BRANCH LINE TRANSPORTATION AIDS. The department shall administer a program of financial assistance for the purpose of matching federal moneys made available to the state for assisting continuance or restoration or operation of Lake Michigan rail and car ferry services and railroad branch line transportation services. The department shall maximize the use of such available federal aids to assist in preserving rail service wherever feasible and appropriate.

SECTION 577g. 85.08 (4g) of the statutes is created to read:

85.08 (4g) MUNICIPAL RAIL SERVICE GRANTS. The department may make grants to municipalities for the purpose of reimbursing municipalities for moneys expended to continue the operation of or increase the level of service of any ~~municipally owned~~ railroad.

Vetoed
in Part

SECTION 577m. 85.08 (4m) of the statutes is created to read:

85.08 (4m) RAIL PRESERVATION LOANS AND GRANTS. (a) *Purpose; findings.* The purpose of this subsection is to assist local governments in the preservation of rail service in those areas of the state confronted with the possibility of service discontinuation. The legislature finds that private capital and local government contributions are insufficient to prevent the breakdown of rail service. The legislature finds that rail service preservation bears a significant relationship to the conservation of energy, the preservation of existing economic and tax bases and the maintenance of a balanced transportation system. The legislature further finds that these are proper governmental functions and that the programs authorized under this subsection are therefore valid governmental functions serving proper public purposes. It is the intent of this subsection to promote the public good by preserving and improving rail service in this state.

(b) *Definitions.* In this subsection:

1. "Eligible applicant" means a county, municipality or town or agency thereof or a transit commission organized under s. 59.968, 66.30 or 66.943.
2. "Rail property improvements" means any property used in operating a railroad or railway including, without limitation because of enumeration, rails, ties, switches, trestles and bridges located on the right-of-way, but not including the right-of-way.
3. "Rail service" means a level of rail service which the department determines to be an acceptable level of service.

(c) *Loan program administration.* The department may make loans to eligible applicants for the purpose of purchasing rail property improvements. The department shall administer the loan program and shall have all the powers necessary and convenient to implement this paragraph, including the following powers:

1. To develop the ~~uniform~~ specifications and provisions of the loans which are made to eligible applicants. If the eligible applicant defaults on the specified provisions of the loan, the rail property improvements are transferred to the department for disposal.

Vetoed
in Part

2. To receive and review applications for loans under this paragraph and to prescribe the form, nature and extent of the information which shall be contained in applications. The applications and loans may be made after the line has been filed for abandonment.

3. To make and execute agreements with eligible applicants for loans. These agreements shall ensure that rail service on the line is maintained and that the required maintenance and improvement activities are performed.

4. To determine whether or not rail service is being maintained on a rail line. If rail service is not maintained on a rail line for which the applicant has obtained a loan or loans under this paragraph, the applicant has defaulted on the provisions of the loan and the rail property improvements are transferred to the department for disposal.

5. To coordinate this program with acquisition of rail right-of-way under s. 195.199.

(d) *Grant program administration.* If the department has made a loan or loans to an applicant under par. (c), the department may, if it deems advisable, make a grant or grants to such an applicant to purchase right-of-way. Aid granted under this paragraph shall be paid from the appropriation under s. 20.395 (5) (td).

SECTION 578. 85.10 of the statutes is created to read:

85.10 Sale of aerial photographic survey products. (1) The department shall consult with the department of administration regarding the scope and character of the aerial photographic survey conducted by the department of administration under s. 16.965. In addition, the department shall consult with the department of administration regarding the scope, character and price of the photographic products to be sold by the department under sub. (3).

(2) The department shall receive from the department of administration or its designee the refined and unrefined products of the aerial photographic survey conducted by the department of administration under s. 16.965. The department shall prepare the master imagery sets from which the photographic products sold under sub. (3) are prepared.

(3) The department shall produce and sell to any person the selection of photographic products derived from the aerial photographic survey conducted under s. 16.965 designated for production and sale by the department of administration under s. 16.695 (2). The sale price for the products shall be determined by the department of administration in accordance with s. 16.965 (2).

SECTION 579. 86.35 of the statutes, as affected by chapter 29, laws of 1977, is repealed.

SECTION 579c. 91.01 (6) of the statutes, as created by chapter 29, laws of 1977, is amended to read:

91.01 (6) "Eligible farmland" means a parcel of 35 or more acres of contiguous land which is devoted primarily to agricultural use which during the year preceding application for a farmland preservation agreement produced gross farm profits, as defined in s. 71.09 (11) (a) 3m, of not less than \$6,000 or which, during the 3 years preceding application produced gross farm profits, as defined in s. 71.09 (11) (a) 3m, of not less than \$18,000.

SECTION 579g. 91.13 (8) (d) of the statutes, as affected by chapters 29 and 169, laws of 1977, is amended to read:

91.13 (8) (d) Farming operations shall be conducted in substantial accordance with an approved soil and water conservation district conservation plan, ~~to be reviewed annually by the appropriate.~~ The county soil and water conservation district board or its agent supervisors shall ensure that such plans are prepared and followed. Deviations from a plan may be allowed, if in the judgment of the supervisors, personnel are not available to lay out the suggested practices on the land or if the practices are not economical for the owner to adopt.

SECTION 579L. 91.13 (8) (e) of the statutes, as created by chapter 29, laws of 1977, is amended to read:

91.13 (8) (e) The state agrees to pay, with respect to each year the agreement is in effect, ~~those the greater of the~~ credits claimable under s. 71.09 (11), as such statute

exists on the date the agreement takes effect, or the credits claimable under s. 71.09 (11), as such statute exists at the end of the year for which a claim for credit is filed, if all the requirements of s. 71.09 (11) are satisfied.

SECTION 579p. 91.15 of the statutes, as created by chapter 29, laws of 1977, is amended to read:

91.15 Exemption from special assessments. A city, village, town, county or other governmental agency may not impose special assessments for sanitary sewers, water, lights or nonfarm drainage on land zoned for exclusively agricultural use under subch. V or for which a farmland preservation agreement under this subchapter has been recorded except as to a dwelling or a nonfarm structure located on the land unless the assessments were imposed prior to the recording of the agreement. Land covered by this exemption shall be denied use of an improvement created by the special assessment as long as the owner of the land has a recorded agreement under this subchapter unless the owner has paid ~~an amount not more than~~ the amount that would have been paid had the land not been excluded.

SECTION 579t. 91.19 (6) of the statutes, as created by chapter 29, laws of 1977, is amended to read:

91.19 (6) The department shall relinquish from a farmland preservation agreement any lands acquired for use as an electric generating facility authorized under s. 196.491 (3), or which involves acquisition of the fee by a utility or a cooperative organized under ch. 185 for purposes of generating electricity or other utility uses.

SECTION 579u. 91.19 (7) of the statutes, as affected by chapters 29 and 169, laws of 1977, is amended to read:

91.19 (7) Whenever a farmland preservation agreement is relinquished under sub. (2) or a transition area agreement is relinquished under sub. (1) or (2), the department shall cause to be prepared and recorded a lien against the property formerly subject to the agreement for the total amount of all credits received by all owners of such lands under s. 71.09 (11) during the last ~~20~~ 10 years that the land was eligible for such credit, plus interest at the rate of 6% per year compounded annually on the credits received from the time the credits were received until the lien is paid. No interest shall be compounded for any period during which the farmland is subject to a subsequent farmland preservation agreement or transition area agreement or is zoned for exclusive agricultural use under an ordinance certified under subch. V.

SECTION 579v. 91.19 (8) of the statutes, as created by chapter 29, laws of 1977, is amended to read:

91.19 (8) Upon the relinquishment of a farmland preservation agreement under sub. (1), the department shall cause to be prepared and recorded a lien against the property formerly subject to the farmland preservation agreement for the total amount of the credits received by all owners thereof under s. 71.09 (11) during the last ~~20~~ 10 years that the land was eligible for such credit, plus 6% interest per year compounded from the time of relinquishment. No interest shall be compounded for any period during which the farmland is subject to a subsequent farmland preservation agreement or transition area agreement or is zoned for exclusive agricultural use under an ordinance certified under subch. V.

SECTION 579x. 91.37 (2) of the statutes, as created by chapter 29, laws of 1977, is amended to read:

91.37 (2) If ~~the owner terminates at the end of an~~ agreement under this subchapter ~~and, the owner~~ does not apply for a renewal under s. 91.39 or an agreement under subch. II, the lien shall apply, without interest, to the credit received under s. 71.09 (11) for the last 2 years the land was eligible for such credit if the land is not subject to a certified exclusive agricultural use zoning ordinance under subch. V and either the county in which the land is located has not adopted a certified agricultural preservation plan, or, if such a plan is adopted, the farmland would not be eligible for an agreement under the terms of the plan.

SECTION 580. 91.37 (4) of the statutes, as created by chapter 169, laws of 1977, is renumbered 91.37 (5) and amended to read:

91.37 (5) If at the end of an agreement under this subchapter, the owner does not apply for a renewal under s. 91.39 or an agreement under subch. II and only a portion of the land subject to the agreement is eligible for an agreement under subch. II, the lien shall be calculated under sub. (2) or (4) on that part of the land which is ineligible and under sub. (3) on that part which is eligible.

SECTION 580c. 91.37 (4) of the statutes is created to read:

91.37 (4) If at the end of an agreement under this subchapter, the farmland is not eligible for an agreement under subch. II because s. 91.11 (2), (3) or (4) is applicable, the lien shall apply, without interest, to the credit received under s. 71.09 (11) for the last 2 years the land was eligible for such credit.

SECTION 580e. 91.37 (6) of the statutes is created to read:

91.37 (6) No lien shall be filed, on the date of relinquishment or termination of an agreement under this subchapter, for tax credits paid on lands or any portion thereof which are zoned for exclusively agricultural use under an ordinance certified under subch. V.

SECTION 580L. 91.71 of the statutes, as created by chapter 29, laws of 1977, is amended to read:

91.71 Purpose. The purpose of this subchapter is to specify the minimum requirements for zoning ordinances designating certain lands for exclusively agricultural use, allowing the owners of such lands to claim the farmland preservation credit permitted under s. 71.09 (11).

SECTION 580p. 91.75 (intro.) of the statutes, as created by chapter 29, laws of 1977, is amended to read:

91.75 Ordinance standards. (intro.) A zoning ordinance shall be deemed an "exclusive agricultural use ordinance" if it includes those jurisdictional, organizational or enforcement provisions necessary for its proper administration, if the land in exclusive agricultural use districts is limited to agricultural use and is identified as an agricultural preservation area under any agricultural preservation plans adopted under subch. IV and if ~~it regulates the regulations on~~ the use of agricultural lands in such districts in meet the following manner standards which, except for sub. (4), are minimum standards:

SECTION 580t. 91.75 (2) of the statutes, as affected by chapters 29 and 169, laws of 1977, is amended to read:

91.75 (2) The only residences allowed as permitted uses are those to be occupied by a person who, or a family at least one member of which, earns a substantial part of his or her livelihood from farm operations on the parcel, or is a parent or child of the operator of the farm. Preexisting residences located in areas subject to zoning under this section which do not conform to this paragraph may be continued in residential use and ~~shall not may be subject to~~ exempted from any limitations imposed or authorized under s. 59.97 (10).

SECTION 580x. 91.75 (4) of the statutes, as created by chapter 29, laws of 1977, is amended to read:

91.75 (4) Such ordinances shall be considered local ordinances for purposes of s. 196.491 (3) (i) and shall provide that gas and electric utility uses not requiring authorization under s. 196.491 (3) are special exceptions or permitted or conditional uses and do not conflict with agricultural use.

SECTION 581. 92.04 (4) (m) of the statutes is created to read:

92.04 (4) (m) Be responsible for the duties specified for the board under the nonpoint source pollution abatement program under s. 144.25.

SECTION 582. 93.02 of the statutes is amended to read:

93.02 Staff. The secretary shall appoint all staff necessary for the carrying out of the duties of the department, all of whom shall be under the classified service except the deputy secretary, the executive assistant ~~or~~ and, subject to s. 230.08 (4) (a), the administrators of divisions. Each such deputy secretary, executive assistant or administrator shall be appointed by the secretary with the approval of the board.

SECTION 583. 94.02 (3) of the statutes is amended to read:

94.02 (3) ~~In the event of~~ If a serious pest outbreak constituting a significant threat to agricultural production or plant life occurs, and ~~which~~ cannot be adequately controlled by individual property owners or local units of government in any area of ~~the this~~ state, the department, with the approval of the governor, may petition the joint committee on finance acting under s. 13.101 for emergency funds with which to conduct needed control work independently or on a cooperative basis with the federal or local units of government.

SECTION 583c. 94.64 (4) (title) of the statutes is amended to read:

94.64 (4) (title) FEES.

SECTION 583e. 94.64 (4) (am) of the statutes is created to read:

94.64 (4) (am) In addition to the inspection fee under par. (a), a research fee of 10 cents per ton shall be paid to the department for all fertilizer sold or distributed in this state with a minimum fee of \$1 for 10 tons or less, except that specialty fertilizers as defined in s. 94.64 (1) (e) shall be exempted from payment of a research fee.

SECTION 583g. 94.64 (4) (b), (c) and (f), (5) and (6) (a) of the statutes are amended to read:

94.64 (4) (b) Payment of the inspection fee under par. (a) and the research fee under par. (am) shall be made on the basis of semiannual tonnage reports setting forth the number of tons of fertilizer sold or distributed in this state. The reports shall cover the semiannual periods ending June 30 and December 31 of each year and shall be filed with the department not later than 45 days after the close of each period. The time may be extended for cause an additional 30 days only on written request to the department. Remittance to cover the inspection fee at the rate prescribed in par. (a) and the research fee at the rate prescribed in par. (am) shall accompany each tonnage report. Records upon which the statement of tonnage is based shall be subject to department audit.

(c) If more than one distributor is involved in the chain of distribution of fertilizer, the one who sells directly to the consumer or to a distributor exempted from a license under sub. (3) (a) is responsible for submitting the report and paying the inspection fee and research fees. Distributors exempt from a license shall not be responsible for the filing of tonnage reports or the payment of inspection and research fees for products purchased from a licensee.

(f) Tonnage equivalents shall be used for liquid fertilizer for payment of inspection and research fees and in statistical reports.

(5) STATISTICAL REPORTS. In addition to the filing of tonnage reports for inspection and research fees, each licensee shall furnish to the department a report of the tonnage of each grade of fertilizer sold in this state during the same reporting period, or from July 1 to December 31 and from January 1 to June 30 of each year. The statements shall be filed with the department within 45 days after the close of each period. Failure to file the reports when due shall be cause for immediate license revocation or denial of license renewal. The time may be extended for an additional 30 days for cause on written request to the department. No tonnage payments, tonnage reports or information furnished under this section shall be disclosed in such a way as to divulge the operations of any person.

(6) (a) Nothing in this section shall be construed as requiring the payment of inspection and research fees for sales or exchanges of fertilizers between manufacturers who mix fertilizer materials for sale or as preventing the free and unrestricted shipment of fertilizers for further processing to manufacturers licensed under this section.

SECTION 583i. 94.64 (8m) of the statutes is created to read:

94.64 (8m) **FERTILIZER RESEARCH FUNDS.** (a) *Use of funds.* At the end of each fiscal year, the moneys collected under sub. (4) (am) shall be forwarded to the university of Wisconsin system under the custody of the college of agricultural and life sciences of the university of Wisconsin-Madison to be used for research on soil management, soil fertility and plant nutrition problems; for dissemination of the results of the research; and for other designated activities tending to promote the correct usage of fertilizer materials.

(b) *Fertilizer research council.* The fertilizer research council shall recommend projects to be financed by fertilizer research funds. Members of the council shall meet at least annually to select projects to recommend for funding. The recommendations shall be made by majority vote of the council. If the university of Wisconsin system is unable to carry on the projected research, the council may recommend other appropriate nonprofit research institutions or agencies for receipt of funds.

SECTION 583k. 94.64 (8m) (b) of the statutes is repealed.

SECTION 583m. 101.07 of the statutes is created to read:

101.07 Flushing devices for urinals. The department shall not promulgate any rules which either directly or indirectly prohibit the use of manual flushing devices for urinals. The department shall take steps to encourage the use of manual flushing devices for urinals.

SECTION 583t. 101.30 of the statutes is created to read:

101.30 Work incentive program; AFDC recipients. The department shall attempt to place recipients of aid to families with dependent children who are registered with the work incentive program in part-time jobs:

(1) In cases in which a part-time job will allow the pursuit of education or training leading to self-support.

(2) If the salary or wages from part-time employment combined with child support payments will result in a discontinuation of assistance under the aid to families with dependent children program.

SECTION 583w. 102.03 (2) of the statutes, as affected by chapter 195, laws of 1977, is amended to read:

102.03 (2) Where such conditions exist the right to the recovery of compensation under this chapter shall be the exclusive remedy against the employer, any other employe of the same employer and the worker's compensation insurance carrier. This section does not limit the right of an employe to bring action against any coemploye for an assault intended to cause bodily harm, or against a coemploye for negligent operation of a motor vehicle not owned or leased by the employer, or against a coemploye of the same employer to the extent that there would be liability of a governmental unit to pay judgments against employes under ~~s. 895.46~~, a collective bargaining agreement, or a local ordinance.

SECTION 584. 102.15 (3) of the statutes is created to read:

102.15 (3) All testimony at any hearing held under this chapter shall be taken down by a stenographic reporter or recorded by a recording machine.

SECTION 585. 102.25 (1) of the statutes, as affected by chapters 29, 187 and 195, laws of 1977, is amended to read:

102.25 (1) Any party aggrieved by a judgment entered upon the review of any order or award, may appeal therefrom within 30 days from the date of service by either party upon the other of notice of entry of judgment. ~~However, it is not necessary for~~ A trial court shall not require the department or any party to the action to execute, serve or file ~~the an~~ undertaking required by s. 817.11 (3) under s. 808.07 or to serve, or secure approval of, ~~the a~~ transcript of reporter's the notes of the stenographic reporter or the tape of the recording machine. All such appeals shall be placed on the calendar of the court of appeals and brought to a hearing in the same

manner as state causes on such calendar. The state is deemed a party aggrieved, within the meaning of this subsection, whenever a judgment is entered upon such a review confirming any order or award against it. At any time before the case is set down for a hearing in the court of appeals or the supreme court, the parties may have the record remanded by the court to the department in the same manner and for the same purposes as provided for remanding from the circuit court to the department under s. 102.24 (2).

SECTION 586. 102.475 (8) (b) of the statutes is amended to read:

102.475 (8) (b) "Correctional officer" means any person employed by the state or any political subdivision as a guard or officer whose principal duties are supervision and discipline of inmates at a penal institution, prison, jail, house of correction or other place of penal detention, ~~including central state hospital.~~

SECTION 587. 102.75 (3) of the statutes is amended to read:

102.75 (3) The department ~~shall~~ may not assess the payments under this section for any year that the assessment is not approved by the joint committee on finance. Requests for the approval of an assessment shall be considered as are requests for supplemental appropriations under s. 13.101 (5) and (6).

SECTION 588. 103.37 (4) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

103.37 (4) Any employer who violates this section may be fined not more than \$100 for each violation. ~~The department of transportation and the department shall~~ enforce this section.

SECTION 590. 108.04 (17) (b) of the statutes, as created by chapter 133, laws of 1977, is amended to read:

108.04 (17) (b) An employe who performs services ~~in~~ for a nonprofit or public educational institution, other than an institution of higher education and other than in an instructional, research or principal administrative capacity, is ineligible for benefits based on such services for any week of unemployment which occurs during a period between 2 successive academic years or terms if such employe performed such services in the first such academic year or term and there is a reasonable assurance that such employe will perform such services in the ~~second~~ 2nd such academic year or term.

SECTION 591. 108.04 (17) (d) of the statutes is created to read:

108.04 (17) (d) Paragraph (a) or (b) and par. (c) shall apply to an employe who performs services as described in par. (a) or (b) for an educational service agency in an educational institution. An educational service agency is a government agency or government entity which is established and operated exclusively for the purpose of providing such services to one or more educational institutions.

SECTION 592. 108.09 (5) (b) of the statutes is amended to read:

108.09 (5) (b) All testimony at any hearing under this section shall be taken down by a stenographer, or ~~recorded~~ by a recording machine, but need not be transcribed unless either of the parties requests a transcript prior to expiration of ~~his~~ that party's right to further appeal ~~hereunder~~ under this section and pays a fee to the department in advance ~~of \$5 therefor, plus 25 cents for each page by which the transcript exceeds 20 pages, the amount of which shall be established by rule of the department.~~ When a transcript is thus furnished one of the parties ~~at his~~ upon request, a copy of the transcript shall be furnished the other party free of charge. The transcript fee thus collected shall be paid to the administration fund.

SECTION 593. 108.09 (5) (c) and (d) of the statutes are created to read:

108.09 (5) (c) If the testimony at a hearing was recorded by a recording machine the department may furnish a copy of the tape recording in lieu of a transcript. The fee for obtaining a copy of a tape recording shall be established by rule of the department.

(d) A written synopsis of the testimony and other evidence taken at a hearing, prepared by the appeal tribunal or by an attorney employed by the department, shall be used by the commission in its review of an appeal tribunal decision unless a satisfactory showing is made by any party that the synopsis is not sufficiently complete and accurate to fairly reflect the relevant and material testimony and other evidence taken, except that the commission may direct the preparation of a transcript in any case.

SECTION 594. 108.141 (9) of the statutes, as affected by chapter 133, laws of 1977, is amended to read:

108.141 (9) INDICATOR MODIFICATIONS. A Wisconsin "on" or "off" indicator shall be determined without regard to sub. (1) (d) 1 ~~or (e)~~ if for any period specified under sub. (1) (d) ~~or (e)~~ the Wisconsin rate of insured unemployment equaled or exceeded 5%.

SECTION 594d. 110.07 (1) (a) (intro.) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

110.07 (1) (a) (intro.) The secretary shall employ not to exceed 375 traffic officers. Such traffic officers, in addition to the person designated ~~from within the classified service~~ to head them whose position shall be in the classified service, shall constitute the state traffic patrol, and shall:

SECTION 594m. 111.37 of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

111.37 Judicial review. Findings and orders of the commission under this subchapter are subject to review under ch. 227. Orders of the commission shall have the same force as orders of the department under ch. 101 and may be enforced as provided in s. 101.02 (12) and (13) or specifically by a suit in equity. In any enforcement action the merits of any order of the commission are not subject to judicial review. Upon such review, or in any enforcement action, the department of justice shall represent the commission.

SECTION 595. 114.35 (1) of the statutes is renumbered 114.35.

SECTION 596. 114.35 (2) and (3) of the statutes are repealed.

SECTION 597. 115.28 (8) of the statutes is amended to read:

115.28 (8) (title) ADMISSIONS TO KINDERGARTEN AND FIRST GRADE. Prescribe procedures, conditions and standards under which admissions to kindergarten and first grade may be made at an age earlier than that specified in s. 118.14 in exceptional cases.

SECTION 597m. 115.35 (1) of the statutes is amended to read:

115.35 (1) A critical health problems education program is established in the department. The program shall be a systematic and integrated program designed to provide appropriate learning experiences based on scientific knowledge of the human organism as it functions within its environment and designed to favorably influence the health, understanding, attitudes and practices of the individual child which will enable him or her to adapt to changing health problems of our society. The program shall be designed to educate youth with regard to critical health problems and shall include, but not be limited to, the following topics as the basis for comprehensive education curricula in all elementary and secondary schools: controlled substances, as defined in s. 161.01 (4); alcohol; tobacco; mental health; human growth and development; and related health and safety topics. Participation in the human growth and development topic of the curricula shall be entirely voluntary.

SECTION 598. 115.76 (3) (h) of the statutes is amended to read:

115.76 (3) (h) Pregnancy, including up to ~~2~~ 4 months after the birth of the child or other termination of the pregnancy, or after the close of the school year.

SECTION 599. 115.76 (5m) of the statutes is created to read:

115.76 (5m) "Hearing officer" means an independent examiner chosen to conduct hearings under s. 115.81.

SECTION 600. 115.77 (3) (d) (intro.) and (4) (a), (b) and (c) of the statutes are amended to read:

115.77 (3) (d) (intro.) Supervision of the education of all children ~~who have attained the age of 3 years~~, who have exceptional educational needs and who reside in any facility operated by the state or a county or who attend county residential facilities or community board day care centers. Such supervision shall include:

(4) (a) Coordinate the development of all special education programs operated by a school district, county handicapped children's education board, board of control of a cooperative educational service agency ~~or by a~~ state or county residential facility or community board day care center for children ~~who have attained the age of 3 years and~~ who have exceptional educational needs.

(b) Before the program receives any state funds, approve all new or expanded special education programs operated by a school district, county handicapped children's education board, board of control of a cooperative educational service agency ~~or by a~~ state or county residential facility or community board day care center for children ~~who have attained the age of 3 years and~~ who have exceptional educational needs.

(c) Before a discontinuance or reduction of program becomes effective, approve all plans to discontinue or reduce programs operated by a school district, county handicapped children's education board, board of control of a cooperative educational service agency ~~or by a~~ state or county residential facility or community board day care center for children ~~who have attained the age of 3 years and~~ who have exceptional educational needs.

SECTION 600m. 115.781 of the statutes is created to read:

115.781 Reports of service to handicapped children. The state superintendent shall report to the governor, the joint committee on finance and the appropriate standing committees on education of each house of the legislature, as determined by the presiding officer thereof, the state's progress toward achieving full service to handicapped children under the education for all handicapped children act of 1975 (P.L. 94-142). The state superintendent shall submit reports under this section within 45 days of the collection of data for the submission of the report of handicapped children receiving special education and related services, or its successor forms, as required under P.L. 94-142.

SECTION 601. 115.80 (2) (c) of the statutes is created to read:

115.80 (2) (c) The school district shall provide, upon request, screening opportunities to children who are below school entry age.

SECTION 602. 115.81 (2) (d) and (4) of the statutes are amended to read:

115.81 (2) (d) The notice of placement under par. (b) or program change under par. (c) shall state that a hearing before ~~the school board or a person appointed by it a~~ hearing officer may be had if requested in accordance with procedures established by the department and set forth in the notice.

(4) RIGHTS AT HEARING. A parent shall have access to any reports, records, clinical evaluations or other materials upon which a decision relating to the child's educational program was wholly or partially based or which could reasonably have a bearing on the correctness of the decision. At any hearing held under this section, the parent may determine whether the hearing shall be public or private, examine and cross-examine witnesses, introduce evidence, appear in person and be represented by an advocate. The school board shall keep a full record of the hearing, prepared by the hearing officer. ~~A detailed summary thereof~~ complete record of the proceedings shall be given to the parent, if requested. The hearing officer shall inform the parents of their right to a complete record of the proceedings.

SECTION 603. 115.81 (4m) of the statutes is created to read:

115.81 (4m) HEARING OFFICERS. The department shall maintain a listing of qualified hearing officers who are not otherwise employed by or under contract to a school board to serve as hearing officers in hearings under this section.

SECTION 604. 115.81 (6) of the statutes is amended to read:

115.81 (6) HEARING AND DECISION. The school board shall direct a hearing officer to hold a hearing within 60 days of appeal and to prepare promptly a recommended decision for the board. The board shall issue a decision based upon the hearing record, the hearing officer's recommendation and the recommendation of the multidisciplinary team within 30 days of the close of the hearing. If no decision is made by the school board within the 30-day period following the close of the hearing, the decision appealed from shall be deemed affirmed.

SECTION 605. 115.83 (1) (a) of the statutes is amended to read:

115.83 (1) (a) Subject to approval by the division under s. 115.77 (4) (b) and (c), establish, maintain, expand, reduce or discontinue a special education program, including special physical or occupational therapy services, for children with exceptional educational needs. The board may contract with private or public agencies for physical or occupational therapy services on the basis of demonstrated need.

SECTION 605m. 115.85 (2) (am) of the statutes is created to read:

115.85 (2) (am) If an agency enumerated in par. (a) does not operate a special education program which is appropriate for the child's needs, or if requested by the child's parents and recommended by the multidisciplinary team, the child may be placed in a model school special education program established under s. 36.25 (19). If the local school board utilizes this placement option, the school district of residence shall pay any tuition charges for children with exceptional educational needs.

SECTION 605n. 115.88 (1) (intro.) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

115.88 (1) PROGRAM AID. (intro.) If, upon receipt of the report under s. 115.84, the state superintendent is satisfied that the special education program has been maintained during the preceding school year in accordance with law, the superintendent shall certify to the department of administration in favor of each county, cooperative educational service agency and school district maintaining such special education program a sum equal to 70% of the amount expended by the county, agency and school district during the preceding year for salaries of personnel enumerated in s. 115.83 (1), including the salary portion of any authorized contract for physical or occupational therapy services, except as provided in pars. (a) and (b), and other expenses approved by the state superintendent. The department of administration shall pay such amounts to the county, agency and school district from the appropriation under s. 20.255 (1) (d). The amount of aid paid to any county, agency or school district under this subsection shall be reduced by any amounts received by that county, cooperative educational service agency or school district under s. 115.88 (7), 1973 stats. for the same school year.

SECTION 605p. 116.01 of the statutes is amended to read:

116.01 Purpose. The organization of school districts in Wisconsin is such that the legislature recognizes the need for a service unit between the local school district and the state superintendent. ~~The co-operative cooperative~~ educational service agencies ~~created under subch. II of ch. 39, 1963 stats.,~~ are designed to serve educational needs in all areas of Wisconsin and as a convenience for school districts in ~~co-operatively~~ cooperatively providing to teachers, students, school boards, administrators and others, special educational services including, without limitation because of enumeration, such programs as research, special student classes, human growth and development programs, data collection, processing and dissemination, in-service programs and liaison between the state and local school districts.

SECTION 606. 118.125 (2) (intro.) of the statutes is amended to read:

118.125 (2) CONFIDENTIALITY. (intro.) All pupil records maintained by a public school shall be confidential, except as provided in pars. (a) to ~~(g)~~ (h). The school board shall adopt regulations to maintain the confidentiality of such records.

SECTION 607. 118.125 (2) (h) of the statutes is created to read:

118.125 (2) (h) Information from school health records shall be made available to state and local health officials to carry out the purposes of s. 140.05 (16).

SECTION 608. 118.14 of the statutes is amended to read:

118.14 Age of pupils. No child may be admitted to kindergarten unless the child is 5 years old on or before December 1 in the year he or she proposes to enter school. No child may be admitted to the 1st grade unless ~~he~~ the child is 6 years old on or before December 1 in the year he or she proposes to enter school. A resident over 20 years of age may be admitted to school when in the judgment of the school board he or she will not interfere with the pupils of school age.

SECTION 609. 118.215 of the statutes, as created by chapter 29, laws of 1977, is amended to read:

118.215 Energy emergency and school operations. ~~In the event that~~ If an energy emergency results in the reduction of fuel supplies that may require curtailment of the operations of public elementary and high schools, the determination as to how to meet such crises shall be made locally by each school system or district. Changes in terms and conditions of employment proposed to meet such crises, other than salaries and wages, shall be negotiated between the school board and the bargaining representative of the employes, if any. Employes of any school system or district in which school operations are curtailed or in which schools are closed due to an energy emergency shall receive full payment of salary or wages under their employment contracts or arrangements as if there had been no such ~~interruption in curtailment or~~ closing.

SECTION 609g. 119.49 (1) (a) of the statutes is amended to read:

119.49 (1) (a) If the board deems it necessary to construct buildings or additions to buildings, to remodel buildings or to purchase school sites or to provide funds for any such purpose as a participant in a contract under s. 66.30 (6), it may by a two-thirds vote of the members-elect send a communication to the common council of the city at or before the 2nd regular meeting of the common council in October in each year.

Partial
Veto
Overruled

SECTION 609m. 120.12 (1) and (3) (a) of the statutes are amended to read:

120.12 (1) MANAGEMENT OF SCHOOL DISTRICT. Subject to the authority vested in the annual meeting and to the authority and possession specifically given to other school district officers, have the possession, care, control and management of the property and affairs of the school district, except for property of the school district used for public library purposes under s. 43.52.

(3) (a) On or before the 3rd Monday in October, determine the amount necessary to be raised to operate and maintain the schools of the school district and public library facilities operated by the school district under s. 43.52, if the annual meeting has not voted a tax sufficient for such purposes for the ensuing school term. On or before the last working day in October, the school district clerk shall certify the appropriate amount so determined to each appropriate municipal clerk who shall assess the amount certified ~~to him~~ and enter it on the tax rolls as other school district taxes are assessed and entered.

SECTION 610. 120.13 (14) of the statutes is repealed.

SECTION 610m. 120.13 (24) of the statutes is created to read:

120.13 (24) CONTRACTS WITH OTHER DISTRICTS. Participate and enter into contracts with other school boards as provided under s. 66.30 (6).

Partial
Veto
Overruled

SECTION 611. 120.17 (8) (c) of the statutes, as affected by chapter 29, laws of 1977, effective January 1, 1979, is amended to read:

120.17 (8) (c) If an order of school district reorganization or an ordinance of annexation is effective after January 1 and before ~~October~~ July 1 of any year, the school district clerks of the school districts affected shall prepare the certified statement under par. (a) based on the equalized valuation of the school districts as altered by the order and related to the equalized valuation of the year upon which the

tax levy is required to be made. If the school district clerk has filed such statement prior to the effective date of the order, ~~he~~ the clerk shall file a corrected certification which shall be accepted by the clerks of the municipalities affected and acted upon by them as provided in par. (a). Failure of the school district clerk to file a corrected certification of the levy based on the equalized valuation of each of the municipalities or portions thereof within the school district shall be corrected by the school district clerk by an appropriate adjustment in the levy certified in the following year.

Partial
Veto
Overruled

SECTION 611a. 120.19 (1) (intro.) of the statutes is amended to read:

120.19 (1) (intro.) In order to provide school buildings and equipment for elementary or high schools and to enable the construction, financing and ultimate acquisition thereof, the school board of a common or union high school district may, when authorized to do so by an annual meeting, make agreements or join in making agreements under s. 66.30 (6) with nonprofit corporations as follows:

SECTION 611b. 120.49 (4) (e) of the statutes is created to read:

120.49 (4) (e) *The school board may enter into a contract with other school boards under s. 66.30 (6).*

SECTION 611c. 120.74 (3) of the statutes is amended to read:

120.74 (3) Each school board member may be paid an amount fixed by the school board ~~not exceeding \$10~~ for each school board meeting ~~he~~ the member actually attends.

SECTION 611d. 121.004 (5) (a) of the statutes, as created by chapter 29, laws of 1977, is amended to read:

121.004 (5) (a) "Pupils enrolled" is the total number of pupils, as expressed by official enrollments, in all schools of the school district, except as provided in pars. (b) to ~~(e)~~ (d). If such total contains a fraction, it shall be expressed as the nearest whole number. The same method shall be used in computing the number of pupils enrolled for resident pupils, nonresident pupils or both.

SECTION 612g. 121.004 (5) (e) of the statutes, as created by chapter 29, laws of 1977, is repealed.

SECTION 612m. 121.004 (8) of the statutes, as created by chapter 29, laws of 1977, is repealed and recreated to read:

121.004 (8) MEMBERSHIP. (a) "Membership" is the sum of the current membership and the declining enrollment increment, if any.

(b) "Current membership" for any school district is the sum of pupils enrolled as reported under s. 121.05 and the summer average daily membership equivalent for classes approved under s. 121.14. Only district resident pupils and pupils enrolled under s. 121.05 (1) (a) 3 and 4 may be counted in computing current membership.

(c) "Declining enrollment increment" for any school district is a number equal to the product of one-half times the difference between the current membership for the current school year and 97.9% of the membership for the prior school year, rounded to the nearest whole number. This paragraph applies only to a school district whose current membership for the current school year is less than 97.9% of its membership for the prior school year.

SECTION 613. 121.02 (1) (b) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

121.02 (1) (b) Every teacher shall be paid at least the minimum salary and granted the sick leave specified in s. 121.006 and the district shall comply with ss. 42.39 to 42.43, 118.01, 118.02, and 118.07 (2) ~~and 120.13 (14)~~.

SECTION 615. 121.05 (1) (a) 2 and 3 of the statutes, as affected by chapter 29, laws of 1977, are amended to read:

121.05 (1) (a) 2. Pupils enrolled in home instruction or any other school district special education program under s. 115.83; ~~and~~

3. Pupils who are residents of one school district who are enrolled in ~~special education programs in~~ another school district and for whom tuition is paid under s. 115.87 (5) ~~or 121.78 (2) or (3); and~~

SECTION 615m. 121.05 (1) (a) 4 of the statutes is created to read:

121.05 (1) (a) 4. Pupils who are residents of the school district who are enrolled in special education model schools and for whom tuition is paid under s. 36.25 (19) (b).

SECTION 617. 121.07 (7) (a) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

121.07 (7) (a) The "primary guaranteed valuation per member" shall be \$116,800 in the 1977-78 school year and ~~\$130,500~~ \$137,100 thereafter.

SECTION 618. 121.085 of the statutes is created to read:

121.085 Supplemental state aid. (1) The state shall pay to each school district the amount determined by subtracting the amount determined under par. (b) from the amount determined under par. (a):

(a) The amount which would be paid by the state to the school district under this subchapter other than this section if the full value of the taxable property of the territory in the school district were calculated and certified under s. 121.06 with the equalized valuation of any taxable property in a tax incremental district not exceeding its equalized value determined for the purpose of the determination of the tax incremental base of that district under s. 66.46.

(b) The amount to be paid to the school district under this subchapter other than this section with the full value of the taxable property of the school district calculated and certified as provided in s. 121.06.

(2) Equalized valuation of the state for the purpose of calculations under sub. (1) means the full value of taxable property, including value increments under s. 66.46.

SECTION 618c. 121.10 (2) (c) of the statutes, as created by chapter 29, laws of 1977, is amended to read:

121.10 (2) (c) Its secondary shared cost, if any, must be less than 20% of its primary shared cost, if its equalized valuation exceeds the secondary guaranteed valuation for school districts of like organization.

SECTION 618m. 121.54 (1) of the statutes is amended to read:

121.54 (1) CITY OPTION. Subsections (2) and (6) and s. 121.57 do not apply to pupils who reside in cities unless the school they attend is located outside the city but within the boundaries of the school district. Where an annual or special meeting of a common school district or a union high school district, or the school board of a city school district or unified school district determines to provide transportation for such pupils, state aid shall be paid in accordance with s. 121.58 and there shall be reasonable uniformity in the transportation furnished such pupils whether they attend public or private schools. This subsection does not apply to pupils who reside in a city of the 1st, 2nd or 3rd class with a population exceeding 40,000 unless transportation for such pupils is available through a common carrier of passengers operating under s. 85.05 or ch. 194.

SECTION 619. 121.78 (3) of the statutes is created to read:

121.78 (3) (a) Annually, the school board of any school district may, upon the approval of the state superintendent, enter into an agreement for the enrollment of some of its resident pupils in the schools of an adjacent school district, if:

1. That school district determines that its enrollment of resident pupils in the following school year will be greater than its enrollment of resident pupils in the base school year as reported under s. 121.05; and

2. The adjacent school district determines that its enrollment of resident pupils in the following school year will be less than its enrollment of resident pupils in the base school year as reported under s. 121.05.

(b) For pupils enrolled as part of an agreement under par. (a), the school district of residence shall pay tuition to the school district of attendance, and such pupils shall be counted as pupils enrolled in the school district of residence for the computation of state aid under subch. II. A copy of any agreement under this section shall be provided to the state superintendent as part of the school district report under s. 121.05.

(c) Any pupil who has attended a high school for one or more years through an agreement under par. (a) shall be permitted to graduate from that school, notwithstanding the termination of the original agreement. Tuition for such pupils shall be paid by the district of residence, and such pupils shall be counted as pupils enrolled in the district of residence for the computation of state aid under subch. II.

(d) In this subsection, "base school year" means the school year prior to the school year for which an agreement is first effective under this section.

SECTION 620. 121.85 (2) (b) of the statutes is amended to read:

121.85 (2) (b) *Intradistrict*. 1. By minority group pupils who reside in an attendance area where minority group pupils constitute 30% or more of the number of pupils enrolled in the school serving that attendance area and which the pupil normally would attend, from that school to another school within the district where minority group pupils constitute less than 30% of the number of pupils enrolled in that school or to a school serving the entire district.

2. By nonminority group pupils who reside in an attendance area where minority group pupils constitute less than 30% of the number of pupils enrolled in the school serving that attendance area and which the pupil normally would attend, from that school to another school within the district where minority group pupils constitute 30% or more of the number of pupils enrolled in that school or to a school serving the entire district.

SECTION 620c. 121.90 (2) of the statutes, as affected by chapter 29, laws of 1977, is repealed and recreated to read:

121.90 (2) "Cost control membership" means the number calculated under par. (a) or (b).

(a) For any school district whose membership in the current school year is not greater than 102% of its membership in the previous school year, the cost control membership is the average, rounded to the nearest whole number, of the school district's current membership for the previous school year and its current membership of the current school year.

(b) For any school district whose membership in the current school year exceeds 102% of its membership in the previous school year, the cost control membership is the sum of subs. 1 and 2.

1. One hundred and one percent of the school district's membership in the previous school year, rounded to the nearest whole number.

2. The difference between the school district's membership in the current school year and 102% of the school district's membership in the previous school year, rounded to the nearest whole number.

SECTION 620e. 121.91 (1) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

121.91 (1) For the 1975-76 school year, and annually thereafter, the budgeted controllable cost for each school district ~~shall be~~ is limited to the sum of its controllable cost per member for the previous school year and 9.5% of its controllable cost per member for the previous school year, multiplied by the average cost control membership.

SECTION 620f. 121.91 (1m) of the statutes, as created by chapter 29, laws of 1977, is amended to read:

121.91 (1m) ~~School districts~~ A school district whose controllable cost per member is below the statewide average may increase ~~their~~ its controllable cost per member by an amount not to exceed the statewide average controllable cost per member for the previous school year times the percentage established under sub. (1), multiplied by the average cost control membership.

SECTION 620g. 121.91 (2) (g) of the statutes is created to read:

121.91 (2) (g) Prevent the provision of transportation for pupils in areas of unusual hazards under s. 121.54 (9), where such transportation was not provided in the previous school year.

SECTION 620r. 121.91 (2) (h) of the statutes is created to read:

121.91 (2) (h) Prevent the provision of transportation for pupils living 2 miles or more from school in a city, where such transportation was not provided in the previous school year.

SECTION 620t. 121.91 (3) (a) 1 of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

121.91 (3) (a) 1. A cost that was payable in the previous school year, but paid in the current school year, ~~and only where costs payable in the current school year are not retroactive obligations including any retroactive salary increases resulting from a decision of a mediator-arbitrator acting under s. 111.70 (4) (cm), but excluding any other retroactive obligation.~~

SECTION 621. 134.16 of the statutes is amended to read:

134.16 Fraudulently receiving deposits. Any officer, director, stockholder, cashier, teller, manager, messenger, clerk or agent of any bank, banking, exchange, brokerage or deposit company, corporation or institution, or of any person, company or corporation engaged in whole or in part in banking, brokerage, exchange or deposit business in any way, or any person engaged in such business in whole or in part who shall accept or receive, on deposit, or for safekeeping, or to loan, from any person any money, or any bills, notes or other paper circulating as money, or any notes, drafts, bills of exchange, bank checks or other commercial paper for safekeeping or for collection, when he or she knows or has good reason to know that such bank, company or corporation or that such person is unsafe or insolvent shall be ~~punished by imprisonment~~ imprisoned in the Wisconsin state ~~prison~~ prisons not more than 10 years nor less than one year or ~~by fine not exceeding~~ fined not more than \$10,000.

SECTION 621m. 134.80 of the statutes is created to read:

134.80 Home heating fuel dealers. Any dealer selling fuel of any kind for the purpose of heating a private residence shall notify each private residential customer whose account is subject to disconnection of the existence of the emergency fuel and utilities assistance program under s. 49.055.

SECTION 621n. 139.03 (5) (a) of the statutes is amended to read:

139.03 (5) (a) No person who enters this state from another state may have in his possession and bring into the state any intoxicating liquor or wine ~~unless the state tax thereon is paid; but the foregoing.~~ This paragraph shall not apply to intoxicating liquor or wine consigned to any person having a permit from the secretary to engage in the sale of such intoxicating liquor or wine.

SECTION 622. 140.05 (19) (b) of the statutes is amended to read:

140.05 (19) (b) The department shall develop a vision screening kit for testing children under 5 years of age which may be used by a parent to test a child for amblyopia, or any other vision problems as the department determines may feasibly be tested through the use of such a kit. The department shall provide the vision screening kits free of charge to any local health department which requests them in a quantity sufficient for every child under the age of 5 years who resides within the appropriate local health department's jurisdiction. The department shall reimburse each local health department for reasonable costs in publicizing the program, for the cost of

postage and envelopes necessary to mail the kits and for reasonable expenses incurred by the local health department in assisting parents in the administration of the various tests and in arranging for referral for further diagnosis and treatment. Each local health department shall be reimbursed for reasonable expenses incurred in contacting parents to determine the results of the tests. The results of the vision screening program shall be reported to the department in the manner prescribed by the department. The department may develop and coordinate efforts to publicize the program. Expenditures under this paragraph, payable under s. 20.435 (1) (a), shall not exceed \$40,200 annually.

SECTION 623. 140.45 (5) (intro.) and (a) of the statutes, as affected by chapter 29, laws of 1977, are consolidated and amended to read:

140.45 (5) CERTIFICATION OF REGISTRATION. The department, upon application ~~(on forms prescribed by it)~~ and payment of the prescribed fee, shall certify as a registered sanitarian any person who has satisfied it by satisfactory evidence that: ~~(a) Standards~~ standards and qualifications of the department, as established by rule, have been met; ~~or~~

SECTION 624. 140.45 (5) (b) and (c) of the statutes are repealed.

SECTION 625. 140.45 (6) and (7) of the statutes are repealed and recreated to read:

140.45 (6) FEES: RENEWAL OF CERTIFICATE; DELINQUENCY AND REINSTATEMENT. Fees fixed by rule of the department shall accompany the application under sub. (5) and an annual fee shall be paid by every registered sanitarian who desires to continue registration. All certificates of registration shall expire on December 31 in each year. The department may renew certificates upon application made after January 1 if it is satisfied that the applicant has good cause for not making application within the month of December and upon payment of the annual and additional fees prescribed by the department.

(7) RECIPROCITY. The department may by rule set standards for sanitarians registered in other states to practice as registered sanitarians in this state.

SECTION 626. 140.45 (8) and (9) of the statutes are amended to read:

140.45 (8) REVOCATION OF CERTIFICATE. The department may, after a hearing held in conformance with ch. 227, revoke the certificate of registration of any registrant for unprofessional conduct or the practice of any fraud or deceit in obtaining registration, or any gross negligence, incompetency or misconduct in the practice of professional sanitation, but no such revocation of certificate shall be permitted until after a hearing, duly noticed, is held and the person affected given the opportunity to answer the charges that have been filed against him with the department or suspend the certification of any sanitarian for practice of fraud or deceit in obtaining the certificate or any gross professional negligence, incompetence or misconduct.

(9) PENALTY. No person not registered under this section shall hold himself out as may claim to be a registered sanitarian nor append to his or her name the initials "R.S.". Any person violating this subsection may be fined not more than \$100 or imprisoned not more than 6 months.

SECTION 627. 140.85 of the statutes, as affected by chapter 26, laws of 1977, is amended to read:

140.85 Licensing and approval fees for inpatient health care facilities. (1) DEFINITIONS. In this section, "inpatient health care facility" means any hospital, nursing home, ~~residential care facility except a halfway house as defined in the Wis. Adm. Code, section H 31.02 (5) which has the characteristics specified under Wis. Adm. Code section H 31.02 (2) (a) to (d)~~ community-based residential facility, county home, county mental hospital, tuberculosis sanatoria or other place, without restriction because of enumeration, licensed or approved by the department under ss. 49.14, 49.16, 49.171, 50.02, 50.03, 50.35, 51.08, 51.09, 58.06, 149.01 and 149.02.

(2) FEES. The annual fee for an inpatient health care facility shall be based on ~~bed capacity~~ the number of beds or residents for which the facility is licensed as follows:

Number of beds or residents	Annual License Fee
3-25	\$ 125
26-50	\$250
51-100	\$375
101-150	\$500
151-200	\$625
201-250	\$750
251-300	\$875
301 & Over	\$1,000

(a) Such fees shall be paid to the department by the inpatient health care facility on or before October 1 for the ensuing year, ~~beginning October 1, 1974.~~ A new inpatient health care facility shall pay the fees under this subsection ~~within~~ no later than 30 days before the opening of the facility.

(b) Any ~~person who~~ health care facility which fails to submit the annual fee prior to October 1, or ~~within~~ 30 days prior to the opening of a new inpatient health care facility subject to this section shall pay an additional fee of \$10 per day for every day after the deadline.

(3) EXEMPTIONS. (a) ~~The central state hospital and health~~ Health care facilities under ss. 45.365, 48.62, ~~149.06, 51.05 and, 51.06 and 149.06,~~ and ch. 142 are exempt from this section.

(b) Community-based residential facilities serving fewer than 20 residents are exempt from this section.

SECTION 628. 142.07 (1) (b) of the statutes is amended to read:

142.07 (1) (b) *Room rates; public patients.* The board of regents shall establish, with the approval of the joint committee on finance, a schedule of room rates for public patients. Requests for the approval of room rates shall be considered as are requests for supplemental appropriations under s. 13.101 (5) and (6).

SECTION 629. 144.025 (2) (a) of the statutes is repealed and recreated to read:

144.025 (2) (a) The department shall have general supervision and control over the waters of the state. It shall carry out the planning, management and regulatory programs necessary for implementing the policy and purpose of this chapter. The department also shall formulate plans and programs for the prevention and abatement of water pollution and for the maintenance and improvement of water quality.

SECTION 630. 144.04 of the statutes is amended to read:

144.04 Approval of plans. Every owner within the time prescribed by the department, shall file with the department a certified copy of complete plans of a proposed system or plant or extension thereof, in scope and detail satisfactory to the department, and, if required, of existing systems or plants, and such other information concerning maintenance, operation and other details as the department requires. Material changes with a statement of the reasons shall be likewise submitted. Before plans are drawn a statement concerning the improvement may be made to the department and the department shall, if requested, outline generally what it will require. Upon receipt of such plans for approval, the department or its duly authorized representative shall by return mail notify the owner of their acceptance. The notice shall include the date of receipt. Within 90 days from the time of their acceptance the department or its authorized representative shall examine and take action to approve, approve conditionally or reject the plans and shall state in writing any conditions of approval or reasons for rejection. Approval or disapproval of such plans and specifications shall not be contingent upon eligibility of such project for federal aid. The 90-day time period may be extended by agreement with the owner if the plans and specifications cannot be reviewed within the 90-day time limitation due to circumstances beyond the control of the department or in the case of extensive installation involving expenditures of \$350,000 or more. The extension shall not exceed 6 months. Failure of the department or its authorized representative to act within 90 days or during an extension of such time period shall constitute an approval of the plans, and upon demand a written certificate of approval shall be issued.

Approval may be subject to modification by the department upon due notice. Construction or material change shall be according to approved plans only. The department may disapprove plans which are not in conformance with any existing approved areawide waste treatment management plan prepared pursuant to the federal water pollution control act, P.L. 92-500, as amended.

Vetoed
in Part

~~SECTION 631. 144.21 (10) of the statutes is created to read:
144.21 (10) After June 30, 1978, the department may not enter into any agreements or contracts under this section, but the department shall continue to make payments on existing agreements and contracts until the terms of the agreements and contracts are fully satisfied.~~

SECTION 632. 144.23 (8) of the statutes is created to read:
144.23 (8) After June 30, 1978, the department may not enter into any agreements or contracts under this section, but the department shall continue to make payments on existing agreements and contracts until the terms of the agreements and contracts are fully satisfied.

SECTION 633. 144.24 of the statutes is created to read:
144.24 Financial assistance program; point source pollution abatement. (1) LEGISLATIVE INTENT. The legislature finds that state financial assistance for the planning, design, engineering and construction of point source pollution abatement facilities is a public purpose and a proper state government function in that the state is the trustee of the waters of the state and that such financial assistance is necessary to protect the purity of state waters. In order that the planning, design, engineering and construction of point source pollution abatement facilities necessary to the protection of state waters be encouraged, a state program of assistance to municipalities for the financing of such facilities is established.

(2) ADMINISTRATION; RULES. The state's point source pollution abatement program shall be administered by the department. The department shall make such rules as are necessary for the proper execution of the program.

(3) DEFINITIONS. In this section:
(a) "Federal act" means the federal water pollution control act P.L. 92-500, as amended.

(b) "Point source pollution abatement facilities" means those facilities eligible for financial assistance under title II of the federal act.

(c) "State program" means the program of financial assistance for point source pollution abatement established under this section.

(4) ELIGIBILITY. (a) The department shall, by rule, specify criteria for determining eligible municipalities and projects for funding by grants under this section. Where a municipality is serviced by more than one sewerage district for wastewater pollution abatement, each service area of the municipality shall be considered as a separate municipality for purposes of obtaining financial assistance under the state program. Except as provided in this subsection, the department shall promulgate rules which specify criteria for determining eligible participants and projects which comply with the federal act and rules promulgated under the federal act.

(b) Eligible projects relating to collection systems shall include only collection systems in unsewered communities which are constructing a new wastewater treatment plant and collection system rehabilitation which is necessary to maintain the total integrity of a sewerage system. Funding shall not be provided for that portion of any project related to industrial capacity that is defined under the federal act as subject to industrial cost recovery. The amount of reserve capacity for treatment works eligible for grant assistance shall be limited to that future capacity required to serve the users of such treatment works expected to exist within the service area of the project 10 years from the time such treatment works are estimated to become operational or June 30, 1985, in the case of interceptor sewers and associated appurtenances. The

department, in consultation with the demographic services center in the department of administration under s. 16.96 shall promulgate rules defining procedures for projecting population used in determining the amount of reserve capacity. Notwithstanding the federal act and the rules promulgated thereunder, the state program shall not require an industrial cost recovery system.

(c) Every applicant seeking grants for construction purposes under this section shall complete a staged planning, design and environmental analysis sequence developed by the department. The department shall model the required sequence after the staged planning, design and environmental analysis sequence under title II of the federal act. In cases where sources of funding for the planning and design prescribed under this paragraph are not available for such activities, grants provided under this section may pay 75% of the cost of such planning and design.

(5) APPLICATION. Municipalities which desire to participate in the financial assistance program under this section shall submit an application for participation to the department. The application shall be in such form and include such information as the department prescribes. The department shall review applications for participation in the state program. It shall determine those applications which meet the criteria it established under sub. (4).

(6) PRIORITIES. (a) Each municipality shall notify the department of its intent to apply for a grant under this section by January 1 of each year. For those municipalities that notify the department by January 1, the department shall annually compile a funding list which ranks these municipalities in the same order as they appear on the federal priority list, prepared under the federal act, as of January 1 of each year. If there is not sufficient funding available under this section to fund all grant applications in one year, the department shall allocate available funding to projects in the order in which they appear on the funding list. The department shall not allocate funds to a municipality that is on the funding list in a particular year if the municipality is not ready to begin construction within 3 months of the time when the department is ready to allocate the funds, and the municipality can reasonably expect to receive funds under the federal program within 12 months of the time when the department is ready to allocate the funds.

(b) For those municipalities that notify the department after January 1 but before April 1 of each year of their intent to apply for a grant under this section, the department shall compile a funding list as of April 1 of each year. If funding remains from the allocation under par. (a), the department shall allocate available funding to projects in the order in which they appear on the funding list compiled under this paragraph. The department shall not allocate funds to a municipality under this paragraph that is on the funding list in a particular year if the municipality is not ready to begin construction within 3 months after the department is ready to allocate the funds and the municipality can reasonably expect to receive funds under the federal program within 12 months after the department is ready to allocate the funds.

(7) PAYMENT. Upon the completion by an applicant of all application requirements, the department may enter into an agreement with a municipality for a grant of up to 60% of the eligible costs of a project, except as provided in sub. (4) (c). No project funded under this section may receive state assistance that, combined with other nonlocal government assistance, exceeds 75% of the eligible cost of the project. Metropolitan sewerage districts that serve cities of the first class shall be limited annually to receiving 33% of the state funding appropriated annually under this section.

(8) CONDITIONS OF PAYMENT. (a) Each municipality receiving state assistance under this section for the construction of a point source pollution abatement facility shall develop and adopt:

1. A program of water conservation no less stringent than the federal requirements.
2. A program of systemwide operation and maintenance of the wastewater treatment plant, including the training of personnel, no less stringent than the federal requirements.

3. A system of equitable user charges to ensure that each recipient of waste treatment services pays its proportionate share of the costs of the operation and maintenance of the point source pollution abatement facility. The user fee system shall be in compliance with title II of the federal act and the rules promulgated under the federal act.

(b) Payment in excess of two-thirds of the state assistance provided for the eligible costs of construction shall not be made until the department has approved the programs required under par. (a) 1 and 2 and the system specified under par. (a) 3.

(c) The department shall promulgate rules consistent with this subsection.

(9) REIMBURSEMENT. (a) The department shall, by rule, implement and administer reimbursement funding to municipalities as part of the financial assistance program under this section to encourage the participation of all municipalities.

(b) The department shall promulgate rules specifying reimbursement eligibility and procedures for commitments of financial assistance made in fiscal year 1978-79. The rules shall specify that reimbursement shall be made or committed:

1. To communities willing to apply for state assistance conditioned upon legislative appropriation of the amounts needed to reimburse municipalities in fiscal years after fiscal year 1978-79.

2. To communities successfully completing all planning and design requirements.

3. For all eligible costs consistent with sub. (4).

4. Prior to the start of construction of any reimbursable project if all required procedures have been complied with.

5. Subject to a priority determination system consistent with sub. (6) for reimbursable projects.

6. Subject to the same provisions of payment under sub. (7).

7. Subject to the same conditions of payment under sub. (8).

(c) The maximum amount of state assistance the department may commit for future reimbursement in fiscal year 1978-79 is \$60,000,000.

(10) INDIVIDUAL SEPTIC TANK REPLACEMENT OR REHABILITATION. (a) *Definitions.* In this subsection:

1. "Principal residence" means a residence which is occupied 51% of the year by an individual, a family or household.

2. "Private system" means a privately owned domestic sewage treatment and disposal system.

3. "Public body" means a sanitary district, town, village, city or county.

4. "Small commercial establishment" means a commercial establishment or business place which has wastewater flows which total less than 300 gallons per day.

(b) *Eligibility.* 1. Private systems serving one or more principal residences or small commercial establishments constructed prior to and inhabited on July 1, 1978, are eligible for grants under this subsection.

2. Eligible costs under this subsection include the replacement and rehabilitation of septic tanks and other onsite systems such as mound systems and small systems serving clusters of principal residences.

3. An enforcement order under s. 144.025 (2) (d) or 145.02 (3) (f) against a failing private system must have been issued in order for the system to be eligible for a grant under this subsection.

4. A particular principal residence or small commercial establishment may receive only one grant under this subsection.

5. A public body shall make an application under this subsection for replacement or rehabilitation of private systems of principal residences or small commercial establishments.

Vetoed
in Part

(c) *Conditions; public body.* As a condition for obtaining a grant under this subsection, a public body making an application must:

1. Certify that grants applied for will be used for principal residences or small commercial establishments;
2. Certify that public ownership is not feasible;
3. Certify that such grants will be used for private systems which will be properly installed, operated and maintained;
4. Certify that grants provided to public bodies will be disbursed to principal residences or small commercial establishments for the replacement or rehabilitation of private systems serving one or more principal residences or small commercial establishments constructed prior to and inhabited on July 1, 1978, to abate an existing water pollution problem or public health problem;
5. Establish a process for regulation and inspection of individual private systems consistent with rules developed by the department; and
6. Establish a system of user charges and cost recovery, if appropriate.

(d) *Assistance.* The department shall make its staff available to provide technical assistance to public bodies or their local designees.

(e) *Priority.* The department shall establish a funding priority list separate from the funding priority list established under sub. (6) for public bodies which apply for grants ~~with existing populations of less than 1,000~~ for the purposes of distributing grant funds under this subsection. The criteria to be used in establishing the funding priority list shall include, but are not limited to, public health and water quality factors and whether the private system in need of replacement or rehabilitation serves clusters of principal residences or small commercial establishments.

Vetoed
in Part

(f) *Funding.* 1. Public bodies which desire to participate in the financial assistance program under this subsection shall submit an application for participation to the department. The application shall be in such form and include such information as the department prescribes. The department shall review applications for participation in the state program. It shall determine those applications which meet the criteria it established under par. (c). Applications must be received by the department no later than January 1 of any year for consideration in that fiscal year.

2. Funds available for grants under this subsection are limited to 3% of the point source appropriation under s. 20.370 (4) (b) in any year. Such funds, if not applied for by January 1 of any year, or approved for funding by April 1, shall be available for the point source grants to be disbursed under sub. (6) (b).

3. The state grant share under this subsection for any private system and the cost of its installation shall be limited to \$3,000 or 60% of the total project cost, whichever is less. The total public body or principal owner or small commercial establishment owner share shall not be less than 25% of the total costs of the project.

4. The department shall promulgate rules which shall define payment mechanisms to be used to disburse grants to public bodies.

(g) *Enforcement.* 1. Enforcement of this subsection shall follow the procedures identified under ss. 144.35 and 144.536.

2. Additional grants under this subsection to a public body previously awarded a grant under this subsection may be suspended or terminated if the department finds that a private system previously funded in the public body is not being or has not been properly installed, maintained and operated under inspections authorized under s. 144.09.

(11) This section shall be liberally construed in aid of the purposes declared in sub. (1).

SECTION 634. 144.25 of the statutes is created to read:

144.25 Financial assistance; nonpoint source water pollution abatement. (1) The purposes of the nonpoint source pollution abatement grant program under this section are to:

(a) Provide the necessary administrative framework and financial assistance for the implementation of measures to meet nonpoint source water pollution abatement needs identified in areawide water quality management plans.

(b) Provide coordination with all elements of the state's water quality program in order to ensure that all activities and limited resources are optimally allocated in the achievement of this state's water quality goals.

(c) Provide technical and financial assistance to individuals and municipalities in the application of necessary nonpoint source water pollution abatement measures.

(d) Focus limited technical and financial resources in critical geographic locations through the selection of priority watersheds where nonpoint source related water quality problems are the most severe and control is most feasible.

(e) Provide for program evaluation, subsequent modifications and recommendations.

(2) In this section:

(a) "Best management practices" means practices, techniques or measures, identified in areawide water quality management plans, which are determined to be the most effective, practicable means of preventing or reducing pollutants generated from nonpoint sources to a level compatible with water quality goals.

(b) "Nonpoint source" means a land management activity which contributes to run-off, seepage or percolation; and are sources which are not defined as point sources of pollutants under s. 147.015 (8).

(3) (a) The department shall administer the nonpoint source water pollution program under this section and shall promulgate rules in consultation with the board of soil and water conservation districts as are necessary for the proper execution and administration of the state program.

(b) The following requirements apply to rules promulgated under this section:

1. Rules which relate to animal waste treatment and which are strictly administrative in character shall not require prior approval under s. 13.565 (1).

2. Only those persons involved in the administration of the program established under this section, or persons who are grant recipients or applicants shall be subject to rules promulgated under this section.

3. All rules which relate or pertain to agricultural practices relating to animal waste handling and treatment shall be subject to s. 13.565 (1).

(4) The department shall:

(a) Be responsible for the integration of the nonpoint source water pollution abatement program into the state's overall water quality management program.

(b) Identify through the areawide water quality management plans provided for under section 208 of the federal water pollution control act, P.L. 92-500, as amended:

1. Those local management agencies which will be responsible for coordination and implementation of the activities necessary to achieve water quality objectives including the development of a detailed program for implementation.

2. Those best management practices which are effective and practicable for controlling the nonpoint sources of water pollution and are eligible for cost-sharing grants under this section.

(c) Identify through the continuing planning process under s. 147.25 those priority watersheds where the need for nonpoint source water pollution abatement is most critical and identify for those watersheds the best management practices necessary to meet water quality objectives.

(d) Review and approve the detailed program for implementation prepared by the designated management agencies.

(5) The board of soil and water conservation districts shall:

(a) Be responsible for assisting each local designated management agency in the preparation of a detailed program for implementation.

(b) Assist the local designated management agencies in local coordination, technical assistance and public education for the nonpoint source water pollution abatement program.

(c) Assist in the local administration of cost-sharing grants under this section.

(d) Assist the local designated management agencies within the selected priority watersheds in conducting one or more informational meetings for the purpose of presenting the implementation program under this section to the general public, landowners and affected individuals and groups.

(6) Eligibility for cost-sharing grants under this section shall be determined based on the following:

(a) Municipalities and individual landowners or operators shall be eligible for cost-sharing grants.

(b) Grants may be provided to applicants in priority watershed areas for projects in conformance with approved areawide water quality management plans.

(c) Grants may be provided to applicants in nonpriority watersheds for projects which are in conformance with areawide water quality management plans and which conform to the purposes specified under sub. (1).

(d) Each cost-sharing grant shall be approved by the designated management agency.

(e) Grants may only be used for implementing best management practices.

(f) Grant payments shall not exceed 50% of the cost of implementing the best management practice and the total local matching share of funds shall be at least 30% of the total cost of the project. The department, in consultation with the board of soil and water conservation districts, may increase the amount of the grant payment if it determines that:

1. The main benefits to be derived from the best management practices are related to improving offsite water quality; and

2. The matching share requirement under this paragraph would place an unreasonable cost burden on the applicant.

(g) A minimum of 70% of the total amount of cost-sharing grants available annually under this section shall be utilized for implementing best management practices in priority watersheds.

~~SECTION 636. 144.435 (2) of the statutes is amended to read:~~

~~144.435 (2) All county plans shall be submitted to the department of local affairs and development for review. Within 90 days after submittal, the department of local affairs and development shall transmit the plans and its recommendations to the department of natural resources for approval. The department of natural resources shall approve or disapprove the plans within 90 days after their submittal by the department of local affairs and development. During its review, the department of local affairs and development may consult with the appropriate regional planning commission to determine whether any site use and operation is not in conflict with any plans adopted by the commission.~~

Vetoed
in Part

SECTION 637. 144.60 to 144.64 of the statutes are created to read:

144.60 Solid waste management grant program. (1) Sections 144.60 to 144.64 shall be known and may be cited as the "Solid Waste Management Grant Program".

(2) The purpose of ss. 144.60 to 144.64 is to provide state financial assistance to regional planning commissions or to county areawide planning agencies for the development of areawide solid waste management plans and to counties and other local units of government to conduct specific solid waste disposal site feasibility studies consistent with previously adopted and approved areawide solid waste management plans.

(3) In ss. 144.60 to 144.64:

(a) "Applicant for a specific solid waste disposal site feasibility grant" means a town, village, city or county, or more than one town, village, city or county acting jointly, which presents an application for funding a proposal to conduct a specific solid waste disposal site feasibility study which is consistent with a previously developed, department-approved areawide solid waste management plan.

(b) "Applicant for an areawide solid waste management planning grant" means a regional planning commission or a county, or more than one regional planning commission or county acting jointly, which presents an application for funding a proposal to develop an areawide solid waste management plan.

(c) "Areawide solid waste management plan" means a solid waste management plan developed by a regional planning commission or a county or more than one regional planning commission or county acting jointly.

(d) "Sludge" means any solid, semi-solid or liquid waste generated from a municipal, commercial, or industrial wastewater treatment plant, water supply treatment plant or air pollution control facility, or any other such waste having similar characteristics and effects.

(e) "Specific solid waste disposal site feasibility study" means the study which describes the physical conditions of the proposed site including a description of the site's topography, soils, geology, ground and surface waters and other features of the site and surrounding area. The study shall also include preliminary engineering design concepts including the proposed design capacity of the site and an indication of the quantities and characteristics of the wastes to be disposed of.

144.61 Department powers and duties. (1) The department shall:

(a) Adopt rules within 9 months after the effective date of this act (1977), implementing and consistent with ss. 144.60 to 144.64.

(b) Develop evaluation criteria for reporting on and evaluating the solid waste management grant program including the number of grants awarded for areawide solid waste management plans and specific site feasibility studies, the extent to which the grant money is used as required by the solid waste management grant program, and the costs necessary to meet remaining needs of implementing the purposes of ss. 144.60 to 144.64.

(c) Develop criteria, by rule, for approving areawide solid waste management plans. The criteria shall include, but are not limited to:

1. Consideration of the existing and anticipated disposal needs of all units of government within the planning area.
2. Promotion, wherever possible, of resource conservation and recovery practices.
3. Indicating probable disposal site locations to satisfy existing and anticipated solid waste disposal needs.

(d) Develop criteria, by rule, for approving specified solid waste disposal site feasibility studies. The criteria shall include, but are not limited to, identification of one or more disposal sites that are feasible for development as a sanitary landfill, and the provision that no grant moneys may be expended for any acquisition of land or interest in land, or any site preparation, operation or abandonment, or for any subsidies for the price of recovered resources.

144.62 Financial assistance. Under ss. 144.60 to 144.64:

(1) The department may enter into agreements with applicants, as defined under s. 144.60 (3) (a) and (b), to make grant payments to the applicants from the appropriation made by s. 20.370 (4) (d). An applicant for an areawide solid waste management planning grant may receive a grant which provides up to 50% of the estimated total cost of the applicant's areawide solid waste management plan, but the grant may not exceed \$50,000. An applicant for a specific solid waste disposal site feasibility study may receive a grant which provides up to 25% of the total estimated

cost of the applicant's specific site feasibility study if the study is consistent with the applicable department-approved areawide solid waste management plan, but the grant for each feasibility study may not exceed \$50,000.

(2) Any grant application recipient of an areawide solid waste management planning grant is not eligible to receive additional areawide solid waste management planning grants under this section.

(3) All available federal funding from the federal resource conservation and recovery act of 1976, P.L. 94-580, for areawide solid waste management planning and specific solid waste disposal site feasibility studies shall be utilized to supplement and increase the levels of funding under this program. The local or municipal share of either an areawide solid waste management plan or specific solid waste disposal site feasibility study shall not be less than 25% of the total eligible costs of the project.

(4) To the greatest extent possible, each year applications for areawide solid waste management planning grants shall receive first consideration for approval and funding by the department. Each year applications for specific solid waste disposal site feasibility studies shall be considered for funding by the department after the department has completed the grant application process for the areawide solid waste management plans.

(5) (a) The department, by rule, shall develop a separate funding priority list for both areawide solid waste management plans and specific solid waste disposal site feasibility studies. Factors to be considered by the department in developing funding priorities for individual plans and studies include, but are not limited to:

1. Waste generation volumes and types of waste in the area.
2. Existing areawide planning activities.
3. Current disposal practices and their suitability for environmentally sound disposal.
4. Extent and availability of alternative funding sources.
5. Extent of existing or previously developed plans.
6. Size of the area to be served.

(b) The funding priority lists shall be made available to all potential applicants. The priority lists may be modified by the department, as needed, to reflect changes in solid waste management practices and technology.

144.64 Grant applications. (1) Grant applications for either an areawide solid waste management plan or a specific solid waste disposal site feasibility study shall be submitted to the department by January 1 of each year.

(2) The department shall review and approve or disapprove for funding each grant application.

(3) For an applicant for an areawide solid waste management planning grant, the application shall show, at a minimum:

(a) Designation by the governor that the applicant may act as an areawide solid waste planning agency.

(b) A statement of the overall areawide solid waste management plan objective.

(c) The methods proposed to develop the areawide solid waste management plan and the estimated costs of developing the plan.

(4) For an applicant for a specific solid waste disposal site feasibility study grant, the application shall show, at a minimum:

(a) That an areawide solid waste management plan for the area has been approved by the department and adopted by a county or regional planning commission or a group of counties or regional planning commissions.

(b) The applicant's intent to implement portions of the department-approved areawide solid waste management plan.

- (c) The overall specific solid waste disposal site feasibility objectives.
- (d) The methods proposed to conduct the specific solid waste disposal site feasibility study and the estimated costs of conducting the study.
- (5) The department shall decide the eligibility and the priority of each individual areawide solid waste management plan or specific solid waste disposal site feasibility study grant application by April 1 of each year. Funding for all grants submitted by January 1 of each year shall be committed by May 1 of the same year based on the acceptance of each grant by each successful applicant.
- (6) The application and award time schedule specified in this section may be modified by the department if the department determines that such modification would be beneficial for the applicant. Prior to such modification the department shall consider such factors as the acquisition of funding for the project from sources other than the state and the coordination with local budgetary planning processes.
- (7) Each grant shall be valid for one year after the date of acceptance. The department may extend to 2 years the amount of time within which the grant recipient may spend the grant if the department determines, on a case-by-case basis, that a time extension is warranted.
- (8) After an applicant has accepted the grant offered by the department based on the application, the department shall make available to the applicant 75% of the total amount of the grant. The remaining 25% of the total amount of the grant shall be paid to the applicant only if final project plans are approved, in writing, by the department. The content of final project plans and the criteria for approval of the final project plans shall be specified by the department by rule.
- (9) An applicant for a grant for a specific solid waste disposal site feasibility study shall submit one copy of its application to the areawide solid waste planning agency with jurisdiction over the applicant's area for comment on the proposed study's applicability to the department-approved areawide solid waste management plan. The areawide planning agency shall comment to the department within 30 days on the application. If the applicant for a specific solid waste disposal site feasibility study grant is the same agency that is responsible for the areawide solid waste plan, the department shall determine whether the study is consistent with the areawide solid waste plan.
- (10) No grants may be distributed for areawide solid waste management plans or specific solid waste disposal site feasibility studies which have, as their primary goals, disposition of toxic and hazardous substances as defined under s. 144.30 (10), hazardous wastes, sludge, or source material as defined under s. 144.52 (10), or by-product material or special nuclear material as defined under s. 140.52 (3) and (11).

SECTION 638. 145.10 (2) and (3) of the statutes are amended to read:

145.10 (2) A copy of the complaint with notice of the suspension of license or permit shall be served on the person complained against, and ~~his the person's answer thereto to the complaint shall be filed, in the manner and within the time provided in s. 452.10 (4), and the provisions of said subsection shall govern so far as applicable with the department and the complainant within 10 days after service. The department shall thereupon set the matter for hearing as promptly as possible and within 30 days after the date of filing the complaint. Either party may appear at the hearing in person or by attorney or agent.~~

(3) No order revoking a license or permit shall be made until after a public hearing to be held before the department ~~at the place, time and in the manner provided in s. 452.11; and the procedure provided in said section for notice, conduct of hearing and determination by the department shall govern so far as applicable in the county where the licensee or permittee has his or her place of business. If the licensee or permittee is a nonresident, the hearing shall be at such place as the department designates. At least 10 days prior to the hearing the department shall send written notice of the time and place of the hearing to the licensee or permittee and to the person's attorney or~~

agent of record by mailing the notice to the last-known address of such persons. The testimony presented and proceedings had at the hearing shall be recorded and preserved as the records of the department. The department shall as soon thereafter as possible make its findings and determination and send a copy to each interested party. One year after the date of revocation, application may be made for a new license.

SECTION 638m. 146.22 of the statutes is created to read:

146.22 Flushing devices for urinals. The department shall not promulgate any rules which either directly or indirectly prohibit the use of manual flushing devices for urinals. The department shall take steps to encourage the use of manual flushing devices for urinals.

SECTION 638p. 146.80 of the statutes is created to read:

146.80 Family planning act. (1) DEFINITIONS. In this section:

(a) "Family planning" means voluntary action by individuals to prevent or aid conception but does not include the performance, promotion or encouragement of voluntary termination of pregnancy.

(b) "Family planning services" mean counseling by trained personnel regarding family planning; distribution of information relating to family planning; and referral to licensed physicians or local health agencies for consultation, examination, medical treatment and prescriptions for the purpose of family planning, but does not include the performance of voluntary termination of pregnancy.

(2) DEPARTMENT'S DUTIES. (a) The department shall provide for delivery of family planning services throughout the state by developing and by annually reviewing and updating a state plan for community-based family planning programs.

(b) The department shall allocate state and federal family planning funds under its control in a manner which will promote the development and maintenance of an integrated system of community health services. It shall maximize the use of existing community family planning services by encouraging local contractual arrangements.

(c) The department shall coordinate the delivery of family planning services by allocating family planning funds in a manner which maximizes coordination between the agencies.

(d) The department shall encourage maximum coordination of family planning services between county social services departments, family planning agencies and local health agencies to maximize the use of health, social service and welfare resources.

(e) The department shall promulgate all rules necessary to implement and administer this section.

(3) INDIVIDUAL RIGHTS, MEDICAL PRIVILEGE. (a) The request of any person for family planning services or his or her refusal to accept any service shall in no way affect the right of the person to receive public assistance, public health services or any other public service. Nothing in this section may abridge the right of the individual to make decisions concerning family planning, nor may any individual be required to state his or her reason for refusing any offer of family planning services.

(b) Any employe of the agencies engaged in the administration of the provisions of this section may refuse to accept the duty of offering family planning services to the extent that the duty is contrary to his or her personal beliefs. A refusal may not be grounds for dismissal, suspension, demotion, or any other discrimination in employment. The directors or supervisors of the agencies shall reassign the duties of employes in order to carry out the provisions of this section.

(c) All information gathered by any agency, entity or person conducting programs in family planning, other than statistical information compiled without reference to the identity of any individual or other information which the individual allows to be released through his or her informed consent, shall be considered a confidential medical record.

SECTION 639. 150.01 (4) of the statutes, as created by chapter 29, laws of 1977, is amended to read:

150.01 (4) "Obligation" means any enforceable contract which is entered into for the construction, leasing, acquisition or permanent financing of a capital asset. In this subsection, "acquisition" includes a change in ownership.

SECTION 640. 156.04 (4) of the statutes is renumbered 156.04 (3) and amended to read:

156.04 (3) Written ~~and~~ or oral examinations for a funeral director's license shall be held at least once a year, to be conducted by the examining board at a time and place to be designated by the examining board under the supervision of the examining board. The examination shall include the subjects of funeral directing, burial or other disposition of dead human bodies, sanitary science, public health, transportation, business ethics, ~~together with~~ and the laws of ~~the~~ this state and rules of the department of health and social services relating to communicable diseases, quarantine and causes of death.

SECTION 641. 156.05 (4) of the statutes is amended to read:

156.05 (4) Written ~~and~~ or oral examinations for an embalmer's license shall be held at least once a year, to be conducted by the examining board at a time and place to be designated by the examining board under the supervision of the examining board. The examinations shall include the subjects of anatomy, bacteriology, autopsy, chemistry, practical embalming, sanitation, public health, business ethics, and the laws of this state and rules of the department of health and social services relating to communicable diseases, quarantine and causes of death.

SECTION 642. 156.10 (6) of the statutes is amended to read:

156.10 (6) The examining board may limit, suspend or revoke a certificate of apprenticeship, ~~or reprimand an apprentice~~, for violation of any provision of ~~ss. 156.01 to 156.16~~ this chapter.

SECTION 643. 156.105 (4) of the statutes is amended to read:

156.105 (4) Violations of ~~ss. 156.01 to 156.16~~ this chapter or any rules or regulations of the examining board committed by any person, or an officer, agent or employe with the knowledge or consent of any person operating such funeral establishments shall be considered sufficient cause for reprimand or for limitation, suspension or revocation of such funeral establishment permit.

SECTION 644. 156.11 (1) of the statutes is amended to read:

156.11 (1) The examining board shall keep a register of the names and business address of all persons to whom licenses or certificate of registration are issued under this chapter, the number and date of each license or certificate, and date of renewal. ~~Biennially the examining board shall supply all licensed funeral directors and embalmers and all transportation companies in the state with a list of all licensed funeral directors and embalmers, with business address and license numbers. The register shall be available for purchase at cost.~~

SECTION 645. 156.13 (1) and (2) of the statutes are amended to read:

156.13 (1) ~~The~~ Subject to the rules promulgated under s. 440.03 (1), the examining board may make investigations, subpoena witnesses, conduct hearings, limit, suspend or revoke licenses of funeral directors and embalmers, certificates of registration of apprentices, and permits of operators of funeral establishments and reprimand funeral directors and embalmers, apprentices and funeral establishments for commission of any crime involving moral turpitude, any violation of this chapter or of any rule of the department of health and social services ~~and~~ or the examining board, or unprofessional conduct, including misrepresentation or fraud in obtaining the license, permit, or certificate of registration.

(2) No reprimand or order limiting, suspending or revoking a license, certificate of registration, or permit shall be made until after a public hearing conducted by the examining board.

SECTION 646. 156.13 (3) to (5) of the statutes are repealed.

SECTION 647. 158.02 (2) of the statutes is amended to read:

158.02 (2) The examining board shall keep a record of all registered indentured apprentices, licensed journeymen and master barbers, and a record of its proceedings relating to reprimands and to the issuance, refusal, renewal, limitation, suspension and revocation of each license, with the name, place of business and residence of each licensee and certificate and permit holder. These records shall be open to the public inspection.

SECTION 648. 158.04 (5) (d) of the statutes is amended to read:

158.04 (5) (d) Any permit granted under authority of this subsection may be limited, suspended or revoked, or the permittee reprimanded, as provided in s. 158.14, for violating any of the foregoing provisions or if any regulations of the examining board are not complied with in the operation of a licensed barber shop.

SECTION 649. 158.124 (2) of the statutes is amended to read:

158.124 (2) Any person who has practiced barbering in this state as a duly licensed journeyman or master barber and whose license has lapsed shall, if ~~he is~~ in good physical and mental health and of good moral character, upon application ~~therefor~~ and the payment of ~~all renewal fees he would have paid had he continued his practice under s. 440.05 (3),~~ be reinstated and granted a renewal license without examination.

SECTION 650. 158.14 (2) (intro.) of the statutes is amended to read:

158.14 (2) (intro.) The Subject to the rules promulgated under s. 440.03 (1), the examining board may ~~either~~ refuse to issue or renew, or may limit, suspend or revoke any shop manager's, master's or journeyman's license, or indentured apprentice's registration card and may reprimand the holder of any such license or registration card for any of the following causes:

SECTION 651. 158.14 (3) of the statutes is repealed.

SECTION 652. 159.01 (12) of the statutes is amended to read:

159.01 (12) "Electrologist", ~~as used in this chapter, is~~ means any person who removes hair from the human body by the use of electricity an electric needle.

SECTION 653. 159.03 (2) of the statutes is amended to read:

159.03 (2) The examining board shall keep a record of all students, registered apprentices, licensed managers, operators, itinerant cosmetologists, manicurists, electrologists and instructors and a record of its proceedings relating to reprimands and to issuances, refusals, renewals, limitations, suspensions and revocations of each license with the name, place of business and residence of each licensee and certificate and permit holder. These records shall be open to ~~the~~ public inspection at all reasonable times.

SECTION 654. 159.08 (4a) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

159.08 (4a) The fee to be paid by an applicant for an examination to determine ~~his~~ the applicant's fitness to receive an operator's license shall be that specified in s. 440.05 (1).

SECTION 656. 159.08 (11) of the statutes is amended to read:

159.08 (11) ~~In case~~ If an applicant for licensure under this chapter fails to pass an examination ~~he~~ the applicant shall be entitled to one further examination ~~without the payment of any additional fee. Such examination which~~ shall be only in ~~such~~ subjects in which the applicant failed in the first examination. Such reexamination shall be taken not more than one year from the date of the original examination.

SECTION 657. 159.09 (4) of the statutes is amended to read:

159.09 (4) Any license granted under ~~authority of this section may be~~ limited, suspended or revoked, or the licensee reprimanded, as provided in s. 159.14, for violating any of the foregoing provisions or if any of the regulations of the examining board are not complied with in the operation of a licensed beauty or electrolysis salon.

SECTION 658. 159.12 (2) of the statutes is amended to read:

159.12 (2) Apprentices must practice for at least 4,000 hours in a period of not less than 2 years or an equivalent period if credit is given for prior related training before they are eligible to ~~make application~~ apply to take the examination for operator's license. Apprentices shall be supervised and given instruction by a manager or a qualified designee in all branches of practical work and in the subjects required to be taught in schools of cosmetology as prescribed by the examining board. The examining board may recommend termination of an apprenticeship where there is evidence that the requirements of the examining board are not being met. No apprentice or operator may practice cosmetology unless under the supervision and direction of a licensed manager, except that the manager may designate a temporary replacement who meets the requirements of s. 159.08 (2) (b) and is approved under rules of the examining board. When an apprentice or operator is the owner, director or lessee or has any financial interest in a beauty salon in which he or she is employed and such relationship is used to reduce the effectiveness of the salon manager in carrying out the provisions of this chapter, such action shall be considered cause for reprimand, for termination of the apprenticeship or limitation, suspension or revocation of the operator's license.

SECTION 659. 159.14 (title) of the statutes is amended to read:

159.14 (title) Investigations, hearings, reprimands, suspensions, nonrenewals and revocations.

SECTION 660. 159.14 (1) of the statutes is amended to read:

159.14 (1) ~~The~~ Subject to the rules promulgated under s. 440.03 (1), the examining board may make investigations or conduct hearings to determine whether there is probable cause to believe a violation of this chapter or any rule adopted under this chapter exists.

SECTION 661. 159.14 (2) to (4) of the statutes are repealed.

SECTION 662. 159.14 (5) of the statutes, as affected by chapter 125, laws of 1977, is renumbered 159.14 (2), and 159.14 (2) (intro.), as renumbered, is amended to read:

159.14 (2) (intro.) The examining board may revoke, limit, suspend or refuse to renew, in accordance with the severity of the violation, any certificate, license or permit issued under this chapter ~~if it finds~~ or reprimand the holder of such certificate, license or permit if it finds the holder has:

SECTION 663. 159.14 (6) of the statutes is repealed.

SECTION 664. 162.03 (3) and (4) of the statutes are amended to read:

162.03 (3) A copy of the complaint with notice of the suspension of permit, if ordered by the department, shall be served on the person complained against, and ~~his the person's answer thereto shall be filed, in the manner and within the time provided in s. 452.10 (4), and the provisions of said subsection shall govern so far as applicable with the department and the complainant within 10 days after service. The department shall thereupon set the matter for hearing as promptly as possible and within 30 days after the date on which the complaint was filed. Either party may appear at the hearing in person or by attorney or agent.~~

(4) No order revoking a permit shall be made until after a public hearing to be held before the department ~~at the place, time and in the manner provided in s. 452.11. The procedure provided in said section for notice, conduct of hearing and determination by the department shall govern so far as applicable in the county where the permittee has his or her place of business. If the permittee is a nonresident, the hearing shall be at such place as the department designates. At least 10 days prior to the hearing the department shall send written notice of the time and place of the hearing to the permittee and to the permittee's attorney or agent of record by mailing the notice to the last-known address of such persons. The testimony presented and proceedings had at the hearing shall be recorded and preserved as the records of the department. The department shall as soon thereafter as possible make its findings and determination and send a copy to each interested party.~~

SECTION 665. 163.12 (6) of the statutes is repealed.

SECTION 666. 163.51 (18) of the statutes is amended to read:

163.51 (18) (title) SALE OF SUPPLIES, MERCHANDISE AND REFRESHMENTS. ~~No person shall sell any~~ In addition to the sale of bingo supplies by the licensed organization or the sale of food or refreshments, merchandise may be sold on the premises where bingo is conducted within one-half hour before or after any bingo occasion, except for the sale of bingo supplies by the licensed organization or the sale of food or refreshments, when authorized by the licensed organization.

SECTION 667. 163.51 (22) (g) of the statutes is repealed.

SECTION 669. 163.61 (2) of the statutes is amended to read:

163.61 (2) The report shall be ~~verified~~ signed by the member responsible for the proper utilization of gross receipts for the bingo occasion.

SECTION 669m. 163.62 (3) of the statutes is amended to read:

163.62 (3) If the financial statement filed by a licensed organization ~~is not properly verified or~~ is not fully, accurately and truthfully completed, the executive secretary may refuse to renew a license or may suspend a license until such time as a statement in proper form has been filed.

SECTION 670. 165.055 (3) of the statutes, as affected by chapters 29 and 44, laws of 1977, is amended to read:

165.055 (3) The attorney general may appoint in the unclassified service a director of research and information services, whose salary shall not exceed the maximum of range ~~13~~ 15 in pay schedule 1 of the classified service.

SECTION 671. 165.055 (4) of the statutes, as created by chapter 29, laws of 1977, is amended to read:

165.055 (4) The attorney general shall appoint, in the unclassified service, the administrator of the legal services division subject to s. 230.08 (4) (a).

SECTION 672. 165.85 (5) (b) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

165.85 (5) (b) The board shall authorize, on a uniform percentage basis, the reimbursement to each political subdivision of 100% for the first 240 hours of recruit training, and 60% for additional recruit training up to 320 hours, of the salary and of the allowable tuition, living and travel expenses incurred by the officers in attendance at schools approved by the board. Funds may also be distributed for attendance at other training programs and courses or for training services on a priority basis to be decided by the department of justice.

SECTION 673. 165.87 (1) of the statutes, as created by chapter 29, laws of 1977, is amended to read:

165.87 (1) FUND. All moneys collected from penalty assessments under this section shall be deposited in s. 20.455 (2) (i), and utilized in accordance with s. 165.85 (5). The moneys deposited in s. 20.455 (2) (i) ~~shall constitute a continuing program revenue account which shall be known as~~ the law enforcement training fund.

SECTION 674b. 168.05 (1) of the statutes, as affected by chapter 21, laws of 1977, is amended to read:

168.05 (1) No petroleum product imported into and received in this state or received from a manufacturer or refiner or from a marine or pipeline terminal within this state may be unloaded from its original container except as provided under sub. (5), sold, offered for sale or used until a true sample of not less than 8 ounces is taken as provided in this chapter; ~~however, this.~~ This subsection does not apply if the department has previously inspected the petroleum product at the refinery, marine or pipeline terminal. Each person importing or receiving a petroleum product which has not been previously inspected shall notify the inspector in the person's district of the receipt thereof, and the inspector shall take a sample of the petroleum product. This subsection does not apply if the user receiving the petroleum product is exempted from departmental inspection under s. 168.07 (3).

SECTION 674g. 168.07 (3) of the statutes is created to read:

168.07 (3) The department shall establish procedures for exempting from departmental inspection any petroleum product user which has inspection procedures certified by the department and which does not receive its petroleum product from a pipeline terminal, marine terminal, pipeline tank farm or bulk plant in this state or a pipeline terminal, marine terminal, pipeline tank farm or bulk plant in Michigan, Minnesota, Iowa or Illinois that is inspected by the department.

SECTION 674m. 168.12 (6) of the statutes is created to read:

168.12 (6) The department may establish and collect a fee from a petroleum product user for certifying its petroleum product inspection procedures under s. 168.07 (3).

SECTION 675. 174.13 (3) of the statutes is amended to read:

174.13 (3) Every person or organization having custody of unclaimed or unredeemed dogs shall maintain a record of all such impounded dogs, together with an identifying description of each such animal, the date impounded and the date disposed of in any manner. Such record shall be a public record. ~~Any person having custody of unclaimed or unredeemed dogs under section 174.10, other than private individuals assuming the custody of such animals on their own premises, shall submit quarterly reports to the department of health and social services which shall show compliance with this section so as to permit the fulfillment of its purposes.~~ The department of health and social services shall have authority to inspect all records required by this section at the place in which they are usually kept, to make such investigation or inquiries as may be necessary to assure the carrying out of the purpose of this section, and may make any rules necessary to such end.

~~SECTION 675m. 176.05 (10m) (a) (intro.) of the statutes, as created by chapter (Assembly Bill 1119), laws of 1977, is amended to read:~~

Vetoed
in Part

~~176.05 (10m) (a) (intro.) If the city council, village board or town board elects by ordinance to issue manager's licenses as provided by s. 66.054 (10m), no No person may manage premises operating under a "Class B" license issued by that city, village or town, unless the person is the licensee, an agent of a corporation appointed as required by s. 176.05 (13) or has a manager's license issued under s. 66.054 (10m). A person manages "Class B" premises if the person has responsibility or authority for:~~

SECTION 676. 176.30 (3) of the statutes is amended to read:

176.30 (3) (title) NEAR MENTAL HEALTH INSTITUTES. No person shall ~~may~~ sell, or in any way deal or traffic in, or for the purpose of evading law, give away any such liquors in any quantity whatsoever within one mile of any of the state hospitals for the insane, ~~except the central state hospital at Waupun mental health institute,~~ and any person who ~~shall so sell~~ sells or ~~give~~ gives away any such liquors, shall be ~~punished by a fine of fined~~ not less than \$100 nor more than \$250, or ~~by imprisonment in the county jail or house of correction not to exceed imprisoned not more than 6 months or by both such fine and imprisonment.~~

SECTION 677. 177.18 of the statutes is amended to read:

177.18 Deposit of funds. ~~All~~ Except as provided in s. 177.185, all funds received under this subchapter, including the proceeds from the sale of abandoned property under s. 177.17, shall be deposited by the office in the general school fund. Before making the any deposit it shall record the name and ~~last-known~~ last-known address of each person appearing from the holders' reports to be entitled to the abandoned property and the name and ~~last-known~~ last-known address of each insured person or annuitant, and with respect to each policy or contract listed in the report of an insurer doing a life insurance ~~corporation~~ business, its number, the name of the ~~corporation~~ insurer and the amount due. The record shall be available for public inspection at all reasonable business hours.

SECTION 678. 177.185 of the statutes is created to read:

177.185 Reserve to pay certified claims and administrative expenses. The office shall reserve a sum sufficient to pay estimated claims and administrative expenses from the funds received under this subchapter including the proceeds from the sale of abandoned property under s. 177.17. This reserve shall be deposited by the office in the general fund as assigned receipts.

SECTION 679. 180.08 (3) of the statutes is amended to read:

180.08 (3) Any corporation, domestic or foreign, entitled to the use of its corporate name under the laws of this state, may upon merger, consolidation, change of name or dissolution reserve the exclusive right to ~~such that~~ corporate name for a period of not to exceed 10 years by ~~then~~ filing with the secretary of state an application to reserve the right to ~~such that~~ name, executed by the corporation. This application shall be filed with the secretary of state simultaneously with the filing of articles of merger, consolidation or dissolution or with the filing of articles of amendment or restated articles which change the corporate name.

SECTION 680. 180.768 of the statutes is amended to read:

180.768 (title) Property not distributed prior to dissolution. (1) Upon the filing and recording of the articles of dissolution or of a decree of dissolution or upon the issuance of a certificate of involuntary dissolution, the title to any property inadvertently or otherwise omitted from the final distribution ~~shall vest or the title to any property not distributed prior to the issuance of a certificate of involuntary dissolution vests~~ in the directors named in the articles or decree of dissolution or in the last-acting directors in the case of the issuance of a certificate of involuntary dissolution as trustees for the benefit of the creditors and shareholders of the corporation as their respective rights and interests may appear. The trustees shall distribute ~~such this~~ property or its proceeds to the persons beneficially entitled, and for this purpose a majority of the directors acting as trustees ~~shall~~ have full authority and capacity to collect and administer ~~such this~~ property; to adjust and settle any claims against ~~such this~~ property; to waive, release or subordinate reversionary rights or interests in real estate, or rights arising out of restrictions or conditions enforceable by the corporation; to sell, assign, or otherwise transfer ~~such this~~ property in whole or in part, on such terms and conditions as they in their discretion may determine; and to do ~~such any~~ other lawful acts as may be necessary or proper for them to execute their trust. ~~In the event any~~

(2) If a director named in the articles or decree of dissolution shall cease or a last-acting director in the case of the issuance of a certificate of involuntary dissolution ceases to be a trustee through death, resignation or otherwise, a majority of the surviving trustees, or the sole surviving trustee, shall have full powers to act under this section. ~~In the event~~

(3) If there shall is at any time be no trustee, or in the event any trustee cannot with reasonable diligence be found, then the circuit court for the county in which the last registered office of the corporation was corporation's situs, as defined under s. 180.769 (3) (c), is located shall have has power to appoint a trustee or trustees, or a successor trustee or trustees, upon application to the court by any person found by the court to have an interest in ~~such the~~ property or its disposition.

(4) A sole trustee, or a majority of the trustees, may at any time make application to the circuit court of the county where the ~~corporation had its last registered office~~ corporation's situs is located to have the court liquidate ~~such the~~ property pursuant to under the jurisdiction of the circuit court to liquidate assets and business of a corporation as provided in this chapter.

SECTION 681. 180.769 (1) (a) of the statutes is repealed.

SECTION 682. 180.769 (1) (b) to (f) of the statutes are renumbered 180.769 (1) (a) to (e).

SECTION 683. 180.769 (3) (a) of the statutes, as created by chapter 29, laws of 1977, is repealed and recreated to read:

180.769 (3) (a) If it is established by the records in the office of the secretary of state that a corporation failed to file its annual report as required by this chapter for the preceding 3 years, the secretary of state may dissolve the corporation involuntarily in the following manner:

1. The secretary of state shall give the corporation notice of its delinquency by 1st class mail addressed to its situs.

2. If the delinquent corporation is not restored to good standing as provided under s. 180.793 (4) within 90 days after the notice was mailed, the secretary of state shall issue a certificate of involuntary dissolution, which shall state the fact of involuntary dissolution, the date and cause of the dissolution and the dissolved corporation's situs.

3. The secretary of state shall file the original certificate of involuntary dissolution and mail a copy to the former corporation at its situs.

SECTION 684. 180.769 (3) (b) of the statutes, as created by chapter 29, laws of 1977, is renumbered 180.769 (3) (c) and amended to read:

180.769 (3) (c) In this subsection and in s. 180.768, "situs" means ~~the a~~ corporation or former corporation's last-known principal place of business as shown by the most recently filed annual report, or if none, its registered office, or if none, its designated location, or if none, the last-known address of any known director or incorporator.

SECTION 685. 180.769 (3) (b) of the statutes is created to read:

180.769 (3) (b) Upon the issuance of the certificate of involuntary dissolution, the corporation shall cease to exist without any judicial proceedings whatever and thereafter the dissolved corporation may not transact its ordinary business or exercise corporate powers except as provided under ss. 180.767, 180.768 and 180.787.

SECTION 686. 180.837 (2) (f) of the statutes is renumbered 180.837 (2) (g).

SECTION 687. 180.837 (2) (f) of the statutes is created to read:

180.837 (2) (f) The highest proportion of its capital which is or was represented in this state by its property located and business transacted here at any time since its last fee payment on its capital representation. The proportion of capital employed in this state shall be computed as provided under s. 180.833 (1) (k) except that reference shall be to the current year rather than the preceding one;

SECTION 688. 180.87 (1) (i) to (k), (m) and (n) of the statutes, as affected by chapter 29, laws of 1977, are amended to read:

180.87 (1) (i) Filing an application of a foreign corporation for certificate of authority to transact business in this state, \$55, and \$1.25 for every \$1,000 or fraction thereof of its capital exceeding \$50,000 employed or to be employed in this state, computed as provided in s. 180.813, as shown by ~~such~~ the application.

(j) Filing an annual report of a foreign corporation \$17, and in case ~~said~~ the annual report shows that the corporation employs in this state capital in excess of the amount of capital on which a fee has previously been paid, computed as provided in s. 180.813, an additional fee which, with previous payments made on account of capital employed in this state, will amount to \$1.25 for each \$1,000 or fraction thereof of ~~such~~ the excess.

(k) Filing an application of a foreign corporation for amended certificate of authority to transact business in this state, \$10, and in case the application shows that the corporation employs in this state capital in excess of the amount of capital on which a fee has previously been paid, computed as provided in s. 180.813, an additional fee which, with previous payments made on account of capital employed in this state, will amount to \$1.25 for each \$1,000 or fraction thereof of ~~such~~ the excess.

(m) Filing in the foreign corporation records of the office of the secretary of state a copy of articles of merger of a foreign corporation holding a certificate of authority to transact business in this state other than with a domestic corporation, \$17.

(n) Filing an application for withdrawal and final report of a foreign corporation, \$10 and in case that final report shows that the corporation employs in this state capital in excess of the amount of capital on which a fee has previously been paid, computed as provided in s. 180.837 (2) (f), an additional fee which, with previous payments made on account of capital employed in this state, will amount to \$1.25 for each \$1,000 or fraction thereof of the excess.

SECTION 689. 181.07 (3) of the statutes is amended to read:

181.07 (3) Any corporation, domestic or foreign entitled to the use of its corporate name under the laws of this state, may upon merger, consolidation, change of name or dissolution reserve the exclusive right to ~~such that~~ that corporate name for a period of not to exceed 10 years by ~~then~~ filing with the secretary of state an application to reserve the right to ~~such that~~ that name, executed by the corporation. This application shall be filed with the secretary of state simultaneously with the filing of articles of merger, consolidation or dissolution or with the filing of articles of amendment or restated articles which change the corporate name.

SECTION 690. 181.68 (1) (g) of the statutes is amended to read:

181.68 (1) (g) Filing an application to reserve a corporate name for 60 days, \$5; and filing an application to reserve a corporate name under s. 181.07 (3), \$50, plus \$10 for each year of reservation in excess of 5 years;

SECTION 691. 185.72 (1) (a) of the statutes is repealed.

SECTION 692. 185.72 (1) (b) to (d) of the statutes are renumbered 185.72 (1) (a) to (c).

SECTION 693. 185.72 (3) (a) of the statutes, as created by chapter 29, laws of 1977, is repealed and recreated to read:

185.72 (3) (a) If it is established by the records in the office of the secretary of state that a cooperative failed to file its annual report as required by this chapter for the preceding 3 years, the secretary of state may involuntarily dissolve the cooperative in the following manner:

1. The secretary of state shall give the cooperative notice of its delinquency by 1st class mail addressed to its situs.

2. If the delinquent cooperative is not restored to good standing under s. 185.48 (6) within 90 days after the notice was mailed, the secretary of state shall issue a certificate of involuntary dissolution, which shall state the fact of involuntary dissolution, the date and cause of the dissolution and the dissolved corporation's situs.

3. The secretary of state shall file the original certificate of involuntary dissolution and mail a copy to the former corporation at its situs.

SECTION 694. 185.72 (3) (b) of the statutes, as created by chapter 29, laws of 1977, is renumbered 185.72 (3) (c) and amended to read:

185.72 (3) (c) In this subsection and in s. 185.74, "situs" means the a cooperative or former cooperative's last-known address as shown by the most recently filed annual report, or, if none, its principal office or the address of its registered agent, or, if none, its designated location, or, if none, the last-known address of any known director or incorporator.

SECTION 695. 185.72 (3) (b) of the statutes is created to read:

185.72 (3) (b) Upon the issuance of the certificate of involuntary dissolution, the cooperative shall cease to exist, without any judicial proceedings whatever and thereafter the dissolved cooperative may not transact its ordinary business or exercise cooperative powers except as provided under ss. 185.74 to 185.76.

SECTION 696. 185.74 of the statutes is amended to read:

185.74 (title) Property not distributed prior to dissolution. (1) Upon filing and recording the articles or decree of dissolution or upon the issuance of a certificate of involuntary dissolution, title to any property omitted from the final distribution or the

title to any property not distributed prior to the issuance of a certificate of involuntary dissolution vests in the surviving directors or committee members who signed the articles or the last-acting directors in the case of the issuance of a certificate of involuntary dissolution, as trustees. They have all the powers of the co-operative cooperative with respect to such this property and shall distribute the property or its proceeds to the persons beneficially entitled thereto.

(2) When no trustee can be found, the circuit court of the county where the property cooperative's situs, as defined in s. 185.72 (3) (c), is located has power to appoint trustees upon application of any person having an interest in such the property or its disposition.

(3) Any trustee may at any time make application to the proper circuit court of the county of the cooperative's situs for supervision of liquidation pursuant to under s. 185.73.

SECTION 697. 186.012 (1) of the statutes is amended to read:

186.012 (1) The commissioner shall appoint a deputy under the classified service subject to s. 15.04 (2) and (3) who shall possess all powers and perform the duties attached to the office of the commissioner during a vacancy thereof and during the absence or inability of the commissioner. The commissioner may also employ such examiners and clerks to assist him or her and his the deputy in the discharge of the several duties imposed upon him the commissioner by this chapter as he or she finds necessary, and who shall perform such other duties as the commissioner directs.

SECTION 698. 194.10 of the statutes, as affected by chapters 29 and 60, laws of 1977, is amended to read:

194.10 Nonresident carriers; appointment of agent. If any common motor carrier of property or of passengers, any contract motor carrier, or any private motor carrier, subject to this chapter, is a nonresident of this state, the carrier shall, prior to operating under this chapter, appoint an agent in this state upon whom process and notices in any or all legal proceedings, arising out of its operation within this state or under this chapter, may be served and shall forthwith notify the department of such appointment and of the name and address of such agent, and such nonresident carrier shall, so long as the carrier continues to operate in this state, maintain such an agent. Unless such an agent is appointed by the time the certificate, license or permit is issued, authorizing such nonresident carrier to operate in this state under this chapter, or if at any time thereafter, so long as the carrier continues to operate in this state under this chapter, the carrier does not maintain such an agent in this state, the carrier is deemed to have authorized the secretary to act as the carrier's agent for the service of process in the legal proceedings above set forth. The secretary, while acting as such agent, shall, upon being served with process as the agent of such nonresident carrier, forthwith mail by registered mail a copy of the papers so served to the nonresident carrier. In all cases of service under this section there shall be served 2 authenticated copies for the administrator secretary and such additional number of authenticated copies as there are defendants so served in the action, one of the administrator's secretary's copies to be retained for the administrator's secretary's record of service and the other copy to be returned with proper certificate of service attached for filing in court as proof of service of the copies by having mailed them by registered mail to the defendants named therein. The service fee is \$4 for each defendant so served.

SECTION 699. 194.24 of the statutes, as affected by chapter 29, laws of 1977, is repealed and recreated to read:

194.24 Application; form. Applications for all certificates, licenses and permits required under this chapter shall be verified, written, and in conformity with department requirements as to form and content. The department shall prepare and make available such forms as the commission may request. The department shall make provision on applications for any information required by the commission.

SECTION 700. 195.199 (1) (d) of the statutes is created to read:

195.199 (1) (d) "System diagram map" means the map required under federal law to be filed with the department by the railroad operating in this state that indicates rail lines in the process of abandonment, rail lines the railroad expects to abandon and the rail lines that are under study by the railroad for possible abandonment in the future.

SECTION 701. 195.199 (2) and (4) of the statutes, as created by chapter 29, laws of 1977, are amended to read:

195.199 (2) The department shall have the first right to acquire, for present or future transportation, recreational or scenic purposes, any property used in operating a railroad or railway including rights-of-way and rails, ties, switches, trestles, bridges and the like located thereon, which has been abandoned. Acquisition may be by gift, purchase or condemnation in accordance with the procedure under s. 32.05. No person owning such abandoned property, including any person to whom ownership reverts upon abandonment, may convey or dispose of any abandoned property without first obtaining a written statement from the department indicating that it does not intend to exercise its right to acquire the property. No railroad or railway may convey any such property prior to abandonment if that property is part of a rail line shown on the railroad's system map as in the process of abandonment, expected to be abandoned or under study for possible abandonment unless the conveyance or disposal is for the purpose of providing continued rail service under another company or agency. Any conveyance made without obtaining such release is void. The department's first right of acquisition under this subsection does not apply to any railroad property declared by the department to be abandoned before January 1, 1977. The department may acquire any abandoned property under this section regardless of the date of its abandonment.

(4) Upon its own initiative, the department may determine at any time whether the property of the railroad or railway is abandoned, and whether it is in the best interest of the state to acquire such property. ~~The department shall make this determination within 90 days if requested to do so by any state agency, any railroad or railway, or any county or municipality in which the property is located. After a decision has been made to acquire the property or any interest therein, the department shall, within 6 months,~~ Within 90 days after being requested by any state agency, any railroad or railway, or any county or municipality in which the property is located, the department shall make a determination of the abandonment status and, if found to be abandoned, shall determine whether it is in the best interest of the public to acquire the property. If it is determined to acquire the property or any part or interest therein, the department shall, within 180 days of the determination of its abandoned status, or the interstate commerce commission's final order permitting the abandonment, or the termination of any efforts to negotiate an agreement for continual operation of rail service on the line, whichever occurs last, determine the fair market value of the property and acquire the property at a price deemed reasonable by the department or make a relocation order under s. 32.05. In making its determination, the department shall consider long-range potential for use of such property for restoration of railroad service and for public transit. The department shall solicit the opinions of appropriate state agencies, affected counties and municipalities and other interested persons. The department shall give due consideration to an expressed desire by a state agency or an affected county or municipality to acquire, in whole or in part, the property under consideration. All or part of any interest in abandoned property acquired by the department under this section or under s. 66.941 (7), 1975 stats., may be subsequently conveyed to another state agency or a county or municipality for transportation, recreational or scenic purposes, and the department may make such conveyances for such purposes. Any determination of the department under this section that property is not abandoned shall not preclude the undertaking of a subsequent investigation and determination concerning the same property or any portion thereof. If at any time subsequent to the acquisition of property under this section the department determines that the property is not suitable for transportation, recreational or scenic purposes, or that the property or any interest therein may be conveyed to any other person on terms which are not inconsistent with the potential use of the property for transportation,

recreational or scenic purposes or which yield a benefit, including financial benefits, to the state which outweighs the benefit derived from the property if used for transportation recreational or scenic purposes, the department may convey the property or such interest therein. The department shall give notice of its intention to make the conveyance, and state and local units of government shall have the first 6 months in which to exercise their opportunity to acquire the property or interest therein. The railroad or railway from which the property was acquired shall have the next 6 months in which to exercise their opportunity to acquire the property or interest therein. The department may adopt such rules as it deems necessary to accomplish the purposes of this section.

SECTION 702. 195.199 (5) of the statutes, as created by chapter 29, laws of 1977, is repealed.

SECTION 702m. 195.27 of the statutes is amended to read:

195.27 Safe tracks and bridges. Every railroad shall construct and maintain its tracks, bridges and line structures in a reasonably adequate and safe manner. The commission may direct the department to investigate complaints in the manner provided by s. 195.04. If upon ~~complaint hearing~~, the commission ~~after making inspection shall determine~~ determines that the track or structures of any railroad are inadequate or unsafe for the operation of its railroad, the commission shall ~~after notice and hearing~~ order such the railroad to reconstruct or repair ~~such the~~ inadequate or unsafe track or structures.

SECTION 703. 196.01 (7) of the statutes is amended to read:

196.01 (7) The words "conveyance of telephone messages" or "conveyance of telegraph messages" shall, ~~in situations where~~ if the person engaged in such activity is otherwise a telephone or telegraph public utility as defined in sub. (1), also include in addition to voice communication the transmission of information, data or material other than by voice communication.

SECTION 704. 196.02 (12) of the statutes is created to read:

196.02 (12) The public service commission may sue and be sued in that name, and may confer with or participate in any proceedings before any regulatory agency of any other state or of the federal government.

SECTION 704m. 196.035 of the statutes is created to read:

196.035 Disconnect notices; assistance information to be furnished. Any utility furnishing heat, light or power to a residential customer shall include with any notice of intent to disconnect service during the months of December, January, February or March information concerning the emergency fuel and utilities assistance program under s. 49.055.

SECTION 705. 196.06 (2) of the statutes is amended to read:

196.06 (2) Every public utility engaged directly or indirectly in any other business than that of the production, transmission or furnishing of heat, light, water or power or the conveyance of telephone messages or telegraph messages shall, if required by the commission, keep and render separately to the commission in like manner and form the accounts of all such other business, in which case all the provisions of this chapter shall apply to the books, accounts, papers and records of such other business.

SECTION 706. 196.50 (title) and (1) of the statutes are amended to read:

196.50 (title) Competing utilities; indeterminate permits, telephones, telegraphs. (1) CERTIFICATE OF NECESSITY. No license, permit or franchise ~~shall~~ may be granted to own, operate, manage or control any plant or equipment for the conveyance of telephone messages or telegraph messages, or for the production, transmission, delivery or furnishing of heat, light, water or power in any municipality, ~~where~~ if there is in operation under an indeterminate permit a public utility engaged in similar service, without first securing from the commission a declaration, after a public hearing of all parties interested, that public convenience and necessity require such ~~second~~ 2nd public utility. This subsection shall not prevent or impose any condition upon the

extension of any telephone toll line from any municipality into or through any municipality for the purpose of connecting with any telephone exchange in such municipality or connecting with any other telephone line or system.

SECTION 707. 196.60 of the statutes is amended to read:

196.60 Discrimination, definition, penalty. If any public utility or any agent or officer thereof, directly or indirectly, charges, demands, collects or receives from any person a greater or less compensation for any service rendered or to be rendered by it in or affecting or relating to the production, transmission, delivery or furnishing of heat, light, water or power, or the conveyance of telephone messages or telegraph messages, or for any service in connection therewith, than that prescribed in the published schedules or tariffs then in force, or established as provided herein, or than it charges, demands, collects or receives from any other person for a like contemporaneous service, such public utility shall be deemed guilty of unjust discrimination, which is hereby prohibited, and upon conviction thereof shall forfeit not less than \$100 nor more than \$1,000 for each offense; ~~and such.~~ The offending agent or officer so offending shall be fined not less than \$50 nor more than \$100 for each offense. Nothing in this section nor in s. 196.63 or any other provision of law shall be construed to prohibit any public utility engaged in the conveying of telephone messages or telegraph messages from furnishing service to its employes, pensioners and officers, or the receiving of service by such employes, pensioners and officers, at no charge or at charges less than those prescribed in its published schedules or tariffs. The ~~public service~~ commission may prescribe rules except that such rules ~~shall~~ may not prohibit or restrict the furnishing of service to employes, pensioners and officers or the receiving of service by employes, pensioners, and officers at no charge or charges less than those prescribed in the utility's published schedules or tariffs. No revenue ~~shall~~ may accrue or be credited in the accounts of ~~such the~~ utility with respect to ~~such the~~ service furnished at no charge nor with respect to any amounts by which any charges for such service are less than those prescribed in the utility's published schedules or tariffs.

SECTION 708. 196.81 (2) of the statutes is amended to read:

196.81 (2) The commission ~~shall~~ may not approve a request by an electric ~~or~~, telephone, or telegraph utility for permission to abandon a ~~right-of-way~~ right-of-way without requiring such utility to remove all poles at ground level and other structures extending over 3 feet above ground level belonging to ~~such the~~ utility from the ~~right of way~~ right-of-way when abandoned. In approving ~~such requests~~ a request the commission shall also require that the abandoned ~~right-of-way~~ right-of-way or part thereof which is in a rural area and which was obtained by ~~such the~~ utility by condemnation shall be disposed of by the utility within 3 years from the date of the approval of request for abandonment thereof, provided that upon application of ~~such the~~ utility within 6 months prior to the end of ~~said the~~ 3-year period the commission may remove ~~such the~~ disposal requirement if it finds that the application thereof would subject the utility to undue hardship.

SECTION 708p. 196.85 (2) (a) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

196.85 (2) (a) The commission shall annually, within 90 days of the commencement of each fiscal year, ascertain the total of its expenditures during the prior fiscal year which are reasonably attributable to the performance of its duties relating to public utilities, sewerage districts and power districts under chs. 66, 184, 196 and 198, and shall deduct therefrom all amounts chargeable to public utilities, sewerage districts and power districts under sub. (1) and s. 184.10 (3). A sum equal to the remainder plus 10% of the remainder shall be assessed by the commission to the several public utilities and power districts in proportion to their respective gross operating revenues during the last calendar year, derived from intrastate operations. If, at the time of payment, it is determined that the prior year's expenditures made under this section exceeded the payment made under this section in the prior year, the remainder shall be charged to the several public utilities and power districts in

proportion to their gross operating revenues during the last calendar year. If, at the time of payment it is determined that the prior year's expenditures made under this section were less than the payment made under this section in the prior year, the difference shall be credited to the current year's payment. Such assessment shall be paid within 30 days after the bill has been mailed to the several public utilities and power districts, which shall constitute notice of the assessment and demand of payment thereof. When paid, the assessment shall be credited to the appropriation made in s. 20.155 (1) (g).

SECTION 709. 196.85 (3) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

196.85 (3) If any public utility, sewerage district or power district against which a bill has been rendered either under subsection sub. (1) or subsection (2) of this section, within 30 days after the rendering of such the bill shall ~~(a) neglect or refuse neglects or refuses~~ to pay the same bill, or ~~(b) shall fail fails~~ to file objections to said the bill with said the commission, as provided ~~hereinafter~~, it shall be the duty of in this subsection, the public service commission ~~forthwith to~~ shall transmit to the state treasurer a certified copy of said the bill, together with notice of neglect or refusal to pay said the bill, and on the same day said the commission shall mail by registered mail to the public utility, railroad sewerage district or power district against which said the bill has been rendered a copy of said the notice which it has transmitted to the state treasurer. Within 10 days after the receipt of such notice and certified copy of such the bill the state treasurer shall proceed ~~forthwith~~ to levy the amount stated on such the bill to be due, with interest, by distress and sale of any goods and chattels, including stocks, securities, bank accounts, evidences of debt, and accounts receivable belonging to such the delinquent public utility, sewerage district or power district. Such levy by distress and sale shall be governed by ~~the provisions of section s. 74.10~~ except that it shall be made by the state treasurer and that said goods and chattels anywhere within the state may be levied upon.

SECTION 709m. 196.85 (4) (a) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

196.85 (4) (a) Within 30 days after the date of the mailing of any bill ~~as provided by subsections under subs. (1) and (2)~~ the public utility, sewerage district or power district against which such the bill has been rendered may file with the public service commission objections setting out in detail the grounds upon which said the objector regards said the bill to be excessive, erroneous, unlawful or invalid. The commission, after notice to the objector, shall ~~proceed forthwith to~~ hold a hearing upon such objections, not less than 5 nor more than 10 days after such notice. If after such the hearing the commission finds any part of said the bill to be excessive, erroneous, unlawful or invalid it shall record its findings upon its minutes and transmit to the objector by registered mail an amended bill, in accordance with such findings. Such amended bill shall have in all ways the same force and effect under this section as an original bill rendered under subsections subs. (1) and (2).

SECTION 709p. 196.85 (5) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

196.85 (5) No suit or proceeding ~~shall may~~ be maintained in any court for the purpose of restraining or in any wise delaying the collection or payment of any bill rendered under subsections subs. (1) and (2) of this section. Every public utility, sewerage district or power district against which a bill is rendered shall pay the amount thereof, and after such payment may in the manner ~~herein~~ provided under this section, at any time within ~~two~~ 2 years from the date the payment was made, sue the state in an action at law to recover the amount paid with legal interest thereon from the date of payment, upon the ground that said the assessment was excessive, erroneous, unlawful or invalid in whole or in part. If it is finally determined in such action that any part of the bill for which payment was made was excessive, erroneous, unlawful or invalid, the state treasurer shall make a refund to the claimant as directed by the court, which shall be charged to the appropriations to the ~~public service~~ commission.

SECTION 710. 215.02 (1) of the statutes is amended to read:

215.02 (1) **QUALIFICATIONS, APPOINTMENT AND DUTIES OF DEPUTY COMMISSIONER.** No person is eligible for appointment as deputy commissioner unless he or she has had at least 3 years' actual experience in a savings and loan association or serving in a savings and loan supervisory authority, or a combination of both. The commissioner shall appoint the deputy commissioner, with the consent of the review board, under the classified service subject to s. 15.04 (2) and (3). The deputy commissioner shall possess all powers and perform the duties of the commissioner during a vacancy in that office and during the absence of or inability of the commissioner to serve.

SECTION 711. 218.01 (2) (c) of the statutes, as affected by chapter 29, laws of 1977, is repealed and recreated to read:

218.01 (2) (c) All licenses shall be granted or refused within 60 days after application therefor, and shall expire, unless sooner revoked or suspended, on December 31 of the calendar year for which they are granted, except that where a complaint of unfair cancellation of dealer agreement is in process of being heard, no replacement application for such agreement shall be considered until a decision is rendered by the transportation commission.

SECTION 712. 220.02 (1) of the statutes is amended to read:

220.02 (1) The commissioner shall appoint a deputy under the classified service. He subject to s. 15.04 (2) and (3). The deputy shall possess all powers and perform the duties attached to the office of commissioner during a vacancy thereof and during the absence or inability of the commissioner. The commissioner may also employ such examiners and clerks to assist him or her and his the deputy in the discharge of the several duties imposed upon him the commissioner by this chapter as he or she finds necessary, and who shall perform such other duties as the commissioner directs.

SECTION 713. 220.06 (2) of the statutes is amended to read:

220.06 (2) If any commissioner, deputy, assistant deputy, examiner or clerk in such office or any member of the banking review board or any employe thereof ~~shall disclose~~ discloses the name of any debtor of any bank, or anything relative to the private account or transactions of such bank, or ~~shall disclose~~ any fact obtained in the course of any examination of any bank, except as herein provided, he or she shall be subject, upon conviction thereof, to forfeiture of his office, or position and to the payment of a fine of not less than \$100 nor more than \$1,000, or imprisonment in the Wisconsin state prison prisons not less than 6 months nor more than 2 years, or ~~to both such fine and imprisonment.~~

SECTION 714. 221.31 (2) of the statutes is amended to read:

221.31 (2) Every officer, director or employe of any bank who in violation of this section, directly or indirectly, borrows or otherwise procures for his personal use money, funds or property of such bank or through use of his personal credit or accommodation of another person or by acceptance for discount at said the bank of any note, bond or evidence of debt which he or she knows or has reason to know is worth less than the price at which it is accepted as an asset, shall be imprisoned in the Wisconsin state prison prisons not exceeding more than 10 years.

SECTION 715. 221.40 of the statutes is amended to read:

221.40 Bank officers and employes not to take commissions. Any officer, director, agent or employe of any bank, or mutual savings bank, who ~~shall~~ for himself or herself, directly or indirectly, ~~take takes, accept accepts or receive receives, or offer offers or agree agrees~~ to take, accept or receive, any commission, fee, compensation, or thing of value whatever, from any person in consideration of the bank, or mutual savings bank, of which he or she is such an officer, director, agent or employe, loaning any money to, buying or discounting any note, bond, draft, or bill of exchange from, or accepting any draft for, or issuing any letter of credit to, such person, shall upon conviction thereof be imprisoned in the Wisconsin state prison prisons not ~~to exceed more than~~ 2 years.

SECTION 716. 227.01 (11) (h) of the statutes is amended to read:

227.01 (11) (h) Relates to the management, discipline or release of persons who are members of the Wisconsin veterans home at King, or who are committed to state institutions or to the department of health and social services, ~~except as provided in s. 54.16,~~ or who are placed on probation;

SECTION 716d. 227.012 of the statutes is created to read:

227.012 Natural resources hearings. In this section “hearing examiner” means any person designated under this section to preside over a hearing. The administrator of the division of natural resources hearings in the department of administration shall:

(1) Serve as the appointing authority of all hearing examiners under s. 230.06.

(2) Assign a hearing examiner to preside over any hearing of a contested case which is required to be conducted by the department of natural resources and which is not conducted by the secretary of natural resources.

(3) Supervise hearing examiners in the conduct of the hearing and the rendering of a decision, if a decision is required.

(4) Promulgate rules relating to the exercise of the administrator’s powers and duties under this section.

(5) Set the fees to be charged to the department of natural resources for any services rendered to the department by a hearing examiner under this section. The fee shall cover the total cost of the services less any costs covered by the appropriation under s. 20.505 (8) (a).

SECTION 716g. 227.065 of the statutes is created to read:

227.065 Notice of hearing to division of natural resources hearings. The department of natural resources shall notify the division of natural resources hearings in the department of administration of every pending hearing to which the administrator of the division is required to assign a hearing examiner under s. 227.012 ~~no later than 5 days~~ after the department of natural resources is notified that a hearing on the matter is required.

Vetoed
in Part

SECTION 716j. 227.066 of the statutes is created to read:

227.066 Payment for natural resources hearing examiner services. The department of natural resources shall pay all costs of the services of a hearing examiner assigned to the department under s. 227.012 according to the fee schedule set by the administrator of the division of natural resources hearings in the department of administration under s. 227.012 (5).

SECTION 716m. 227.07 (2) (c), (4) (b) and (5) of the statutes are amended to read:

227.07 (2) (c) A short and plain statement of the matters asserted. If the ~~agency or other party is unable to state the~~ agency ~~cannot be stated~~ with specificity at the time the notice is served, the notice may be limited to a statement of the issues involved.

(4) (b) The agency or hearing examiner presiding at ~~the a~~ a conference under this subsection shall make a memorandum for the record which summarizes the action taken at the conference, the amendments allowed to the pleadings and the agreements made by the parties as to any of the matters considered, and which limits the issues for hearing to those not disposed of by admissions or agreements of the parties. Such memorandum ~~controls~~ shall control the subsequent course of the action, unless modified at the hearing to prevent manifest injustice.

(5) Unless precluded by law, informal disposition may be made of any contested case by stipulation, agreed settlement, consent order or default. In any proceeding in which a hearing is required by law, if there is no such hearing, the agency or hearing examiner shall record in writing the reason why no such hearing was held, and shall make copies available to interested persons.

SECTION 716o. 227.075 of the statutes is renumbered 227.064.

SECTION 716q. 227.08 (1) to (4) and (7) (a) of the statutes are amended to read:

227.08 (1) ~~Agencies~~ An agency or hearing examiner shall not be bound by common law or statutory rules of evidence. ~~They~~ The agency or hearing examiner shall admit all testimony having reasonable probative value, but shall exclude immaterial, irrelevant or unduly repetitious testimony. ~~They~~ The agency or hearing examiner shall give effect to the rules of privilege recognized by law. Basic principles of relevancy, materiality and probative force shall govern the proof of all questions of fact. Objections to evidentiary offers and offers of proof of evidence not admitted may be made and shall be noted in the record.

(2) All evidence, including records and documents in the possession of the agency or hearing examiner of which ~~it~~ the agency or hearing examiner desires to avail ~~itself~~ himself or herself, shall be duly offered and made a part of the record in the case. Every party shall be afforded adequate opportunity to rebut or offer countervailing evidence.

(3) ~~Agencies~~ An agency or hearing examiner may take official notice of any generally recognized fact or any established technical or scientific fact; but parties shall be notified either before or during the hearing or by full reference in preliminary reports or otherwise, of the facts so noticed, and they shall be afforded an opportunity to contest the validity of the official notice.

(4) ~~Agencies~~ An agency or hearing examiner shall take official notice of all rules which have been published in the Wisconsin administrative code or register.

(7) (a) Who is beyond reach of the subpoena of the agency or hearing examiner;

SECTION 716s. 227.09 (1) (intro.), as affected by chapter 196, laws of 1977, (4) and (6) of the statutes are amended to read:

227.09 (1) (intro.) ~~An~~ Except as provided under s. 227.012, an agency may designate an official of the agency or an employe on its staff or borrowed from another agency ~~pursuant to~~ under s. ~~230.047 or 20.901 or 230.047~~ as a hearing examiner to preside over any contested case. Subject to rules of the agency, examiners presiding at hearings may:

(4) Notwithstanding any other provision of this section, in any contested case, ~~when~~ if a majority of the officials of the agency who are to render the final decision have not heard the case or read the record, the decision, if adverse to a party to the proceeding other than the agency itself, shall not be made until a proposed decision is served upon the parties and an opportunity is afforded to each party adversely affected to file objections and present briefs or oral argument to the officials who are to render the decision. The proposed decision shall contain a statement of the reasons therefor and of each issue of fact or law necessary to the proposed decision, prepared by the ~~person who conducted the~~ hearing examiner or one a person who has read the record. The parties by written stipulation may waive compliance with this subsection.

(6) The functions of persons presiding at a hearing or participating in proposed or final decisions shall be performed in an impartial manner. A hearing examiner or agency official may at any time disqualify himself or herself. In class 2 and 3 proceedings, on the filing in good faith of a timely and sufficient affidavit of personal bias or other disqualification of a hearing examiner or official, the agency or hearing examiner shall determine the matter as part of the record and decision in the case.

SECTION 716u. 227.10 of the statutes is amended to read:

227.10 Decisions. Every proposed or final decision of an agency or hearing examiner following a hearing and every final decision of an agency shall be in writing accompanied by findings of fact and conclusions of law. The findings of fact shall consist of a concise and separate statement of the ultimate conclusions upon each material issue of fact without recital of evidence.

SECTION 716v. 227.13 (2) of the statutes is amended to read:

227.13 (2) A hearing examiner or other agency official or employe involved in the decision-making process who receives an ex parte communication in violation of sub. (1) shall place on the record of the pending matter the communication, if written, a memorandum stating the substance of the communication, if oral, all written responses to the communication and a memorandum stating the substance of all oral responses made, and also shall advise all parties that the material has been placed on the record; however, any writing or memorandum which would not be admissible into the record if presented at the hearing shall not be placed in the record, but notice of the substance or nature of the communication shall be given to all parties. Any party desiring to rebut the communication shall be allowed to do so, if the party requests the opportunity for rebuttal within 10 days after notice of the communication. The hearing examiner or agency official or employe may, if deeming it necessary to eliminate the effect of an ex parte communication received, withdraw from the proceeding, in which case ~~the agency shall assign~~ a successor shall be assigned.

SECTION 716zm. 227.15 of the statutes, as affected by chapter 187, laws of 1977, is amended to read:

227.15 Judicial review; orders reviewable. Administrative decisions, which adversely affect the substantial interests of any person, whether by action or inaction, whether affirmative or negative in form, except the decisions of the department of revenue, the commissioner of banking, the commissioner of credit unions ~~and~~, the commissioner of savings and loan, and the state board of vocational, technical and adult education acting under s. 38.29, and as otherwise provided by law, shall be subject to judicial review as provided in this chapter.

SECTION 717. 230.03 (intro.) of the statutes, as affected by chapter 196, laws of 1977, is amended to read:

230.03 Definitions. (intro.) In this ~~subchapter~~ chapter, unless the context otherwise requires:

SECTION 718. 230.04 (1) of the statutes, as created by chapter 196, laws of 1977, is amended to read:

230.04 (1) The secretary is charged with the effective administration of this chapter. All powers and duties, necessary to that end, which are not exclusively vested by statute in the commission, the administrator, the board or appointing authorities, are reserved to the secretary.

SECTION 719. 230.08 (2) (k) of the statutes is created to read:

230.08 (2) (k) Persons employed by the university of Wisconsin system whose employment is a necessary part of their training, student assistants or student hourly help as provided under s. 36.05 (6).

SECTION 720. 230.08 (4) (a) (intro.) of the statutes, as created by chapter 196, laws of 1977, effective February 1, 1979, is repealed and recreated to read:

230.08 (4) (a) (intro.) In this subsection, "secretary" includes the attorney general and the state superintendent of public instruction. The unclassified service shall include the division administrator positions in pay range 18 or above in schedule 1 or a comparable level in the compensation plan for the classified service, or one of the 10 executive salary groups under s. 20.923 (4) in any agency in which on January 1, 1978, the administrative head is a secretary. In the department of employment relations there shall be 2 unclassified division administrator positions in addition to the unclassified position of administrator of personnel. The maximum number of unclassified division administrator positions in any agency shall be the total number of classified and unclassified division administrator positions at the level specified in this paragraph which exist on January 1, 1978, in the agency, except that the following positions shall not be counted in the total and shall be in the classified service:

SECTION 722. 230.09 (2) (f) of the statutes, as affected by chapter 196, laws of 1977, is amended to read:

230.09 (2) (f) If a position in the classified service is reclassified or reallocated, or if a position is allocated from the unclassified service to a classification in the classified service having a lower pay rate or pay range maximum than the incumbent's current basic pay rate, the pay rate of the incumbent ~~while employed in such position~~ shall be adjusted under the rules prescribed under this subchapter.

SECTION 722m. 230.09 (2) (g) of the statutes, as created by chapter 196, laws of 1977, is amended to read:

230.09 (2) (g) When filling a new or vacant position, if the administrator determines that the classification for a position is different than that provided for by the legislature as established by law or in budget determinations, or as authorized by the joint committee on finance acting under s. 13.101 or as otherwise provided by law, or as specified by the governor acting under s. 16.54 or creating positions funded under s. 20.001 (2) (b) or (c), or is different than that of the previous incumbent, the administrator shall withhold action on the selection and certification process and notify the secretary of administration. The secretary of administration shall review the position to determine that sufficient funds exist for the position and that the duties and responsibilities of the proposed position reflect the intent of the legislature as established by law or in budget determinations, or the intent of the joint committee on finance acting under s. 13.101 or as otherwise provided by law, or the intent of the governor acting under s. 16.54 or creating positions funded under s. 20.001 (2) (b) or (c). The administrator may not proceed with the selection and certification process until the secretary of administration has authorized the position to be filled.

SECTION 723. 230.12 (1) (d) of the statutes is created to read:

230.12 (1) (d) *Uniforms and safety equipment.* The secretary, with approval of the joint committee on employment relations, may establish a schedule of payments to employes for uniforms or protective clothing and equipment required to perform their duties.

SECTION 724. 230.12 (3) (e) of the statutes, as affected by chapter 196, laws of 1977, is amended to read:

230.12 (3) (e) *University of Wisconsin system faculty and academic staff employes.* The secretary, after receiving recommendations from the board of regents, shall submit to the joint committee on employment relations a proposal for adjusting compensation and employe benefits for employes under ss. ~~230.08 (2) (d) and 20.923 (5) and (6) (m) and 230.08 (2) (d)~~. The proposal for such pay adjustments may contain recommendations for across-the-board pay adjustments, merit or other adjustments and employe benefit improvements. ~~Except for the requirement for advice and counsel from the personnel board and recommendations by the secretary, par-~~ Paragraph (b) and sub. (1) (bf) shall apply to the process for approval of all pay adjustments for employes under ss. 230.08 (2) (d) and 20.923 (5) and (6) (m) and 230.08 (2) (d). The proposal as approved by the joint committee on employment relations and the governor shall be based upon a percentage of the budgeted salary base for employes under ss. ~~230.08 (2) (d) and 20.923 (5) and (6) (m) and 230.08 (2) (d)~~ to be appropriated under s. 20.865 (1) (ci) and (d). The amount included in the proposal for merit and adjustments other than across-the-board pay adjustments shall be available for discretionary use by the board of regents.

SECTION 725. 230.31 (1) (b) of the statutes, as affected by chapter 196, laws of 1977, is amended to read:

230.31 (1) (b) ~~He~~ Such person shall be eligible for reinstatement in a position having ~~an equal a comparable~~ or lower rate or range for which ~~he~~ such person is qualified.

SECTION 726. 230.35 (4) (a) (intro.) of the statutes, as affected by chapter 196, laws of 1977, is amended to read:

230.35 (4) (a) (intro.) ~~The~~ Except as otherwise provided in sub. (5) (c), the office of the agencies of state government shall be kept open on all days of the year except Saturdays, Sundays and the following holidays:

SECTION 727. 230.35 (5) (c) of the statutes is created to read:

230.35 (5) (c) The governor may order some or all of the offices and other work stations of the departments of state government closed for specified periods of time or may order such other deviations in office hours or the standard basis of employment as may be necessitated by weather conditions, energy shortages or emergency situations. The governor's order may specify how any time off or other deviation occasioned by the order may be covered for state employees.

SECTION 728. 230.36 (1) and (3) (b) (intro.) of the statutes, as affected by chapters 26 and 196, laws of 1977, are amended to read:

230.36 (1) ~~Whenever~~ If a conservation warden, conservation patrol boat captain, conservation patrol boat engineer, state forest ranger, conservation field employe of the department of natural resources who is subject to call for fire control duty, member of the state patrol, state motor vehicle inspector, lifeguard, excise tax investigator employed by the department of revenue, investigator employed by the division of criminal investigation of the department of justice, special tax agent, state drivers' license examiner, member of the state fair police department, university of Wisconsin system ~~policeman~~ police officer and other state facilities ~~policeman~~ police officer and ~~patrolman~~ patrol officer, security officer, ~~watchman~~ watcher, engineer, engineering aid, building construction superintendent, fire ~~watchman~~ fighter employed at the Wisconsin veterans home, or guard or institutional aid or a state probation and parole officer or any other employe whose duties include supervision and discipline of inmates or wards of the state at a state penal institution, including ~~central state hospital~~ or the Ethan Allen school or while on parole supervision outside of the confines of the institutions, or supervision of persons placed on probation by a court of record, or supervision and care of patients at a state mental institution, and university hospitals suffers injury while in the performance of his or her duties, as defined in subs. (2) and (3); or any other state employe who is ordered by his or her appointing authority to accompany any employe listed in this subsection while such listed employe is engaged in the duties defined in sub. (3), or any other state employe who is ordered by his or her appointing authority to perform the duties, when permitted, in lieu of such listed employe and while so engaged in the duties defined in sub. (3), suffers injury as defined in sub. (2) the employe shall continue to be fully paid by the employing department upon the same basis as paid prior to the injury with no deduction from sick leave credits, compensatory time for overtime accumulations or vacation. Such full pay shall continue, while the employe is unable to return to work as the result of the injury, or until the termination of his or her employment upon recommendation of the appointing authority. At any time during the employe's period of disability the appointing authority may order physical or medical examinations to determine the degree of disability at the expense of the employing department.

(3) (b) (intro.) A conservation warden, conservation patrol boat engineer, member of the state patrol, state motor vehicle inspector, university of Wisconsin ~~policeman~~ police officer, security officer, ~~watchman~~ watcher, member of the state fair police department, special tax agent, excise tax investigator employed by the department of revenue and investigator employed by the division of criminal investigation of the department of justice at all times while:

SECTION 729. 230.36 (3) (c) (intro.) of the statutes, as affected by chapter 196, laws of 1977, is amended to read:

230.36 (3) (c) (intro.) A guard, institution aid, or other employe at the university of Wisconsin hospitals or at state penal and mental institutions, including ~~central state hospital~~ or the Ethan Allen school and state probation and parole officers, at all times while:

SECTION 730. 234.01 (1m), (2) and (3) of the statutes are renumbered 234.01 (2), (4) and (5), respectively.

SECTION 731. 234.01 (3) of the statutes is created to read:

234.01 (3) "Certified housing rehabilitation loan" means a negative interest or low interest housing rehabilitation loan as defined in s. 22.42 (1) (f), certified by the department of local affairs and development under s. 22.42 (2) (a) 2.

SECTION 732. 234.01 (4) (intro.) and (a) of the statutes are renumbered 234.01 (6) (intro.) and (a), respectively.

SECTION 733. 234.01 (4) (b) of the statutes is renumbered 234.01 (6) (b) and amended to read:

234.01 (6) (b) If the corporation receives a loan or advance under this chapter, the ~~chairman~~ chairperson of the authority, acting with the prior approval of the majority of the members of the authority, may, if he or she determines that any such loan or advance is in jeopardy of not being repaid, that the proposed development for which such loan or advance was made is in jeopardy of not being constructed or that the corporation is not carrying out the intent and purposes of this chapter, appoint to the board of directors of such corporation a number of new directors, which number shall be sufficient to constitute a majority of such board, notwithstanding any other provision of such articles of incorporation or of any other provision of law.

SECTION 734. 234.01 (5) of the statutes is renumbered 234.01 (7).

SECTION 735. 234.01 (6) (intro.) and (a) of the statutes are renumbered 234.01 (8) (intro.) and (a), respectively.

SECTION 736. 234.01 (6) (b) of the statutes is renumbered 234.01 (8) (b) and amended to read:

234.01 (8) (b) If the limited-profit entity receives a loan or advance under this chapter, the ~~chairman~~ chairperson of the authority, acting with the prior approval of the majority of members of the authority, may, if he or she determines that any such loan or advance is in jeopardy of not being repaid, that the proposed development for which such loan or advance was made is in jeopardy of not being constructed or that the limited-profit entity is otherwise not carrying out the intent and purposes of this chapter, appoint to the board of directors or other comparable controlling body of such limited-profit entity a number of new directors or persons, which number shall be sufficient to constitute a voting majority of such board or controlling body, notwithstanding any other provisions of the limited-profit entity's articles of incorporation or other documents of organization, or of any other provisions of law.

SECTION 737. 234.01 (7) and (8) of the statutes are renumbered 234.01 (9) and (10), respectively.

SECTION 738. 234.02 (title) and (3) of the statutes, as affected by chapter 196, laws of 1977, are amended to read:

234.02 (title) Wisconsin housing finance authority: creation; membership; appointment and tenure; meetings; officers.

(3) The authority shall elect a ~~chairman~~ chairperson and ~~vice-chairman~~ vice chairperson. The authority shall employ an executive director, legal and technical experts and such other officers, agents and employes, permanent and temporary, as it may require, and shall determine their qualifications, duties and compensation, all notwithstanding subch. II of ch. 230, except that s. 230.40 shall apply, and except that the compensation of any employe of the authority shall not exceed the maximum of the executive salary group range established under s. 20.923 (1) for positions assigned to executive salary group 3. The authority may delegate to its agents or employes any of its powers or duties.

SECTION 739. 234.03 (2m) of the statutes is amended to read:

234.03 (2m) To issue notes and bonds in accordance with ss. 234.08 ~~and~~, 234.40 ~~and~~ 234.50.

SECTION 740. 234.03 (13s) of the statutes is created to read:

234.03 (13s) To purchase and enter into commitments for the purchase of certified housing rehabilitation loans.

SECTION 741. 234.04 (2) and (3) of the statutes are amended to read:

234.04 (2) The authority may make or participate in the making and enter into commitments for the making of long-term mortgage loans to eligible sponsors of

housing projects for occupancy by persons and families of low and moderate income, or for the making of long-term mortgage or housing rehabilitation loans to persons and families of low and moderate income or other eligible beneficiaries as defined in s. 22.42 (1) (c). Such loans may be made only upon the determination by the authority that long-term mortgage or housing rehabilitation loans are not otherwise available from private lenders upon reasonably equivalent terms and conditions. The authority may employ, for such compensation as it determines, the services of any savings and loan association ~~or~~, banking institution or credit union in connection with any such long-term mortgage or housing rehabilitation loan.

(3) The authority may make or participate in the making and enter into commitments for the making of loans to any banking institution ~~or~~, savings and loan association or credit union organized under the laws of this or any other state or of the United States having an office in this state, if the authority first determines that the proceeds of such loans will be utilized for the purpose of making long-term mortgage loans to persons or families of low and moderate income, or for the purpose of providing residential housing for occupancy by persons or families of low and moderate income, or for the purpose of making housing rehabilitation loans.

SECTION 743. 234.17 of the statutes is amended to read:

234.17 Repayment to general fund. The authority shall repay the amounts appropriated under s. 20.143 (1) (a), ~~1973~~ 1971 stats., to the general fund from that portion of the authority's surplus, if any, as is determined ~~pursuant to~~ by agreement between the authority and the secretary of administration.

SECTION 744. 234.40 (4) of the statutes is amended to read:

234.40 (4) ~~Bonds issued pursuant to the authority of this section shall not be considered applicable to the~~ The limitations established in s. 234.18 or 234.50 are not applicable to bonds issued under the authority of this section. The authority ~~shall~~ may not have outstanding at any one time bonds for veterans housing loans in an aggregate principal amount exceeding \$61,945,000, excluding bonds being issued to refund outstanding bonds.

SECTION 745. 234.50 to 234.55 of the statutes are created to read:

234.50 Bonds for housing rehabilitation loans; issuance; status. (1) The authority may issue its negotiable bonds in such principal amount and of such length of maturity as, in the opinion of the authority, is necessary to provide sufficient funds for purchasing certified housing rehabilitation loans or for funding commitments for loans to lenders for certified housing rehabilitation loans; for the establishment of reserves to secure such bonds; and for all other expenditures of the authority incident to or necessary and convenient in connection therewith. The authority may, whenever it deems refunding expedient, refund any bonds by the issuance of new bonds whether the bonds to be refunded have or have not matured, and issue bonds partly to refund bonds then outstanding and partly for the purpose authorized by this section.

(2) Bonds issued under the authority of this section shall be special obligations of the authority payable solely out of revenues, moneys or other property received in connection with the housing rehabilitation loan program, including, without limitation, repayments of certified housing rehabilitation loans, federal insurance or guarantee payments, the proceeds of bonds issued under the authority of this section, and the amounts made available under ss. 234.54 and 234.55. All assets and liabilities created through the issuance of bonds to purchase certified housing rehabilitation loans shall be separate from all other assets and liabilities of the authority. No funds of the housing rehabilitation loan program may be commingled with any other funds of the authority.

(3) It is the intent of the legislature that the authority be used to finance the housing rehabilitation loan program. Nothing in this chapter shall be construed to supersede the powers vested in the department of local affairs and development under s. 22.42 for the purpose of carrying out all program responsibilities for which debt has been incurred by the authority under this section.

(4) The limitations established in s. 234.18 or 234.40 are not applicable to bonds issued under the authority of this section. The authority may not have outstanding at any one time bonds for certified housing rehabilitation loans in an aggregate principal amount exceeding \$25,000,000, excluding bonds being issued to refund outstanding bonds. The authority shall consult with and coordinate the issuance of bonds with the state building commission prior to the issuance of bonds.

(5) No bonds may be issued under the authority of this section after June 30, 1981, or the effective date of the 1981 biennial budget act, whichever is later, excluding bonds being issued to refund outstanding bonds. The application of this subsection does not affect the validity and continuance of the pledge and agreement of the state under s. 234.19.

234.51 Housing rehabilitation loan program administration fund; establishment and use. (1) There is established under the jurisdiction of the authority a housing rehabilitation loan program administration fund. There shall be paid into such fund the amounts appropriated under s. 20.490 (2) (a), the amounts provided in s. 234.55, any amounts transferred by the authority to such fund from other funds or sources and any other moneys which may be available to the authority for the purpose of such fund from any other source.

(2) Subject to agreements with bondholders, the authority shall use moneys in the fund solely:

(a) To pay all administrative costs, expenses and charges, including origination fees and servicing fees, incurred in conducting the housing rehabilitation loan program other than those described in ss. 234.53 (4) and 234.55 (2) (b); or

(b) For transfer, upon request, to the secretary of administration for deposit in the state general fund, to the extent that the chairperson of the authority certifies that such funds are no longer required for the program.

(3) Moneys of the fund may be invested as provided in s. 234.03 (18). All such investments shall be the exclusive property of the fund. All earnings on or income from such investments shall be credited to the fund.

234.52 Housing rehabilitation loan program loan-loss reserve fund; establishment and use. (1) There is established under the jurisdiction of the authority a housing rehabilitation loan program loan-loss reserve fund. There shall be paid into such fund the amounts appropriated under s. 20.490 (2) (q), the amounts provided under s. 234.55, any amounts transferred by the authority to such fund from other funds or sources and any other moneys which may be available to the authority for the purposes of such fund from any other source.

(2) Subject to agreements with bondholders, the authority shall use moneys in the fund solely for transfer to the housing rehabilitation loan program bond redemption fund in amounts equal to losses on certified housing rehabilitation loans owned by that fund which are not made good by federal insurance or guarantee payments, and solely for the purposes described in s. 234.55 (2) (a). Any balance remaining after payment or due provision for payment of all outstanding bonds issued under the authority of s. 234.50 shall be transferred to the housing rehabilitation loan program administration fund only for the purpose of deposit in the state general fund.

(3) Moneys of the fund may be invested as provided in s. 234.03 (18). All such investments shall be the exclusive property of the fund. All earnings on or income from such investments shall be credited to the fund.

234.53 Housing rehabilitation loan fund. (1) The authority shall establish the housing rehabilitation loan fund. All moneys resulting from the sale of bonds issued under the authority of s. 234.50, not including bonds issued to refund outstanding bonds, and unless credited to the housing rehabilitation loan program capital reserve or bond redemption funds, shall be credited to such fund.

(2) The authority shall use moneys in the fund for the purpose of purchasing certified housing rehabilitation loans or for funding commitments for loans to lenders

for certified housing rehabilitation loans. All disbursements of funds under this section for purchasing such loans shall be made payable to an authorized lender as defined in s. 22.42 (1) (b) or a duly authorized agent thereof.

(3) Moneys of the fund may be invested as provided in s. 234.03 (18). All such investments shall be the exclusive property of the fund. All earnings on or income from such investments shall be credited to the fund.

(4) The authority may use moneys in the fund to cover actual and necessary expenses incurred in the sale of housing rehabilitation bonds and investment of the proceeds thereof.

(5) Any moneys not needed for the purposes of the fund shall be transferred to the housing rehabilitation loan program bond redemption fund.

234.54 Housing rehabilitation loan program capital reserve fund. (1) The authority shall establish the housing rehabilitation loan program capital reserve fund to secure the bonds issued under the authority of s. 234.50, and shall pay into such fund any moneys appropriated and made available by the state for the purposes of such fund, any proceeds of sale of housing rehabilitation bonds to the extent provided in the resolution of the authority authorizing the issuance thereof and any other moneys which are made available to the authority for the purpose of such fund from any other source.

(2) All moneys held in the housing rehabilitation loan program capital reserve fund, except as otherwise specifically provided, shall be used, as required, solely for the payment of the principal of bonds of the authority secured in whole or in part by such fund or of sinking fund payments with respect to such bonds, the purchase or redemption of such bonds, the payment of interest on such bonds or the payment of any redemption premium required to be paid when such bonds are redeemed prior to maturity; but, if moneys in such fund at any time are less than the capital reserve fund requirement established for such fund as provided in this section, the authority shall not use such moneys for any optional purchase or optional redemption of such bonds. Any income or interest earned by, or increment to, the capital reserve fund due to the investment thereof may be transferred by the authority to other housing rehabilitation loan program funds or accounts of the authority to the extent such transfer does not reduce the amount of the capital reserve fund below the capital reserve fund requirement for the fund.

(3) The authority may not issue bonds, secured in whole or in part by the capital reserve fund if upon the issuance of such bonds, the amount in such capital reserve fund will be less than the capital reserve fund requirement of such fund, unless the authority, forthwith upon the issuance of such bonds, deposits in such fund from the proceeds of the bonds to be issued, or from other sources, an amount which, together with the amount then in such fund, will not be less than the capital reserve fund requirement for such fund. For purposes of this section, "Capital reserve fund requirement" means, as of any particular date of computation, an amount of money, as provided in the resolutions of the authority authorizing the bonds with respect to which such fund is established, which amount may not exceed the maximum annual debt service on the bonds of the authority for that calendar year or any future calendar year secured in whole or in part by such fund. The annual debt service for any calendar year is the amount of money equal to the aggregate of a) all interest payable during such calendar year on all bonds secured in whole or in part by such fund outstanding on the date of computation; and b) the principal amount of all such bonds outstanding on said date of computation which mature during such calendar year; and c) all amounts specified in any resolution of the authority authorizing any of such bonds as payable during such calendar year as a sinking fund payment with respect to any of such bonds which mature after such calendar year, all calculated on the assumption that such bonds will after such date of computation cease to be outstanding by reason, but only by reason, of the payment of bonds when due, and the payment when due and application in accordance with the resolution authorizing those bonds, of all of such sinking fund payments payable at or after such date of computation. However, in

computing the annual debt service for any calendar year, bonds deemed to have been paid in accordance with the defeasance provisions of the resolution of the authority authorizing the issuance thereof may not be included in bonds outstanding on such date of computation.

(4) To assure the continued operation and solvency of the authority for the carrying out of the public purposes of this chapter, the authority shall accumulate in the capital reserve fund an amount equal to the capital reserve fund requirement for such fund. If at any time the capital reserve fund requirement for the capital reserve fund exceeds the amount of such capital reserve fund, the chairperson of the authority shall certify to the secretary of administration, the governor and the joint committee on finance the amount necessary to restore such capital reserve fund to an amount equal to the capital reserve fund requirement in respect thereto. If such certification is received by the secretary of administration in an even-numbered year prior to the completion of the budget compilation under s. 16.43, the secretary shall include the certified amount in the budget compilation. In any case, the joint committee on finance shall introduce in either house, in bill form, an appropriation of the amount so certified to the capital reserve fund. Recognizing its moral obligation to do so, the legislature hereby expresses its expectation and aspiration that, if ever called upon to do so, it shall make such appropriation.

(5) In computing the amount of the capital reserve fund for the purposes of this section, securities in which all or a portion of such capital reserve fund is invested shall be valued at par, or if purchased at less than par, at their cost to the authority, adjusted to reflect the amortization of discount or premium paid upon their purchase.

(6) Notwithstanding subs. (1) to (5), the authority, subject to such agreements with bondholders as may then exist, may elect not to secure any particular issue or series of its bonds with the capital reserve fund. Such election shall be made in the resolution authorizing such issue or series. In this event, subs. (2) and (3) shall not apply to the bonds of such issue or series in that they shall not be entitled to payment out of or be eligible for purchase by such fund nor may they be taken into account in computing or applying any capital reserve fund requirement.

234.55 Housing rehabilitation loan program bond redemption fund. (1) The authority shall establish the housing rehabilitation loan program bond redemption fund. All certified housing rehabilitation loans purchased with moneys from the housing rehabilitation loan fund or notes evidencing loans to lenders from such fund for certified housing rehabilitation loans shall be the exclusive property of such redemption fund. All moneys received from the repayment of such loans, any amounts transferred by the authority to such fund pursuant to s. 234.52 or from other funds or sources, any federal insurance or guarantee payments with respect to such loans, all moneys resulting from the sale of bonds for the purpose of refunding outstanding housing rehabilitation bonds unless credited to the housing rehabilitation loan program capital reserve fund, and any other moneys which may be available to the authority for the purpose of such fund, shall be deposited into such fund to be used for the repayment of housing rehabilitation bonds issued under the authority of s. 234.50.

(2) Subject to agreements with bondholders and except as provided in sub. (3), the authority may use moneys in the fund solely:

(a) For the payment of the principal of and interest on housing rehabilitation bonds of the authority when the same become due whether at maturity or on call for redemption and for the payment of any redemption premium required to be paid when such bonds are redeemed prior to their stated maturities, and to purchase such bonds;

(b) To pay actual and necessary expenses incurred to service and administer outstanding housing rehabilitation bonds, including fees and expenses of trustees and paying agents, and to collect certified housing rehabilitation loans;

(c) For transfer to the housing rehabilitation loan program loan loss reserve fund;
or

(d) For transfer to the housing rehabilitation loan fund.

(3) Any balance remaining after satisfaction of all obligations under sub. (2) shall be transferred to the housing rehabilitation loan program administration fund only for the purpose of deposit in the state general fund.

(4) Moneys of the fund may be invested as provided in s. 234.03 (18). All such investments shall be the exclusive property of the fund. All earnings on or income from such investments shall be credited to the fund.

SECTION 745g. 245.09 of the statutes is amended to read:

245.09 Identification of parties; statement of qualifications. No application for a marriage license shall may be made by persons lawfully married to each other and no marriage license shall may be issued to such persons; nor shall may a marriage license be issued unless the application therefor is subscribed by the parties intending to intermarry and is filed with the clerk who issues the license. The county clerk may issue licenses to persons previously married with the judge's consent, and the judge may then make the determination whether the previous marriage was legal or not. Each party shall present satisfactory, documentary proof of identification and residence and shall swear (or affirm) to the application before the clerk who is to issue the license or the person authorized to accept such applications in the county and state where the party resides. The application shall contain ~~a statement under oath (or such affirmation) that the contemplated marriage will be lawful, and give the date the marriage is intended to take place, the names of the parties, their relationship, the place and date and year of birth, nationality, race, residence and occupation, names of their parents and guardians, such informational items on the groom and bride as are contained in the top panels of the marriage certificate, excluding those items in the lower portion of the certificate collected for statistical purposes only.~~ It shall also contain the intended date and place of the marriage, the prior marriages of either party and the place, dates and manner of the dissolution thereof with the names of former spouses, and the names, ages and residence of any minor children of such prior marriage. Each applicant under 30 years of age shall exhibit to the clerk a birth certificate, and all applicants shall submit a copy of all judgments and death certificates affecting the marital status. If such certificate or judgment is unobtainable, other satisfactory documentary proof of the requisite facts therein may be presented in lieu thereof. Whenever said clerk is not satisfied with the documentary proof presented, he shall submit the same, for an opinion as to the sufficiency thereof, to a judge of a court of record in the county of application.

SECTION 745k. 245.10, and 245.105, as created by chapter 105, laws of 1977, of the statutes are repealed.

SECTION 745m. 245.13 of the statutes is repealed and recreated to read:

245.13 Form of license. The license shall contain such informational items on the groom and bride as are contained in the top panels of the marriage certificate, excluding those items in the lower portion of the certificate collected for statistical purposes only. It shall contain a notification of the time limits of the authorization to marry, a notation that the issue of the license shall not be deemed to remove or dispense with any legal disability, impediment or prohibition rendering marriage between the parties illegal, and the seal of the county clerk.

SECTION 745r. 245.14 of the statutes is repealed and recreated to read:

245.14 Form when solemnized by parties. If the marriage is to be solemnized by the parties without an officiating person, as provided by s. 245.16 (3) the license shall contain all those items and notations as required by s. 245.13.

SECTION 746. 245.18 (1) of the statutes is renumbered 245.18 and amended to read:

245.18 Marriage certificate; form. The license shall have appended to it ~~3~~ 2 certificates, numbered to correspond with the license (one marked "original," and one marked "duplicate," ~~and one marked "triplicate" and with black carbon paper or other black duplicating process between them~~), which shall ~~be in form substantially as follows:~~

MARRIAGE CERTIFICATE.

~~I, ..., hereby certify that on the ... day of ..., Anno Domini, one thousand nine hundred and ..., at ... in the ... of ..., state of Wisconsin, A ... B ..., of ..., state of ..., and C ... D ..., of ..., state of ..., were by me united in marriage as authorized by a marriage license issued for that purpose by the county clerk of ... county and state of Wisconsin, numbered ... and dated the ... day of ..., A. D. 19 ...~~

Signed ...
(Official designation) ...

~~We, the undersigned adult witnesses, were present at the marriage of A ... B ... and C ... D ..., as set forth in the foregoing certificate, at their request, and heard their declarations that they took each other for husband and wife.~~

E ... F ...
G ... H ...

contain such items as the department may determine are necessary and shall agree in the main with the standard form recommended by the U.S. public health service. The county clerk shall acquire the information for the marriage certificate and shall enter it in its proper place at the time the license is issued.

SECTION 746m. 245.18 (2) and (3) of the statutes are repealed.

SECTION 747. 245.19 (1) of the statutes is amended to read:

245.19 (1) The marriage ~~certificates~~ certificate marked "duplicate" and "~~triplicate,~~" duly signed, shall be given by the officiating person to the persons married by him; and the certificate marked "original," legibly and completely filled out with unfading black ink, shall be returned by ~~such~~ the officiating person, or, in the case of a marriage ceremony performed without an officiating person, then by the parties to the marriage contract, or either of them, to the register of deeds of the county in which ~~said~~ the marriage was performed, or if performed in a city, then to the city health officer within 3 days after the date of ~~said~~ the marriage. The marriage license shall be retained by the person who solemnizes the marriage, or in case of a marriage performed without an officiating person, by the parties to the marriage contract, or either of them, to be prima facie evidence of authority to perform the marriage ceremony.

SECTION 747c. 245.30 (1) (f) of the statutes is repealed.

SECTION 747g. 247.02 (1) (k) of the statutes, as created by chapter 105, laws of 1977, is repealed.

SECTION 747m. 247.05 (2) of the statutes, as affected by chapter 105, laws of 1977, is amended to read:

247.05 (2) ACTIONS FOR CUSTODY OF CHILDREN. Subject to ch. 822, the question of a child's custody may be determined as an incident of any action affecting marriage or in an independent action for custody. The effect of any determination of a child's custody shall not be binding personally against any parent or guardian unless the parent or guardian has been made personally subject to the jurisdiction of the court in the action as provided under ch. 801 or has been notified under s. 822.05 as provided in s. 822.12. Nothing in this section may be construed to foreclose a person other than a parent who has physical custody of a child from proceeding under ch. 822.

SECTION 747mb. 247.075 of the statutes is created to read:

247.075 State is real party in interest. Whenever aid under s. 49.19 is provided a dependent, the state shall be deemed a real party in interest within the meaning of s. 803.01 for purposes of securing reimbursement of aid paid, future support and costs as appropriate in an action affecting marriage.

SECTION 747n. 247.15 of the statutes is created to read:

247.15 Service on child support agency. In any action affecting marriage in which either party is a recipient of aid under s. 49.19, each party, unless represented by a child support agency, shall, either within 20 days after making service on the opposite party of any petition or pleading, or before filing such petition or pleading in court,

serve a copy of the petition or pleading upon the child support agency of the county in which the action is begun. No judgment in any such action shall be granted unless this section is complied with except as otherwise ordered by the court.

SECTION 747o. 247.24 (1) (c) of the statutes, as created by chapter 105, laws of 1977, is amended to read:

247.24 (1) (c) If the interest of any child demands it, and if the court finds either that the parents are unable to care for such children adequately or are not fit and proper persons to have the care and custody of such children, the court may declare any such child a dependent and give the care and custody of such child to a relative of the child, as defined in ch. 48; to a county agency specified in s. 48.56 (1); to a licensed child welfare agency; or to the department of health and social services. The charges for such care shall be pursuant to the procedure under s. 48.27 except as provided in s. 247.29 (3).

SECTION 747om. 247.25 (1) (intro.) of the statutes, as affected by chapter 105, laws of 1977, is amended to read:

247.25 (1) (intro.) Upon every judgment of annulment, divorce or legal separation, or in rendering a judgment in an action under s. 247.02 (1) (f) or (j) or 247.08, the court may order either or both parents to pay an amount reasonable or necessary for support of a child and shall specifically assign responsibility for payment of medical expenses, after considering:

SECTION 747p. 247.25 (3) of the statutes is created to read:

247.25 (3) Violation of visitation rights by the custodial parent shall not constitute reason for failure to meet child support obligations.

SECTION 747q. 247.29 (2) of the statutes, as affected by chapter 105, laws of 1977, is amended to read:

247.29 (2) If any party entitled to maintenance payments or support money, or both, is receiving public assistance under ch. 49, such party may assign the party's right thereto to the county department of public welfare or municipal relief agency granting such assistance. Such assignment shall be approved by order of the court granting such maintenance payments or support money, and may be terminated in like manner; except that it shall not be terminated in cases where there is any delinquency in the amount of maintenance payments and support money previously ordered or adjudged to be paid to such assignee without the written consent of the assignee or upon notice to the assignee and hearing. When an assignment of maintenance payments or support money, or both, has been approved by such order, the assignee shall be deemed a real party in interest within s. 803.01 but solely for the purpose of securing payment of unpaid maintenance payments or support money adjudged or ordered to be paid, by participating in proceedings to secure the payment thereof. ~~This provision for a voluntary assignment does not apply to child support paid in behalf of recipients of assistance under s. 49.19. Notwithstanding assignment under this subsection, and without further order of the court, the clerk of court, upon receiving notice that a party or a minor child of the parties is receiving aid under s. 49.19, shall forward all support assigned under s. 49.19 (4) (h) 1 to the department.~~

SECTION 747r. 247.32 (1) of the statutes, as affected by chapter 105, laws of 1977, is amended to read:

247.32 (1) After a judgment providing for child support under s. 247.25, maintenance payments under s. 247.26 or family support payments under s. 247.261, or for the appointment of trustees under s. 247.31 the court may, from time to time, on the petition of either of the parties, or upon the petition of the department of health and social services, a county welfare agency or a child support agency if an assignment has been made under s. 49.19 (4) (h) or if either party or their minor children receives aid under ch. 49, and upon notice to the family court commissioner, revise and alter such judgment respecting the amount of such maintenance or child support and the payment thereof, and also respecting the appropriation and payment of the principal and income of the property so held in trust, and may make any judgment

respecting any of ~~said the~~ matters which such court might have made in the original action, except that a judgment which waives maintenance payments for either party shall not thereafter be revised or altered in that respect nor shall the provisions of a judgment with respect to final division of property be subject to revision or modification. Any change in child support because of alleged change in circumstances shall take into consideration each parent's earning capacity and total economic circumstances. In any action under this section, receipt of aid to families with dependent children under s. 49.19, or a substantial change in the cost of living by either party or as measured by the federal bureau of labor statistics may be sufficient to justify a revision of judgment.

SECTION 747s. 247.32 (4) of the statutes is created to read:

247.32 (4) In any case in which the state is a real party in interest under s. 247.075, the department of health and social services shall review the support obligation periodically and whenever circumstances so warrant, petition the court for revision of the judgment with respect to the support obligation.

SECTION 748. 252.07 (2) of the statutes is amended to read:

252.07 (2) The increase in the salary ~~of~~ and any economic or cost of living adjustments for circuit judges granted by chapter 90, laws of 1973, and any state increase in ~~said the salary or any economic or cost of living adjustments~~ under s. 20.923 thereafter, shall be paid by the state treasurer to the county treasurer.

SECTION 749. 252.07 (2) of the statutes, as affected by chapter (this act), laws of 1977, is renumbered 753.07 (2).

SECTION 749g. 252.075 (2) of the statutes is amended to read:

252.075 (2) COMPENSATION. ~~The~~ Except for persons serving temporarily under s. 17.026 (2), retired justices and judges serving temporarily as circuit or county judges shall receive a per diem of \$95 and while serving outside the county in which they reside shall also receive actual and necessary expenses incurred in the discharge of judicial duties. This per diem compensation is not subject to s. 41.11 (12) but the combined amount of this compensation and any other judicial compensation together with retirement annuities under the Wisconsin retirement fund, the Milwaukee county retirement fund and other state, county, municipal, or other Wisconsin governmental retirement funds, social security or other federal retirement funds received by him or her during any one calendar year shall not exceed compensation paid by the state and the counties to any circuit judge. This compensation shall be paid from the appropriation under s. 20.625 (1).

SECTION 749h. 252.075 (2) of the statutes, as affected by chapter (this act), laws of 1977, is renumbered 753.075 (2).

SECTION 749m. 252.076 of the statutes is amended to read:

252.076 Retired judges; service and practice. ~~A retired justice or judge retired under the provisions of Art. VII, Sec. 24, of the constitution, who shall serve~~ serves temporarily as a circuit or county judge ~~under that section and s. 252.075,~~ shall not appear as an attorney nor act of counsel in any contested matter in any court in the county in which he or she has so served for a period of one year after ~~such the~~ service. Neither the act of serving as circuit or county judge in another county, nor the performance of conciliation or pretrial duties under s. 807.09 ~~shall affect~~ affects his or her eligibility to engage in the practice of law.

SECTION 749n. 252.076 of the statutes, as affected by chapter (this act), laws of 1977, is renumbered 753.076.

SECTION 749p. 253.195 of the statutes is amended to read:

253.195 Retired judges, service. Any person who has served 4 or more years as a county judge, and who was not defeated at the most recent time he or she sought reelection but is no longer a county judge, may serve temporarily on appointment by the chief justice of the supreme court or by any associate justice designated by the supreme court, acting through the administrative director of courts, as a judge of any

circuit or county court. ~~Such~~ Unless appointed to temporary service under s. 17.026 (2), the person shall receive from the state a per diem of \$95 for each day on which he or she actually serves and, while serving outside the county in which he or she resides, his or her actual and necessary expenses. This per diem compensation is not subject to s. 41.11 (12) but the combined amount of this compensation and any other judicial compensation together with retirement annuities under the Wisconsin retirement fund, the Milwaukee county retirement fund and other state, county, municipal, or other Wisconsin governmental retirement fund, social security or other federal retirement funds received by him or her during any one calendar year shall not exceed compensation paid by the state and the counties to any circuit judge. This compensation shall be paid from the appropriations provided in s. 20.625 (1).

SECTION 749q. 253.195 of the statutes, as affected by chapter (this act), laws of 1977, is renumbered 754.195.

SECTION 750. 256.65 of the statutes, as affected by chapter 29, laws of 1977, is repealed and recreated to read:

256.65 Indigent defendants; payment of costs. In all trials involving indigent defendants the county shall be liable for the costs specified in subs. (1) to (4) arising from the trial or retrial of the case only to the extent of an amount determined by multiplying the population of the county by 50 cents, or \$10,000, whichever is lesser. The costs of a retrial shall not be added to the costs of the original trial when calculating total county trial costs of the case. The state shall be liable for additional costs specified in subs. (1) to (4) and shall reimburse the county out of the appropriation provided by s. 20.625 (2). Upon completion of the trial and compilation of the costs of a case, the clerk of court shall file with the administrative director of the courts the county claim for reimbursement of court costs which shall include the following items:

(1) Meals, lodging, mileage and fees for jurors.

(2) Fees for transcripts requested by the prosecuting or defense attorney.

(3) Meals, lodging, mileage and fees for a defense attorney if counsel was appointed by the court prior to the implementation of the state public defender program for determination of indigency and appointment of counsel in the county.

(4) Witnesses, expert witnesses and medical expenses.

SECTION 750m. 256.65 of the statutes, as affected by chapter (this act), laws of 1977, is renumbered 757.65.

SECTION 751. 256.68 (3) (b) 2 of the statutes is amended to read:

256.68 (3) (b) 2. If the defendant does not waive his or her right to counsel, refer the ~~matter of the appointment of an attorney, if the defendant is indigent, to the public or legal defenders when the defendant is willing to accept these services or otherwise to the judge for appointment of private counsel~~ defendant to the state public defender for an indigency determination and appointment of counsel under ch. 977.

SECTION 752. 256.68 (3) (b) 2 of the statutes, as affected by chapters 187 and ... (this act), laws of 1977, is renumbered 757.68 (3) (b) 2.

SECTION 753. 289.14 (1) of the statutes is amended to read:

289.14 (1) All contracts with the state involving \$2,500 or more and all other contracts involving \$500 or more for the performance of labor or furnishing materials when the same pertains to any public improvement or public work shall contain a provision for the payment by the prime contractor of all claims for labor performed and materials furnished, used or consumed in making the public improvement or performing the public work, including, without limitation because of enumeration, fuel, lumber, building materials, machinery, vehicles, tractors, equipment, fixtures, apparatus, tools, appliances, supplies, electric energy, gasoline, motor oil, lubricating oil, greases, state imposed taxes, premiums for worker's compensation insurance and contributions for unemployment compensation. A contract shall not be made unless the prime contractor gives a bond issued by a surety company licensed to do business

in this state. The department of administration may, for state contracts, waive the requirement that contractors furnish bonds when adequate guarantees or warranties are provided for by contract. The bond shall carry a penalty of not less than the contract price, and shall be conditioned for the faithful performance of the contract and the payment to every person entitled thereto of all the claims for labor performed and materials furnished under the contract, to be used or consumed in making the public improvement or performing the public work as provided in the contract and this subsection. The bond shall be approved in the case of the state by the state official authorized to enter such contract, of a county by its district attorney, of a city by its mayor, of a village by its president, of a town by its chairman, of a school district by the director or president and of any other public board or body by the presiding officer thereof. No assignment, modification or change of the contract, or change in the work covered thereby, or any extension of time for the completion of the contract may release the sureties on the bond. Neither the invitation for bids, nor the person having power to approve the prime contractor's bond, may require that such bond be furnished by a specified surety company or through a specified agent or broker.

SECTION 754. 340.01 (3) (j) of the statutes is created to read:

340.01 (3) (j) Vehicles operated by federal, state or local authorities for the purpose of bomb and explosive or incendiary ordnance disposal.

SECTION 754g. 341.045 of the statutes, as created by chapter 29, laws of 1977, is amended to read:

341.045 Use of registered farm trucks regulated. A motor truck registered as a farm truck under s. 341.26 (3) (a) may be used for personal and family purposes if the primary use of that motor truck is for purposes specified in s. 340.01 (18), except that a registered farm truck may not be used in furtherance of any nonfarm occupation, trade, profession or other employment, including commuting to or from the place of such nonfarm occupation, trade, profession or employment. This section does not apply to farm trucks registered under s. 341.26 (3) (am). Any violations of this section are subject to the penalty prescribed for violations of s. 341.04 (2).

SECTION 755. 341.05 (13m) of the statutes is created to read:

341.05 (13m) Is a trailer or semitrailer or camping trailer having a gross weight of 3,000 pounds or less and not used for hire or rental; or

SECTION 756. 341.06 (1) (am) of the statutes is created to read:

341.06 (1) (am) A trailer or semitrailer or camping trailer having a gross weight of 3,000 pounds or less and not used for hire or rental. The registration fee charged shall be the same as if the trailer or semitrailer were to be used for hire or rental.

SECTION 757. 341.13 (2) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

341.13 (2) In addition to the matter specified in s. 341.12 (3), the registration plates for a vehicle registered on the basis of gross weight except a motor truck registered under s. 341.145 (1) (a), a dual purpose motor home, or a motor home registered under s. 341.14 (1), (1a), (1m) or (1q) shall indicate the weight class into which the vehicle falls in a manner prescribed by the department. The gross weight which determines the registration fee for a motor truck registered under s. 341.145 (1) (a), a dual purpose motor home, or a motor home registered under s. 341.14 (1), (1a), (1m) or (1q) shall be shown on its certificate of registration.

SECTION 758. 341.14 (1), (1a), (1m) and (1q) of the statutes, as affected by chapter 29, laws of 1977, are amended to read:

341.14 (1) Whenever any resident of this state who is registering or has registered an automobile or motor home submits a statement from the U.S. veterans administration certifying to the department that the resident is, by reason of injuries sustained while in the active U.S. military service, disabled by paraplegia, amputation of leg, foot, both hands or if he or she is disabled by loss of use of a leg, foot, or both hands, minimum faulty vision of 20/200 or other condition certified to by the veterans

administration resulting in an equal degree of disability (specifying the particular condition) so as not to be able to get about without great difficulty, the department shall procure, issue and deliver to the veteran, plates of a special design in lieu of the plates which ordinarily would be issued for the ~~automobile vehicle~~. The plates shall be so designed as to readily apprise law enforcement officers of the fact that the ~~automobile vehicle~~ is owned by a disabled veteran and is entitled to the parking privileges specified in s. 346.50 (2). No charge in addition to the registration fee shall be made for the issuance of such plates.

(1a) Whenever any resident of this state, who is registering or has registered an automobile or motor home, submits a statement from a physician duly licensed to practice medicine in this state certifying to the department that the resident is disabled by paraplegia, amputation of leg, foot or both hands or if he or she is disabled by loss of use of a leg, foot or both hands, minimum faulty vision of 20/200 or other condition certified to by a physician duly licensed to practice medicine in this state resulting in an equal degree of disability (specifying the particular condition) so as not to be able to get about without great difficulty, the department shall procure, issue and deliver to the disabled person, plates of a special design in lieu of plates which ordinarily would be issued for the ~~automobile vehicle~~. The plates shall be so designed as to readily apprise law enforcement officers of the fact that the ~~automobile vehicle~~ is owned by a nonveteran disabled person and is entitled to the parking privileges specified in s. 346.50 (2a). No charge in addition to the registration fee shall be made for the issuance of such plates.

(1m) If any licensed driver submits to the department a statement from a physician duly licensed to practice medicine certifying that another person who is regularly dependent on the licensed driver for transportation is disabled by paraplegia, amputation of leg, foot or both hands, or by loss of use of a leg, foot or both hands, minimum faulty vision of 20/200 or other condition resulting in an equal degree of disability (specifying the particular condition) so as not to be able to get about without great difficulty, the department shall issue and deliver to the licensed driver plates of a special design in lieu of the plates which ordinarily would be issued for the automobile or motor home. The plates shall be so designed as to readily apprise law enforcement officers of the fact that the automobile or motor home is operated by a licensed driver on whom a ~~nonveteran~~ disabled person is regularly dependent and is entitled to the parking privileges specified in s. 346.50 (2a). No charge in addition to the registration fee may be made for the issuance of the plates. The plates shall conform to the plates required in sub. (1a).

(1q) If any employer who provides an automobile or motor home, whether owned or leased by the employer, for an employe's use submits to the department a statement from a physician duly licensed to practice medicine certifying that the employe is disabled by paraplegia, amputation of leg, foot or both hands or by loss of use of a leg, foot or both hands, minimum faulty vision of 20/200 or other condition resulting in an equal degree of disability (specifying the particular condition) so as not to be able to get about without great difficulty, the department shall issue and deliver to such employer a plates of a special design in lieu of the plates which ordinarily would be issued for the automobile or motor home. The plates shall be so designed as to readily apprise law enforcement officers of the fact that the automobile or motor home is operated by a ~~nonveteran~~ disabled person and is entitled to the parking privileges specified in s. 346.50 (2a). No charge in addition to the registration fee may be made for the issuance of the plates. The plates shall conform to the plates required in sub. (1a).

SECTION 758m. 341.145 (7) of the statutes, as created by chapter 129, laws of 1977, is amended to read:

341.145 (7) The department may refuse to issue any combination of letters or numbers, or both, which may carry connotations offensive to good taste or decency, or which would be misleading, or in conflict with the issuance of any other license plates. All decisions of the department with respect to personalized license plate applications shall be final and not subject to judicial review under ch. 227.

SECTION 758s. 341.145 (8) of the statutes is created to read:

341.145 (8) The department may cancel and order the return of any personalized license plates issued which contain any combination of letters or numbers, or both, which the department determines may carry connotations offensive to good taste and decency or which may be misleading. Any person ordered to return such plates shall either be reimbursed for any additional fees they paid for the plates for the registration year in which they are recalled, or be given at no additional cost replacement personalized license plates, the issuance of which is in compliance with the statutes. A person who fails to return personalized license plates upon request of the department may be required to forfeit not more than \$200.

SECTION 760. 341.25 (1) (g) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

341.25 (1) (g) For each trailer or semitrailer designed to be hauled by a motor vehicle other than a truck tractor and not coming within the provisions of par. (fm) ~~or (gd) or (ge)~~, a fee which is equal to the fee prescribed for a motor truck of the same maximum gross weight. The maximum gross weight shall be determined in the same manner as for a motor truck.

SECTION 761. 341.25 (1) (gd) of the statutes, as created by chapter 29, laws of 1977, is repealed and recreated to read:

341.25 (1) (gd) For each trailer or semitrailer or camping trailer having a gross weight of 3,000 pounds or less and used for hire or rental, a fee which is one-half of the fee prescribed for a motor truck of the same maximum gross weight. The maximum gross weight shall be determined in the same manner as for a motor truck.

SECTION 762. 341.25 (1) (ge) of the statutes is created to read:

341.25 (1) (ge) For each trailer or semitrailer having a gross weight of more than 3,000 pounds but not more than 12,000 pounds designed to be hauled by a motor vehicle other than a truck tractor and not coming within the provisions of par. (fm), a fee which is one-half of the fee prescribed for a motor truck of the same maximum gross weight. The maximum gross weight shall be determined in the same manner as for a motor truck.

SECTION 763. 341.25 (1) (gg) of the statutes, as created by chapter 29, laws of 1977, is amended to read:

341.25 (1) (gg) ~~For each camping trailer having a gross weight of 3,000 pounds or less and not used for hire, a fee of \$15 for a 3-year registration period.~~ For each camping trailer having a gross weight of more than 3,000 pounds ~~and not used for hire~~, an annual fee equal to the fee prescribed for a mobile home having the same length.

SECTION 764. 341.25 (2) of the statutes, as affected by chapter 29, laws of 1977, is repealed and recreated to read:

341.25 (2) The following schedule shall be used in determining fees based on gross weight, provided that a surcharge of \$18 shall be added to and collected with the fee for each truck tractor:

(a) Not more than 4,500	\$ 30
(b) Not more than 6,000	\$ 42
(c) Not more than 8,000	\$ 57
(d) Not more than 12,000	\$ 117
(e) Not more than 16,000	\$ 168
(f) Not more than 20,000	\$ 216
(g) Not more than 26,000	\$ 294
(h) Not more than 32,000	\$ 381
(i) Not more than 38,000	\$ 483

(j) Not more than 44,000	\$ 576
(k) Not more than 50,000	\$ 666
(L) Not more than 56,000	\$ 756
(m) Not more than 62,000	\$ 855
(n) Not more than 68,000	\$ 966
(o) Not more than 73,000	\$1,098
(p) Not more than 76,000	\$1,302
(q) Not more than 80,000	\$1,602

SECTION 765. 341.255 of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

341.255 Registration certificate special handling. The department shall charge a fee to be established by rule for processing applications for registration which have a special handling request for fast service. The fee shall approximate the cost to the department for providing this special handling service to persons so requesting. ~~These fees shall not be considered a portion of the net registration fee under s. 86.35.~~

SECTION 765g. 341.26 (3) (am) of the statutes is created to read:

341.26 (3) (am) For each farm truck having a registered gross weight of 12,000 pounds or less used in furtherance of any nonfarm occupation, trade, profession or employment, an annual fee to be determined in accordance with s. 341.25 (2) on the basis of the maximum gross weight of the vehicle. Maximum gross weight shall be determined by adding together the weight in pounds of the vehicle when equipped to carry a load as a motor truck and the maximum load in pounds which the applicant proposes to carry on the vehicle when used as a motor truck. A motor truck registered under this paragraph may be operated at a maximum gross weight of not more than 12,000 pounds when used as a farm truck.

SECTION 765m. 341.26 (3) (g) of the statutes, as affected by chapter 29, laws of 1977, is repealed and recreated to read:

341.26 (3) (g) The following schedule shall be used in determining fees for vehicles registered under par. (c), (d), (da) or (e), based on gross weight, provided that a surcharge of \$18 shall be added to and collected with the fee for each truck tractor:

Maximum gross weight in pounds	Annual Fee
1. Not more than 4,500	\$24
2. Not more than 6,000	34
3. Not more than 8,000	40
4. Not more than 12,000	72
5. Not more than 16,000	102
6. Not more than 20,000	132
7. Not more than 26,000	177
8. Not more than 32,000	228
9. Not more than 38,000	288
10. Not more than 44,000	345
11. Not more than 50,000	396
12. Not more than 56,000	453
13. Not more than 62,000	513
14. Not more than 68,000	579
15. Not more than 73,000	660

- | | |
|--------------------------|-----|
| 16. Not more than 76,000 | 780 |
| 17. Not more than 80,000 | 960 |

SECTION 766. 341.30 (1) (f) of the statutes is created to read:

341.30 (1) (f) A motor home having a registered gross weight of more than 8,000 pounds and registered under s. 341.25 (1) (j).

SECTION 766m. 341.31 (4) of the statutes, as affected by chapter (Assembly Bill 544), laws of 1977, is repealed and recreated to read:

341.31 (4) (a) The transferee of a vehicle registered as provided in s. 341.29 or 341.30 is not subject to the payment of any registration fee for the remainder of the period for which the vehicle is registered unless, by reason of his or her status or the use to which the vehicle is put, the fee prescribed by law is higher than that paid by the former owner. In such event, the fee shall be computed on the basis of one-twelfth of the difference between the 2 annual fees multiplied by the number of months of the current registration period which have not fully expired on the date, after the vehicle is acquired by the applicant, when such vehicle is first operated by him or her or with his or her consent under circumstances making it subject to registration in this state.

(b) A person retaining a set of plates removed from a motor truck registered under s. 341.29 for 6,000 pounds or less may receive credit for the unused portion of the registration fee paid when registering a replacement motor truck at 6,000 pounds or less.

SECTION 767. 341.41 (8) of the statutes, as affected by chapter 29, laws of 1977, is repealed and recreated to read:

341.41 (8) Residents of the state operating a fleet of 3 or more units consisting of trucks, truck tractors or road tractors with a gross weight of not less than 12,000 pounds shall display Wisconsin license plates for which 100% of the fee has been paid on vehicles not exempt from Wisconsin registration and operated in intrastate commerce. Vehicles engaged in interstate commerce may display Wisconsin prorate license plates for which a proportional registration fee has been paid in addition to a full fee license plate from another jurisdiction. Such proportional registration shall be accomplished either by payment to the department of registration fees in an amount equal to that obtained by applying the proportion of in-state fleet miles divided by the total fleet miles to the total fees which would otherwise be required for the registration of all such vehicles in this state, or by registration of a portion of such vehicles as determined under this subsection. The department may refuse to permit any or all of such vehicles to be registered under apportionment if the department is not satisfied that this state will obtain a fair and equitable share of license registrations of the vehicles comprising such fleet.

SECTION 768. 342.14 (2) of the statutes is amended to read:

342.14 (2) For the original notation and subsequent release of each security interest noted upon a certificate of title, a single fee of \$1.50 by the owner of the vehicle. ~~This fee is exempt from s. 86.35.~~

SECTION 769. 342.15 (1) (b) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

342.15 (1) (b) No person shall may transfer a motor vehicle without disclosing in writing to the transferee the odometer reading and either that such reading is known to be actual mileage, ~~or that such reading is known to be inaccurate in which case actual mileage shall be disclosed if known,~~ or that such reading is not known to be the actual mileage and should not be relied upon, or that such reading reflects the mileage in excess of the designed mechanical limit of 99,999 miles or kilometers. The disclosure shall further state that either the odometer was not altered, set back, disconnected, repaired or replaced, or that the odometer was altered for repair or replacement purposes and the mileage registered on the repaired or replacement odometer was identical to that before such service, or that the repaired or replacement odometer was incapable of registering the same mileage, and was reset to zero and the mileage on

the original odometer before repair or replacement was as stated by the transferor. No transferor shall knowingly give a false statement to a transferee in making such disclosure. The department shall prescribe the manner in which such written disclosure shall be made and retained. The transferor of a motor vehicle with a gross weight rating of more than 16,000 pounds, or of a vehicle 25 or more years old, need not disclose odometer mileage as required by this subsection.

SECTION 769m. 342.15 (4) (a) and (c) of the statutes, as affected by chapters 29, 129, and (Assembly Bill 544), laws of 1977, are repealed and recreated to read:

342.15 (4) (a) If the vehicle being transferred is an automobile or station wagon registered under the monthly series system or a motor truck for which personalized license plates have been issued, the owner shall remove the registration plates and retain and preserve them for use on any other vehicle of the same type which may subsequently be registered in his or her name. If the vehicle being transferred is a motor truck registered under the maximum gross weight system for 6,000 pounds or less, the owner shall remove the registration plates and retain and preserve them for use on any other motor truck which may subsequently be registered for not more than 6,000 pounds in his or her name.

(c) In all other cases the transferor shall permit the plates to remain attached to the vehicle being transferred, except that if the vehicle has been junked the transferor shall remove and destroy the plates.

SECTION 770. 342.16 (1m) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

342.16 (1m) No motor vehicle dealer or motor vehicle salesman ~~shall~~ may transfer a motor vehicle without disclosing in writing to the transferee the odometer reading and either that such reading is known to be actual mileage ~~or that such reading is known to be inaccurate in which case actual mileage shall be disclosed if known,~~ or that such reading is not ~~known to be~~ the actual mileage and should not be relied upon, or that such reading reflects the mileage in excess of the designed mechanical limit of 99,999 miles or kilometers. Such disclosure shall further state that either the odometer was not altered, set back, disconnected, repaired or replaced, or that the odometer was altered for repair or replacement purposes and the mileage registered on the repaired or replacement odometer was identical to that before such service, or that the repaired or replacement odometer was incapable of registering the same mileage, and was reset to zero and the mileage on the original odometer before repair or replacement was as stated by the transferor. No motor vehicle dealer or motor vehicle salesman ~~shall~~ may knowingly give a false statement to a transferee in making such disclosure. The department shall prescribe the manner in which such written disclosure shall be made and retained. Such disclosure requirement shall not apply to a motor vehicle with a gross weight rating of more than 16,000 pounds, or a vehicle 25 or more years old.

SECTION 770m. 342.34 (1) (c) of the statutes, as affected by chapters 29, 129 and (Assembly Bill 544), laws of 1977, is repealed and recreated to read:

342.34 (1) (c) If the motor vehicle is an automobile or station wagon registered under the monthly series system or a motor truck for which personalized license plates have been issued, the owner shall remove the registration plates and retain and preserve them for use on any other vehicle of the same type which may subsequently be registered in his or her name. If the motor vehicle is a motor truck registered under the maximum gross weight system for 6,000 pounds or less, the owner shall remove the registration plates and retain and preserve them for use on any motor truck which may subsequently be registered for not more than 6,000 pounds in the owner's name. If the motor vehicle is not an automobile or station wagon registered under the monthly series system, or a motor truck for which personalized license plates have been issued, or a motor truck registered under the maximum gross weight system for 6,000 pounds or less, he or she shall remove and destroy the plates.

SECTION 771. 343.09 (4) of the statutes, as affected by chapters 29 and 43, laws of 1977, is amended to read:

343.09 (4) Whenever a license is denied by the secretary, such denial may be reviewed by a reviewing board upon written request of the applicant filed with the department within 10 days after receipt of notice of such denial. Reviewing boards shall consist of the secretary or a representative and 2 physicians from a list of physicians designated by the department of health and social services. The physicians designated by the department of health and social services shall be licensed to practice medicine in this state and shall receive the per diem and expenses provided in s. 15.08 (7) which shall be charged to the appropriation ~~for the department of health and social services~~ under s. 20.395 (6) (sd). Actions of the ~~division~~ department on recommendations of the reviewing boards are subject to judicial review under s. 343.40.

SECTION 771m. 343.12 (2) (h) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

343.12 (2) (h) ~~Takes~~ Prior to issuance of the license and prior to renewal of the license, takes and passes ~~once each year~~ a special examination prescribed and administered by the department to determine his or her ability to safely operate a school bus.

SECTION 772. 343.16 (2) of the statutes, as affected by chapter 29, laws of 1977, is renumbered 343.16 (2) (a).

SECTION 773. 343.16 (2) (b) to (d) of the statutes are created to read:

343.16 (2) (b) Whenever the department receives the results of a special examination required under this subsection, the department shall give fair consideration to the recommendation of the examining person or agency together with other evidence in determining if it is in the interest of public safety to issue, renew, deny or cancel a license. If a license is denied or canceled by the department after a special examination as provided in par. (a), such denial or cancellation shall be reviewed by a reviewing board upon written request of the applicant filed with the department within 10 days after receipt of notice of such denial or cancellation. Notice of denial or cancellation shall be in writing and contain specific reasons. The notice shall contain a statement that the applicant has 10 days within which to file a written request with the department for review of the department's decision by the reviewing board. The applicant shall have the right to appear personally before the review board, to present witnesses and additional information, and to be represented by counsel. The department's representative may administer oaths, issue subpoenas for the attendance of witnesses and the production of relevant documents and may require a reexamination of the applicant. No law enforcement officer or other witness produced by the applicant to testify on the applicant's behalf shall be paid a witness fee nor shall any law enforcement officer called to appear for the department be paid any witness fee. A record including the recommendations of the board shall be made of the hearing. If a license is denied or canceled, the applicant shall be given specific reasons in writing. Review boards shall consist of the department's representative and 2 members appointed by the secretary from a list of physicians licensed to practice medicine in this state, recommended by the department of health and social services and the Wisconsin state medical society and from a list of optometrists licensed to practice optometry in this state, recommended by the Wisconsin optometric association. Optometrists shall be limited to reviewing cases concerning vision only. In cases concerning mental disability or disease at least one of the physicians shall have specialized training in psychiatry. The members of the board shall receive the per diem and expenses provided in s. 15.08 (7) which shall be charged to the appropriation under s. 20.395 (6) (sd). A decision of the department based on the recommendation of a reviewing board is subject to judicial review under s. 343.40.

(c) All reports, records or information furnished by or on behalf of an applicant or licensed operator under this subsection are confidential and shall be for the sole use of the department, the applicant or licensed driver, the review board and the courts in administering this section and are not admissible as evidence for any other purpose in any civil or criminal action. The applicant or licensed driver may give informed written consent for release of this information to others.

(d) Nothing in this subsection shall be interpreted to require the release of this information which was obtained under a pledge of confidentiality and such a clear pledge was made in order to obtain the information and was necessary to obtain the information.

SECTION 774. 343.33 of the statutes, as affected by chapter 29, laws of 1977, is repealed and recreated to read:

343.33 Hearing on revocations. (1) Whenever the department under authority of s. 343.32 or 343.34 revokes or suspends a person's operating privilege, the department shall immediately notify such person thereof in writing and upon his or her request shall afford him or her an opportunity for a hearing on the revocation or suspension unless the department is satisfied from the records and information in its possession that a hearing is not warranted. If the department is not so satisfied and the person requests a hearing, the department shall refer the matter to the transportation commission which shall hold a hearing as soon as practicable and in any event within 20 days after receipt of the request therefor. If the person requesting the hearing is a resident of this state, the transportation commission shall fix the place of the hearing as close as practicable to the applicant's residence and in no event shall it be set for a place not in the county of the applicant's residence or a county contiguous thereto without the consent of the applicant. If the applicant is a nonresident, the transportation commission shall determine the place of the hearing. Any person who fails without cause to appear at the time and place specified in the notice served on him or her forfeits the right to a hearing.

(2) Upon the hearing the transportation commission or its hearing examiner may administer oaths, issue subpoenas for the attendance of witnesses and the production of relevant books and papers and may require a reexamination of the licensee. No law enforcement officer or other witness produced by the person who has requested a hearing to testify on his or her behalf shall be paid a witness fee by the department or transportation commission nor shall any law enforcement officer called to appear for the department be paid any witness fee. All testimony shall be taken and transcribed.

(3) Upon completion of the hearing, the transportation commission shall make findings of fact and shall either let the order of revocation stand or, upon good cause appearing therefor, rescind the order of revocation or modify the period of revocation.

SECTION 775. 343.69 of the statutes, as affected by chapter 29, laws of 1977, is repealed and recreated to read:

343.69 Hearings on license denials and revocations. Before the department denies an application for a driver school license or instructor's license or revokes any such license, the department shall notify the applicant or licensee of the pending action and that the transportation commission will hold a hearing on the pending denial or revocation. The transportation commission shall send notice of the hearing by registered or certified mail to the last-known address of the licensee or applicant, at least 10 days prior to the date of the hearing.

SECTION 776. 344.02 (1) to (3) of the statutes, as affected by chapter 29, laws of 1977, are repealed and recreated to read:

344.02 (1) Whenever the department under s. 344.13 gives notice of the amount of security required to be deposited and that an order of suspension will be made if such security is not deposited, it shall afford the person so notified an opportunity for a hearing on the proposed suspension, if written request for such hearing is received by the department prior to the date specified in such notice, or prior to the postponed effective date of suspension if postponement has been granted under s. 344.14 (1). Upon receipt of timely request for hearing, the department shall refer the matter to the transportation commission which shall fix the time and place of such hearing and give notice thereof to such person by regular mail. The scope of the hearing shall be limited to the matter set forth in s. 344.14 (2) (k). Any person who fails without reasonable cause to appear at the time and place specified in the notice shall forfeit the right to a hearing.

(2) No law enforcement officer or other witness called by the person who has requested a hearing to testify on his or her behalf may be paid a witness fee by the department or transportation commission. No law enforcement officer called as a witness for the department may be paid any witness fee.

(3) Upon completion of the hearing, the transportation commission shall make findings of fact, conclusions of law, and a decision, and shall either proceed to order suspension of the person's operating privilege, or registrations, or both in accordance with s. 344.14, or upon good cause appearing therefor, shall terminate suspension proceedings.

SECTION 777. 344.03 of the statutes, as affected by chapters 29 and 187, laws of 1977, is repealed and recreated to read:

344.03 Judicial review. (1) Any person aggrieved by a decision of the transportation commission under this chapter may, at any time prior to 30 days after the entry of an order of suspension or revocation, seek judicial review under ch. 227.

(2) If any person aggrieved by a decision of the transportation commission under this chapter fails to seek judicial review under ch. 227 within the time allowed in sub. (1), the circuit court may, upon the person's petition and notice to the department and transportation commission, and upon the terms and within a time as the court deems reasonable, but not later than one year after the act complained of, allow a review with the same effect as though done within the time prescribed in sub. (1). This subsection does not authorize the court to stay suspension or revocation of an operator's license.

SECTION 778. 344.15 (3) of the statutes, as affected by chapters 29 and 60, laws of 1977, is amended to read:

344.15 (3) Where service of process is made on the secretary under a power of attorney filed in accordance with sub. (2), the secretary shall forthwith mail by registered mail a copy of the process papers to the company at the address given in the filed power of attorney. In all cases of such service, there shall be served 2 authenticated copies for the ~~administrator~~ secretary and such additional number of authenticated copies as there are defendants so served in the action. One of the ~~administrator's~~ secretary's copies shall be retained for the ~~administrator's~~ secretary's record of service and the other copy shall be returned with proper certificate of service attached for filing in court as proof of service of the copies by having mailed them by registered mail to the defendants named therein. The service fee shall be \$4 for each defendant so served.

SECTION 780. 345.09 (2) of the statutes, as affected by chapters 29 and 60, laws of 1977, is amended to read:

345.09 (2) The secretary as attorney upon whom processes and notices may be served under this section shall, upon being served with such process or notice, forthwith mail by registered mail a copy thereof to such nonresident at the out-of-state nonresident address given in the papers so served. It is the duty of the party or the party's attorney to certify in the papers so served that the address given therein is the last-known out-of-state nonresident address of the party to be served. In all cases of service under this section there shall be served 2 authenticated copies for the ~~administrator~~ secretary and such additional number of authenticated copies as there are defendants so served in the action. One of the ~~administrator's~~ secretary's copies shall be retained for the ~~administrator's~~ secretary's record of service and the other copy shall be returned with proper certificate of service attached for filing in court as proof of service of the copies by having mailed them by registered mail to the defendants named therein. The service fee shall be \$4 for each defendant so served. The secretary shall keep a record of all such processes and notices, which record shall show the day and hour of service.

SECTION 780m. 345.23 (4) of the statutes is created to read:

345.23 (4) Shall, if the alleged violator is released under sub. (1) or (2), specify on the citation a return date which may not be more than 90 days after the issue date.

SECTION 780r. 346.50 (2) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

346.50 (2) An automobile or motor home bearing a special registration plate issued under s. 341.14 (1) is exempt from any ordinance imposing time limitations on parking in any street or highway zone and parking lot, whether municipally owned or leased, or both municipally owned and leased or a parking place owned or leased, or both owned and leased by a municipal parking utility, with one-half hour or more limitation but otherwise is subject to the laws relating to parking. Where the time limitation on a metered stall is one-half hour or more, no meter payment is required. Parking privileges granted by this subsection are limited to the disabled veteran to whom the special plates were issued and to qualified operators acting under the disabled veteran's express direction with the disabled veteran present.

SECTION 781. 346.50 (2a) (intro.) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

346.50 (2a) (intro.) An automobile or motor home bearing special registration plates issued under s. 341.14 (1a), (1m) ~~or (1g) (1q)~~ is exempt from any ordinance imposing time limitations on parking in any street or highway zone and parking lot, whether municipally owned or leased, or both municipally owned and leased or a parking place owned or leased, or both owned and leased by a municipal parking utility, with one-half hour or more limitation but otherwise is subject to the laws relating to parking. Where the time limitation on a metered stall is one-half hour or more, no meter payment is required. Parking privileges granted by this subsection are limited to the following:

SECTION 781d. 346.50 (3) of the statutes is created to read:

346.50 (3) A vehicle bearing special registration plates issued under s. 341.14 (1), (1a), (1m) or (1q) is exempt from s. 346.505 or any ordinance in conformity therewith prohibiting parking, stopping or standing upon any portion of a street, highway or public parking facility reserved for handicapped persons by official traffic signs, markers or parking meters indicating the restriction. Stopping, standing and parking privileges granted by this subsection are limited to the persons listed under sub. (2) and (2a) (a) to (e).

SECTION 781g. 346.505 of the statutes is created to read:

346.505 Stopping, standing or parking prohibited in places reserved for handicapped. No person may park, stop or leave standing any vehicle, whether attended or unattended and whether temporarily or otherwise, upon any portion of a street, highway or public parking facility reserved for handicapped persons by official traffic signs, markers or parking meters indicating the restriction.

SECTION 781i. 346.56 (2) of the statutes is amended to read:

346.56 (2) Any person violating s. ~~346.505~~, 346.51 or 346.55 (1) or (2) may be required to forfeit not less than \$20 nor more than \$200.

SECTION 781m. 347.24 of the statutes is renumbered 347.24 (1) and amended to read:

347.24 (1) No person ~~shall~~ may operate on a highway during hours of darkness any implement of husbandry ~~or animal drawn vehicle~~ or any other vehicle not specifically required by law to be equipped with lamps or other lighting devices unless such implement or vehicle is equipped with at least one lighted lamp or lantern exhibiting a white light visible from a distance of 500 feet ahead and a lighted lamp or lantern exhibiting a red light visible from a distance of 500 feet to the rear or, as an alternative to the red lamp or lantern, 2 red reflectors mounted as specified in s. 347.18 and meeting the visibility requirements of s. 347.19 may be displayed on the rear of such vehicle or implement of husbandry.

SECTION 781p. 347.24 (2) of the statutes is created to read:

347.24 (2) No person may operate on a highway during hours of darkness a vehicle drawn by an animal unless the vehicle is equipped with at least one lighted lamp or

lantern exhibiting a white light visible from a distance of 500 feet ahead and 2 lighted lamps or lanterns exhibiting red light visible from a distance of 500 feet to the rear and mounted in such a manner as to indicate the extreme width of the vehicle.

SECTION 782. 348.07 (2) (g) and (3) of the statutes, as affected by chapter 29, laws of 1977, are amended to read:

348.07 (2) (g) 59 feet for a combination of a truck tractor ~~and a~~ semitrailer and load providing ~~the cargo or cargo space of~~ the semitrailer is 45 feet or less in length and the truck tractor is within the statutory limit in sub. (1).

(3) The overall length of a semitrailer or mobile home shall be measured from the rear thereof to the rear of the vehicle to which it is attached. ~~For, except that, for purposes of sub. (2) (g), the cargo or cargo space of the semitrailer shall also be measured~~ overall length of the semitrailer shall be measured from the front thereof to the rear of the trailer or cargo, whichever is longer, excluding bumpers, stake pockets, air deflectors and refrigeration units.

SECTION 783. 348.15 (3) (b) 2 of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

348.15 (3) (b) 2. The gross weight imposed on the highway by the wheels of any one axle exceeds 21,500 pounds or, for 2 axles less than 7 feet apart, ~~35,000~~ 37,000 pounds or, for groups of 3 or more consecutive axles more than 9 feet apart, a weight of 4,000 pounds more than is shown in par. (c) when transporting peeled or unpeeled forest products cut crosswise. This section shall not apply to the national system of interstate and defense highways.

SECTION 783m. 348.27 (5) of the statutes, as affected by chapters 29 and 197, laws of 1977, is amended to read:

348.27 (5) POLE, PIPE AND VEHICLE TRANSPORTATION PERMITS. Except as further provided in this subsection, the department may issue an annual permit to pipeline companies or operators or public service corporations for transportation of poles, pipe, girders and similar materials and to companies and individuals hauling peeled or unpeeled pole-length forest products used in its business and to auto carriers operating "haulaways" specially constructed to transport motor vehicles and which exceed the maximum limitations on length of vehicle and load imposed by this chapter. Such permits issued to companies and individuals hauling peeled or unpeeled pole-length forest products shall limit the length of vehicle and load to a maximum of 10 feet in excess of the limitations in s. 348.07 (1) and shall be valid only on a class "A" highway as defined in s. 348.15 (1) (b). Permits issued to companies or individuals hauling pole-length forest products may not exempt such companies or individuals from the maximum limitations on vehicle load imposed by this chapter. Such permits issued to auto carriers shall limit the length of the vehicle to a maximum of 10 feet in excess of the limitations in s. 348.07 (1) and shall be valid only on a class "A" highway as defined in s. 348.15 (1) (b). Section For the purpose of determining maximum vehicle and load length, s. 348.02 (2) shall not apply to auto carriers except that such permits issued to auto carriers shall limit the load overhang to not more than 4 feet in the front of the vehicle and not more than 5 feet in the rear of the vehicle.

SECTION 783o. 349.11 (3) (c) of the statutes, as affected by chapters 29 and 67, laws of 1977, is amended to read:

349.11 (3) (c) Modify any existing speed limit without the consent of the department except to reduce the speed limit as provided under sub. (10), or to increase the speed limit stated in s. 346.57 (4) (e), (f) or (g), or to reduce the speed limit stated in s. 346.57 (4) (k). Whenever department approval is required, no signs giving notice of a modification of the speed limit ~~shall~~ may be erected until such approval has been received.

SECTION 783p. 349.11 (5) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

349.11 (5) ~~The~~ Except as provided in sub. (10), the department and local authorities shall place and maintain upon all highways, where the speed limit is modified by them pursuant to this section, standard signs giving notice of such speed. All speed limit signs so erected shall conform to the rules of the department.

SECTION 783q. 349.11 (10) of the statutes is created to read:

349.11 (10) Notwithstanding any speed limits imposed under this section or under s. 346.57, if a highway is being constructed, reconstructed, maintained or repaired, local authorities with respect to highways under their jurisdiction and any county highway committee performing maintenance on the state trunk highway system under s. 84.07 may, for the safety of the highway construction and maintenance workers, pedestrians and highway users, post a temporary speed limit less than the speed limit imposed under this section or under s. 346.57. The temporary limits may be posted only during periods when actual construction, reconstruction, maintenance or repair is taking place. Temporary speed limits imposed under this subsection may be posted with portable signs.

SECTION 783s. 349.13 (1m) of the statutes is created to read:

349.13 (1m) The department, with respect to state trunk highways outside of corporate limits and parking facilities under its jurisdiction, and local authorities, with respect to highways under their jurisdiction including state trunk highways or connecting highways within corporate limits and parking facilities under their jurisdiction, may prohibit parking, stopping or standing upon any portion of a street, highway or public parking facility reserved for handicapped persons by official traffic signs, markers or parking meters indicating the restriction.

SECTION 784. 409.402 (3m) of the statutes, as created by chapter 29, laws of 1977, is amended to read:

409.402 (3m) The secretary of state shall prescribe by rule standard forms for filing a financing statement, continuation statement, termination statement, statement of assignment or statement of release. ~~The office of the secretary of state~~ A filing officer may refuse to accept statements not on the required form or not containing information required under sub. (1).

SECTION 785. 409.403 (1) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

409.403 (1) Presentation for filing of a financing statement and tender of the filing fee ~~or acceptance of the statement by the filing officer~~ constitutes filing under this chapter ~~unless the filing officer refuses to accept the statement under s. 409.402 (3m).~~ Presentation for filing of a financing statement and acceptance of the statement by the filing officer constitutes filing under this chapter.

~~SECTION 786. 409.404 (1) (c) of the statutes, as created by chapter 29, laws of 1977, is repealed.~~

~~SECTION 787. 409.404 (2) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:~~

~~409.404 (2) On presentation to the filing officer of a termination statement the officer must note it in the index. If the officer has received the termination statement in duplicate or in triplicate in the case of a filing under sub. (1) (c), the officer shall return one copy of the termination statement to the secured party stamped to show the time of receipt. If the filing officer has a microfilm or other photographic record of the financing statement, and of any related continuation statement, statement of assignment and statement of release, the officer may remove the originals from the files at any time after receipt of the termination statement, or if the officer has no such record, the officer may remove them from the files at any time after one year after receipt of the termination statement.~~

~~SECTION 788. 409.404 (3) (c) of the statutes, as created by chapter 29, laws of 1977, is amended to read:~~

Vetoed
in Part

~~409.404 (3) (c) Transition provision requiring fees for filing certain termination statements with the office of the secretary of state. If fees are not paid under s. 409.403 (5) (b) 1, then the fees are the same as the fees for filing a termination statement with the office of the register of deeds under par. (a). Twice the amount of these fees may be required under sub. (1) (c).~~

Vetoed
in Part

SECTION 789. 440.01 (intro.) of the statutes is amended to read:

440.01 Definitions. (intro.) In title ~~XLA~~ chs. 156, 158, 159 and 440 to 459, unless the context requires otherwise:

SECTION 790. 440.01 (2), (3) and (4) of the statutes are renumbered 440.01 (7), (2) and (3).

SECTION 791. 440.01 (4) to (6) and (8) of the statutes are created to read:

440.01 (4) To “limit” a license, permit or certificate means to impose conditions and requirements upon the holder thereof, and to restrict the scope of the holder’s practice.

(5) “Reprimand” means to publicly warn the holder of a license, permit or certificate.

(6) To “revoke” a license, permit or certificate means to completely and absolutely terminate the license, permit or certificate, and all rights, privileges and authority previously conferred thereby.

(8) To “suspend” a license, permit or certificate means to completely and absolutely withdraw and withhold for a period of time all rights, privileges and authority previously conferred by a grant of a license, permit or certificate.

SECTION 792. 440.03 of the statutes is created to read:

440.03 General duties and powers of the department. (1) The department may adopt rules defining uniform procedures to be used by the board of nursing and all examining boards attached to the department for receiving, filing and investigating complaints, for commencing disciplinary proceedings and for conducting hearings.

SECTION 793. 440.035 (title) of the statutes is created to read:

440.035 (title) General duties of examining boards and board of nursing.

SECTION 794. 440.05 (1) of the statutes, as created by chapter 29, laws of 1977, is amended to read:

440.05 (1) Examination: \$50. The initial license, permit, certificate or registration shall be granted to applicants upon successful completion of an examination if an examination is required and upon completion of other applicable requirements. If an examination is not required, the license shall be granted upon payment of the fee if the applicant is otherwise qualified.

SECTION 795. 440.06 of the statutes is created to read:

440.06 Refunds and reexaminations. The secretary may establish uniform procedures for refunds of fees paid under s. 440.05 and uniform procedures and fees for reexaminations under chs. 156, 158, 159 and 440 to 459.

SECTION 796d. 440.07 of the statutes, as created by chapter 29, laws of 1977, is amended to read:

440.07 Scholarship fund. The board of nursing or any examining board within the department may ~~add request that~~ an additional amount not to exceed \$5 be added to the fees collected under s. 440.05 (1) to (3) as a voluntary contribution to fund educational programs including a scholarship program for students in the respective professions.

SECTION 796m. 440.20 of the statutes is created to read:

440.20 Disciplinary proceedings. Any person may file a complaint before any examining board or the board of nursing and request any board to commence disciplinary proceedings against any permittee, registrant or license or certificate holder.

SECTION 797. 440.26 (1) of the statutes is amended to read:

440.26 (1) LICENSE OR PERMIT REQUIRED. No person shall may advertise, solicit or engage in the business of operating a private detective agency, or act as a private detective, investigator, special investigator, ~~private policeman, private guard or private watchman security person,~~ or act as a supplier of private police, ~~private guards or private watchmen security personnel,~~ or solicit business or perform any other type of service or investigation as a private detective, ~~private policeman, private guard or private watchman security person,~~ or receive any fees or compensation for acting as such, without first filing an application and the necessary bond or liability policy with the department and being issued a license or a permit ~~to be a watchman or guard~~ under this section. No person shall may be so licensed unless he the person is over 25 years of age ~~as principal or owner of an agency and over 18 years of age if an individual agent.~~

SECTION 798. 440.26 (1m) of the statutes is created to read:

440.26 (1m) DEFINITION. In this section, "private security person" or "private security personnel" means any private police, guard or any person who stands watch for security purposes.

SECTION 799. 440.26 (5) of the statutes, as affected by chapter 125, laws of 1977, is amended to read:

440.26 (5) (title) EXEMPTIONS; PRIVATE SECURITY PERMIT. This section ~~shall~~ does not apply to any person employed, directly or indirectly by the state or municipality as defined in s. 345.05 (1) (a), or to any employe of a railroad company under s. 192.47, or employes of commercial establishments, who operate exclusively on their premises. An employe of any licensed agency doing business in this state as a supplier of uniformed security ~~guards, uniformed police or uniformed watchmen personnel~~ to patrol exclusively on the private property of industrial plants, business establishments, schools, colleges, hospitals, sports stadiums, exhibits and similar activities ~~shall be~~ are exempt from the license requirements of this section while engaged in such employment, if ~~such the~~ person obtains a ~~watchman and guard~~ private security permit under this section. ~~Such The~~ agency shall furnish upon request an up-to-date record of its employes to the chief of police or other local law enforcement official designated by the department for the municipality wherein such activities take place. Such record shall include the name, residence address, date of birth and a physical description of each such employe together with a recent photograph and 2 fingerprint cards bearing a complete set of fingerprints of ~~such the~~ employe, and, subject to s. 111.32 (5) (a) and (h), no person shall be eligible for a ~~watchman and guard~~ private security permit who has been convicted in this state or elsewhere of a felony within 5 years preceding application. ~~Such The~~ agency shall notify the chief of police or other designated official in writing within 5 days of any change of the residence address, or of the termination of employment of such person. A ~~watchman and guard~~ private security permit shall be issued or denied within 48 hours of application by the chief of police or other designated official. ~~Such The~~ permit shall remain valid unless for just cause revoked by the chief of police or other designated official issuing the permit for just cause. Upon denial or revocation of a permit, appeal may be taken to the department. For each application for ~~watchman and guard~~ a private security permit filed with the chief of police or other designated official the agency shall remit a fee of \$2 to the municipality issuing the permit.

SECTION 800. 440.26 (7) (b) of the statutes is repealed.

SECTION 801. 440.26 (8) of the statutes is amended to read:

440.26 (8) PENALTIES. Any person, acting as a private detective, investigator, ~~private policeman~~ or private ~~guard~~ security person, or who employs any person who solicits, advertises or performs services in this state as a private detective, ~~private policeman~~ or private ~~guard~~ security person, or investigator or special investigator, without having procured the license or permit required by this section, may be fined not less than \$100 nor more than \$500 or imprisoned not less than 3 months nor more

than 6 months or both. Any agency having an employe, owner, officer or agent convicted of the above offense may have its agency license revoked or suspended by the department. Any person convicted of the above offense shall be ineligible for a license for a ~~period of~~ one year.

SECTION 802. 440.41 (4) (a) and (b) of the statutes are amended to read:

440.41 (4) (a) Every charitable organization registered ~~pursuant to~~ under sub. (2) which ~~shall receive~~ receives in any 12-month period ending December 31 ~~of any year~~ contributions in excess of ~~\$10,000~~ \$50,000 and every charitable organization whose fund raising functions are not carried on solely by persons who are unpaid for such services shall file a written report with the department upon forms prescribed by the department, on or before June 30 of each year if its books are kept on a calendar basis, or within 6 months after the close of its fiscal year if its books are kept on a fiscal year basis, which shall include a financial statement covering the immediately preceding 12-month period of operation. ~~Such~~ The financial statement shall fairly represent the financial operations of the organization and contain such information as the department requires in sufficient detail to permit public evaluation of its operations and shall include but not be limited to a balance sheet and statement of income and expense and shall be consistent with forms furnished by the department clearly setting forth the following: gross receipts and gross income from all sources, broken down into total receipts and income from each separate solicitation project or separate special event; cost of administration; cost of solicitation; cost of programs designed to inform or educate the public; funds or properties transferred out of this state, with explanation as to recipient and purpose; total net amount disbursed or dedicated for each major purpose, charitable or otherwise. ~~Such~~ The report shall also include a statement of any changes in the information required to be contained in the registration form filed on behalf of ~~such the~~ organization. The report shall be signed by the president or other authorized officer and the chief fiscal officer of the organization, and shall be accompanied by an opinion signed by an independent certified public accountant that the financial statement ~~therein~~ fairly represents the financial operations of the organization in sufficient detail to permit public evaluation of its operation.

(b) Every organization registered ~~pursuant to~~ under sub. (2) which receives in any 12-month period ending December 31 ~~of any year~~ contributions not in excess of ~~\$10,000~~ \$50,000 and all of whose fund raising functions are carried on by persons who are unpaid for such services shall file a written report with the department upon forms prescribed by the department on or before June 30 of each year if its books are kept on a calendar basis, or within 6 months after the close of its fiscal year if its books are kept on a fiscal year basis, which shall include a financial statement covering the immediately preceding 12-month period of operation fairly representing the financial operations of the organization and contain such information as the department requires in sufficient detail to permit public evaluation of its operations and shall include but not be limited to a statement of ~~such the~~ organization's gross receipts from contributions, fund raising expenses including a separate statement of the cost of any goods, services or admissions supplied as part of its solicitations, and the disposition of the net proceeds from contributions. ~~Such~~ The report shall also include a statement of any changes in the information required to be contained in the registration form filed on behalf of ~~such the~~ organization. The report shall be signed by the president or other authorized officer and the chief fiscal officer of the organization who shall certify that the statements ~~therein~~ are true and correct to the best of their knowledge.

SECTION 803. 441.01 (5) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

441.01 (5) The board ~~in its discretion~~ may promote the professional education of graduate nurses registered in Wisconsin, through creation of scholarships available to such graduate nurses, by foundation of professorships in nursing courses in Wisconsin colleges and universities, by conducting educational meetings, seminars, lectures, demonstrations and the like open to registered nurses, by publication and dissemination of technical information or by other similar activities designed to improve the standards of the nursing profession in this state. The board ~~in its~~

~~discretion~~ may promote the training of trained practical nurses through support of workshops and institutes and by conducting meetings, lectures, demonstrations and the like open to licensed practical nurses.

SECTION 804. 441.02 (1) (intro.) of the statutes is amended to read:

441.02 (1) (intro.) The board shall appoint, ~~upon certification of the department of administration,~~ the administrator of the division of nurses, fix his or her salary, and prescribe his or her duties. The administrator shall have at least the following minimum qualifications:

SECTION 805. 441.07 of the statutes is amended to read:

441.07 Revocation. The board may revoke, limit, suspend or deny renewal of a certificate of registration of a nurse, or license of a trained practical nurse, or may reprimand a nurse or trained practical nurse, upon proof that the person was guilty of fraud in the procuring or renewal of such the certificate or license, has failed to become a citizen within 7 years after declaring such intent, ~~or~~ has wilfully or repeatedly violated this chapter, or is unfit or incompetent by reason of negligence, habitual intemperance, addiction to the use of habit-forming drugs, mental incompetency or moral delinquency, or, in the case of a registered nurse, unprofessional conduct, ~~upon notice in writing, addressed to the last post office address shown on the records of the board specifying the charges, and time of hearing, not less than 10 days after mailing of the notice, and after a hearing at which he shall have opportunity to produce testimony conducted under the rules promulgated under s. 440.03 (1).~~ A certificate or license revoked may, after one year, upon application be reinstated ~~in the discretion of~~ by the board.

SECTION 806. 441.10 (3) (a) of the statutes is amended to read:

441.10 (3) (a) On complying with this chapter relating to applicants for licensure as trained practical nurses, and passing a satisfactory examination, the applicant shall receive a license as a trained practical nurse, ~~which license shall be signed by the chairman~~ chairperson of the board and countersigned by the secretary of the examining council on licensed practical nurses. The holder of such the license is a "licensed trained practical nurse"; and may append the letters "T.P.N." to his or her name. The board may reprimand or may limit, suspend or revoke the license of a licensed trained practical nurse ~~pursuant to~~ under s. 441.07.

SECTION 807. 442.01 (2) of the statutes is amended to read:

442.01 (2) No standard or rule relating to professional conduct or unethical practice ~~shall~~ may be adopted until the examining board has held a public hearing with reference thereto, ~~notice of which shall be mailed at least 60 days before such hearing to every holder of a certificate issued under this chapter subject to the rules promulgated under s. 440.03 (1).~~ No rule or standard shall become effective until 60 days after its adoption by the examining board. Any person who has appeared at the public hearing and filed written protest against any proposed standard or rule may, upon the adoption of such standard or rule, obtain a review thereof under ch. 227. Thereafter every person practicing as a public accountant in the state shall be governed and controlled by the rules and standards prescribed by the examining board.

SECTION 808. 442.04 (5) of the statutes is amended to read:

442.04 (5) No certificate as a certified public accountant ~~shall~~ may be granted to any person other than a U.S. citizen ~~of the United States~~, or an individual who has in good faith declared his an intention of becoming such a citizen, who is over the age of ~~23~~ 18 years and of good moral character, and except as provided in s. 442.05, who has successfully passed a written examination in such subjects affecting accountancy as the examining board deems necessary, and who, if ~~he made~~ the application was made before July 1, 1968, has had at least 3 years of accounting experience, equivalent to that of a senior in public practice. The examining board may accept evidence of sufficient technical education in accountancy in lieu of 1 1/2 years of public accounting experience. If ~~he made~~ the application was after that date and the applicant has had at least 1 1/2 years accounting experience equivalent to that of a

senior in public practice, the sufficiency of the experience to be judged by the examining board, the examining board may supplement ~~said~~ the written examination by an ~~oral examination~~ interview and may use the examination service provided by the American institute of certified public accountants.

SECTION 809. 442.11 (14) of the statutes is amended to read:

442.11 (14) If it appears upon complaint to the examining board by any person, or it is known to the examining board, that any person has violated this chapter, the examining board may investigate, subject to the rules promulgated under s. 440.03 (1). The district attorney of the county in which violations of this chapter are known or alleged to have occurred shall promptly investigate complaints, from any source, of such violations and prosecute if the facts so warrant. Upon request from the examining board, and where the facts warrant, the appropriate district attorney shall promptly seek an injunction against any person who is violating this chapter.

SECTION 810. 442.12 (1) of the statutes is amended to read:

442.12 (1) ~~The~~ Subject to the rules promulgated under s. 440.03 (1), the examining board may, on its own motion, make investigations and conduct hearings and may, on its own motion or upon complaint in writing, duly signed and verified by the complainant, revoke, limit or suspend for a definite period any certificate or registration card or officially ~~censure reprimand~~ the holder ~~thereof~~, if it finds that ~~he~~ the holder has violated this chapter or any duly promulgated standard or rule of practice or for any other sufficient cause.

SECTION 811. 442.12 (2) of the statutes is amended to read:

442.12 (2) In the case of a corporation or a partnership, it shall be sufficient cause for the revocation, limitation or suspension of the certificate or registration card of ~~such~~ the partnership or corporation, or for ~~censure reprimand~~ of it, if it ~~be is~~ found that any officer, director or member ~~thereof~~ has been guilty of such act or omission as would be cause for revoking, limiting or suspending a certificate or card to ~~such~~ the person as an individual or for ~~censuring him reprimanding the person~~.

SECTION 812. 442.12 (3) to (6) of the statutes, as affected chapter 187, laws of 1977, are repealed.

SECTION 813. 443.01 (4) of the statutes is amended to read:

443.01 (4) RULES; SEAL; JUDICIAL REVIEW. (a) The examining board may make all bylaws and rules, not inconsistent with the constitution and laws of this state, which may be reasonably necessary for the proper performance of its duties and the regulations of the proceedings before it. The examining board shall ~~cause to have prepared and shall~~ adopt rules of professional conduct which ~~rules~~ shall be made known in writing to every registrant, holder of a certificate or permit and applicant for registration, certification or permit, ~~which rules shall be~~ and published in the roster provided for in sub. (5). Such publication shall constitute due notice to all registrants, holders of certificates or permits. The examining board may revise and amend these rules and shall notify each registrant in writing of ~~such~~ the revisions or amendments. The examining board shall adopt an official seal. In carrying into effect this section, the examining board or its sections may take testimony in any case involving a reprimand, the limitation, suspension or revocation of registration, certification or permit or practicing or offering to practice without registration, certification or permit. Any member of the examining board may administer oaths to witnesses.

(b) The action of the examining board in limiting, suspending or revoking a registration, certification or permit, or reprimanding the holder thereof, or the action of a section thereof in denying a registration, certification or permit or making any rule thereto shall be subject to review under ch. 227.

SECTION 814. 443.01 (5) (title) of the statutes is amended to read:

443.01 (5) (title) ROSTER; RECORDS.

SECTION 815. 443.01 (5) (c) of the statutes is repealed.

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SECTION 816. 443.01 (5) (e) of the statutes is renumbered 443.01 (5) (a) and amended to read:

443.01 (5) (a) A list showing the names and addresses of all engineers-in-training certified by the examining board during the period from July 1 to June 30 shall be prepared each year by the secretary of the examining board. ~~A copy of such~~ The list shall be obtainable by ~~each person whose name appears upon it and by each person registered as a professional engineer.~~ A copy of such list shall be placed on file with the department purchase at cost.

SECTION 817. 443.01 (6) (a) 2 and 4 of the statutes are amended to read:

443.01 (6) (a) 2. A diploma of graduation, or a certificate, from an architectural school or college approved by the examining board as of satisfactory standing, together with at least ~~3~~ 2 years' practical experience of a character satisfactory to the examining board in the design and construction of buildings; or

4. Graduation in architecture from a school or college approved by the examining board as of satisfactory standing shall be considered as equivalent to ~~4~~ 5 years of experience, and the completion satisfactory to the examining board of each year of work in architecture in such school or college without graduation shall be considered equivalent to one year of experience. Graduation in a course other than architecture from a school or college approved by the examining board as of satisfactory standing shall be considered as equivalent to ~~2~~ not more than 4 years of experience. ~~No applicant shall receive credit for more than 4 years of experience under this subdivision.~~

SECTION 818. 443.01 (13) (title) of the statutes is amended to read:

443.01 (13) (title) REPRIMAND; LIMITATION, SUSPENSION OR REVOCATION OF REGISTRATION.

SECTION 819. 443.01 (13) (intro.) and (a) 1 to 6 of the statutes, as affected by chapter 125, laws of 1977, are renumbered 443.01 (13) (a) (intro.) and 1 to 6, and 443.01 (13) (a) (intro.), as renumbered, is amended to read:

443.01 (13) (a) (intro.) The examining board has the power to reprimand and to limit, suspend or revoke the certificate of registration of any registrant, and the certificate of record of any engineer-in-training, who is found guilty of:

SECTION 820. 443.01 (13) (b) of the statutes is amended to read:

443.01 (13) (b) The examining board may reprimand or may limit, suspend or revoke the certificate of authorization of a corporation if any of its agents, employes or officers has committed any act or has been guilty of any conduct which would authorize a reprimand or a limitation, suspension or revocation of the certificate of registration of a registrant or the certificate of record of an engineer-in-training under this section, unless the corporation submits evidence satisfactory to the examining board that such agent, employe or officer is not now practicing or offering to practice architecture or professional engineering in its behalf.

SECTION 821. 443.01 (13) (c) of the statutes is amended to read:

443.01 (13) (c) Any person may prefer charges that any registrant ~~or~~ holder of a certificate of record as engineer-in-training, or corporate holder of a certificate of authorization has committed ~~any an~~ act for which a reprimand or limitation, suspension or revocation of registration is authorized under par. (a). Such charges shall be in writing, and shall be sworn to by the person making them and shall be submitted to the secretary of the examining board. Also, the examining board may on its own motion make such charges. All charges, unless dismissed by the examining board as unfounded or trivial, shall be heard by the section of the examining board interested, ~~within 3 months after the date on which they have been preferred~~ subject to the rules promulgated under s. 440.03 (1).

SECTION 822. 443.01 (13) (d) of the statutes is repealed.

SECTION 823. 443.01 (13) (e) of the statutes is amended to read:

443.01 (13) (e) If, after ~~such~~ hearing 3 members of the section of the examining board holding the hearing vote in favor of sustaining the charges, the examining board shall reprimand or limit, suspend or revoke the certificate of registration of ~~such the~~ registered architect or registered professional engineer, the certificate of record of ~~such the~~ holder of a certificate as engineer-in-training, or the certificate of a corporate holder of a certificate of authorization.

SECTION 824. 443.01 (16) (f) of the statutes is amended to read:

443.01 (16) (f) The examining board may limit, suspend or revoke ~~said a permit in the event or reprimand the permittee if~~ the permittee is guilty of fraud or deceit in obtaining ~~such the~~ permit, gross negligence, incompetency or misconduct in ~~his~~ practice, signing documents not prepared by ~~him the permittee~~ or under ~~his the permittee's~~ control, knowingly aiding or abetting unauthorized designing of engineering systems as stated under par. (b) by persons not granted permits under this section or conviction of a felony, subject to s. 111.32 (5) (a) and (h), or adjudication of mental incompetency by a court of competent jurisdiction. The hearing procedures in sub. (13) shall apply to a revocation proceeding. If, after a hearing conducted under the rules promulgated under s. 440.03 (1) before the designers' section of the examining board, two-thirds of the members of ~~said the~~ section vote in favor of sustaining the charges, the examining board shall reprimand the permittee or limit, suspend or revoke ~~such the~~ permit. The action of the examining board ~~in revoking such permit~~ shall be subject to review under ch. 227.

SECTION 825. 443.02 (7) of the statutes is amended to read:

443.02 (7) ROSTER. A roster showing the names and mailing addresses of all registered surveyors shall be prepared annually by the secretary and made available ~~to each registrant or permittee at request for purchase at cost,~~ and a copy shall be placed on file with the secretary of state.

SECTION 826. 443.02 (8) (title) and (a) of the statutes are amended to read:

443.02 (8) (title) REPRIMAND; LIMITATION, SUSPENSION OR REVOCATION OF CERTIFICATE. (a) The section may reprimand or limit, suspend or revoke the certificate of registration of any land surveyor for the practice of any fraud or deceit in obtaining the certificate, or any gross negligence, incompetence or misconduct in the practice of land surveying.

SECTION 827. 443.02 (8) (b) of the statutes is amended to read:

443.02 (8) (b) Charges of fraud, deceit, gross negligence, incompetence or misconduct may be made against any surveyor by the section or any person. Such charges may be made on information and belief but shall be in writing, stating the specific acts, be signed by the complainant, and submitted to the secretary of the examining board. All charges, ~~unless dismissed by the section as trivial,~~ shall be heard by it within 3 months after their filing according to the rules promulgated under s. 440.03 (1).

SECTION 828. 443.02 (8) (c) of the statutes is repealed.

SECTION 829. 443.02 (8) (d) of the statutes is amended to read:

443.02 (8) (d) If, after ~~such~~ hearing, 3 members vote in favor of ~~revocation, the section shall revoke~~ reprimand or limiting, suspending or ~~revoking~~ the certificate of registration of ~~such a~~ land surveyor ~~and, the section shall~~ notify him the surveyor to that effect. The surveyor shall return ~~his the~~ certificate to the examining board immediately on receipt of ~~such~~ notice of a revocation. The action of the section may be reviewed under ch. 227.

SECTION 830. 444.01 of the statutes is repealed and recreated to read:

444.01 Definition. In this chapter "examining board" means the athletic examining board.

SECTION 831. 444.02 of the statutes is amended to read:

444.02 Boxing licenses, permits. The athletic examining board shall have the sole direction, management and control of, and jurisdiction over, all boxing and sparring exhibitions conducted within the state by any club; ~~and no.~~ No boxing or sparring exhibitions shall may be conducted within the state except pursuant to under authority therefor granted by the athletic examining board and in accordance with this chapter and the rules and regulations of the athletic examining board. The athletic examining board may issue, and for cause limit, suspend or revoke, a license to conduct boxing and sparring exhibitions to any incorporated club formed as ~~hereinafter~~ provided in this chapter. The athletic examining board may limit the number of sparring or boxing exhibitions given by any club in any city. No boxing or sparring exhibition ~~shall may~~ be conducted by any licensed club without a permit from the athletic examining board. Every license shall be subject to such rules and regulations as the athletic examining board prescribes. The examining board may reprimand clubs for violating this chapter or any rules of the examining board.

SECTION 832. 444.11 of the statutes is amended to read:

444.11 Licenses to matchmakers, referees, boxers, etc. The ~~athletic~~ examining board may grant licenses upon application and the payment of the ~~fees herein~~ prescribed fees to matchmakers, managers, referees, examining physicians, boxers and seconds and trainers. The fees to be paid per annum shall be ~~as follows~~: Matchmakers in cities with a population of over 150,000, \$25; matchmakers in other cities and in villages and towns, \$10; managers, \$10; referees, \$15; examining physicians, \$10; boxers, \$5; seconds and trainers, \$5. The ~~athletic~~ examining board may limit, suspend or revoke any such license or reprimand the holder thereof upon such cause as it ~~shall deem~~ deems sufficient.

SECTION 833. 444.14 of the statutes is amended to read:

444.14 Sham matches; contestants penalized; forfeitures; hearing. Any contestant who participates in any sham or fake boxing or sparring exhibition or violates any rule or regulation of the examining board shall be penalized as follows: For the first offense ~~he~~ the contestant shall be restrained by order of the examining board for not less than 2 months nor more than one year, ~~such~~ the period to begin immediately after the occurrence of the offense, from participation in ~~such~~ the exhibition to be held or given by any licensed club; for a 2nd offense, ~~he~~ the contestant shall be permanently disqualified from further admission or participation in any such exhibition held or given by any licensed club and in addition ~~thereto~~, for each such offense, shall forfeit such amount, out of the share or purse agreed to be paid ~~him~~ the contestant for ~~such~~ the exhibition as the examining board determines, ~~such~~ the forfeit to be paid into the general fund of the state. The examining board, upon determining the amount of ~~such~~ the forfeit, may pay the same out of any guarantee deposited with it for delivery to ~~such~~ the contestant or may order ~~the same~~ it paid to the department by the club employing ~~such~~ the contestant out of the purse or share agreed by it to be paid to ~~him~~ the contestant. The examining board shall not determine ~~such~~ the forfeit until after due hearing ~~thereon~~ held upon reasonable notice duly served upon the contestant or ~~his~~ the contestant's manager and upon the club by whom ~~he~~ the contestant is employed; ~~and any.~~ Any member of the examining board or the secretary or any inspector of the examining board may order the club to hold the share or purse of ~~such~~ the contestant in its possession pending the hearing and determination of the examining board. For failure to obey any order of the examining board or the secretary of the examining board or any inspector of the examining board given under this section, the license of the club may be limited, suspended, canceled or revoked and the club may be reprimanded.

SECTION 834. 446.02 (1) (b) of the statutes is amended to read:

446.02 (1) (b) Meets the requirements of continuing education for license renewal as the examining board may require. Any person who has not engaged in the practice of chiropractic for 2 years or more, while holding a valid license under this chapter, and desiring to engage in such practice, shall be required by the examining board to complete a continuing education course at a school of chiropractic approved by the examining board or pass a practical examination administered by the examining board, or both.

SECTION 835. 446.03 (intro.) of the statutes is amended to read:

446.03 (title) Reprimand; license revocation, limitation or suspension. (intro.) The examining board, by order, may reprimand a licensee or registrant and may deny, limit, suspend or revoke any license or certificate of registration if the licensee or registrant:

SECTION 836. 446.05 (1) of the statutes is amended to read:

446.05 (1) ~~The~~ Subject to the rules promulgated under s. 440.03 (1), the examining board may make investigations and conduct hearings in regard to the conduct of any licensed chiropractor who, it has reason to believe, ~~is acting or has acted in violation of~~ violated s. 446.02 or 446.03. ~~The person complained against shall have notice in writing of the charges, specifying a date not less than 10 days after service thereof for a hearing and shall have opportunity to confront witnesses and produce testimony. A stenographic record of the proceedings shall be taken and a transcript made for the department's files. The person complained against may within 60 days after notice in writing to the examining board's action mailed to his last known address, by registered mail, proceed to review any action of the examining board under ch. 227.~~

SECTION 837. 447.02 (2) of the statutes is amended to read:

447.02 (2) ~~It is unlawful for any~~ No person to ~~may~~ practice or offer to practice dentistry or dental surgery, with or under the name of a company, association or corporation, and any individual practicing or offering to practice dentistry or dental surgery shall do so under his the individual's own name only. ~~It is lawful for 2~~ Two or more dentists licensed and registered in this state ~~to~~ may practice dentistry, including any recognized specialty thereof, as bona fide partners, and in the course thereof ~~to~~ use any partnership title or description which is not misleading to the public. ~~It is lawful for a~~ A dentist licensed and registered in this state ~~to~~ may be employed by another licensed and registered dentist, by a partnership composed of such dentists, or by a partnership composed of physicians licensed in this state. Any person convicted of a violation of this section shall be punished as provided in s. 447.09, and ~~in addition thereto his~~ the person's license may be limited, suspended or revoked under s. 447.07 (3) (c) ~~or the person may be reprimanded.~~ Nothing ~~contained~~ in this subsection shall ~~prohibit~~ prohibits incorporation under s. 180.99.

SECTION 838. 447.05 (4) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

447.05 (4) A renewal fee is due and payable on or before September 30 of each odd-numbered year following issuance of the license. The examining board shall publish ~~and the department shall mail an annual~~ a biennial report and list of the names and places of practice of all licensed and registered dentists and registered dental hygienists ~~to each licensee at his or her last known address which shall be available for purchase at cost.~~ The department shall also mail a copy of the published list to the secretary of state, the district attorney of each county, each local board of health and to any other public official who may request or have need thereof. Any registrant who, subsequent to registering, changes the address or place of residence or professional office, or who opens an additional office, shall, within 30 days thereafter, notify the examining board in writing of the change and furnish the new residence or professional address.

SECTION 839. 447.07 (title) and (1) of the statutes, as affected by chapter 29, laws of 1977, are amended to read:

447.07 (title) Reprimand; limitation; suspension; revocation. (1) The examining board may, without further notice or process, limit, suspend or revoke the license of a dentist who fails within 60 days after the mailing of notice in writing, sent by registered mail to the dentist's last-known address, to register and pay the fee due ~~for that year.~~ The license may be reinstated, in the discretion of the examining board, by the payment of the fees specified in s. 440.05 (3) and (5) within one year from revocation. If application for reinstatement is not made within one year from the date

of revocation the dentist may be required to demonstrate current qualification to practice by taking an examination in such dental subjects as may be required by the examining board and paying the fee specified in s. 440.05 (1).

SECTION 840. 447.07 (2) of the statutes is amended to read:

447.07 (2) The examining board may reprimand or may limit, suspend or revoke the license of one convicted of a crime involving moral turpitude, of which the record of conviction, or a copy certified by the clerk or judge of the court, shall be conclusive evidence.

SECTION 841. 447.07 (3) (intro.) of the statutes is amended to read:

447.07 (3) (intro.) The Subject to the rules promulgated under s. 440.03 (1), the examining board may on its own motion make investigations and conduct hearings in regard to any alleged actions of any licensed dentist or certified dental hygienist, or of any other person it has reason to believe is acting or has acted in such capacity within the state, and may, on its own motion, or upon complaint in writing, ~~duly signed and verified by the complainant, and upon not less than 10 days' notice to a dentist, or dental hygienist limit~~, suspend or revoke such license, registration or certificate as hereinafter provided, or reprimand the holder thereof if it finds that the holder ~~thereof~~ has been guilty of:

SECTION 842. 447.07 (4) of the statutes is repealed.

SECTION 843. 447.07 (7) of the statutes is amended to read:

447.07 (7) The Subject to the rules promulgated under s. 440.03 (1), the examining board may suspend the license, registration or certificate of any person licensed, registered or certified under this chapter who is a patient in a hospital for mental illnesses in this state or elsewhere. A certified copy of commitment or admission papers shall be conclusive evidence of the incapacity of such person to continue in the practice of dentistry or dental hygiene. A person who has been released from a hospital for mental illnesses may request the examining board in writing for reinstatement of ~~his~~ the license or certificate of registration in dentistry, or certificate in dental hygiene. Following receipt of such request the examining board shall hold a hearing as soon as practicable to determine the capacity of the applicant to ~~re-engage~~ reengage in practice. At such hearing medical or other testimony on the issue of the applicant's mental and nervous condition, and on the degree and probable permanence of ~~his~~ recovery may be offered on behalf of the applicant or the examining board. The examining board may also examine such applicant so as to be satisfied ~~that he is then qualified~~ of the applicant's qualifications to resume the practice of dentistry or dental hygiene. Any decision made following such hearing shall be reviewable under ch. 227.

SECTION 844. 447.10 of the statutes is amended to read:

447.10 (title) Injunction. If it appears upon the complaint of any person to the examining board, or it is believed by the examining board that any person is violating this chapter, the examining board, or the district attorney of the proper county, may investigate such alleged violation, and may, in addition to or in lieu of any other remedies provided by law, bring action in the name and on behalf of the state against any such person to enjoin such violation. Between meetings of the examining board, its president and secretary, acting in its behalf, are empowered jointly to make such an investigation, and on the basis thereof to seek such relief. Investigations conducted by the examining board, or by its president and secretary, shall be conducted according to rules promulgated under s. 440.03 (1).

SECTION 845. 448.01 (10) to (13) of the statutes are repealed.

SECTION 846. 448.01 (13m), (14) and (15) of the statutes are renumbered 448.01 (10), (11) and (12), respectively.

SECTION 847. 448.02 (3) (intro.) of the statutes is amended to read:

448.02 (3) (intro.) INVESTIGATION; HEARING; ACTION. The board shall investigate allegations of unprofessional conduct by persons holding a license or certificate granted

by the board. A finding by a panel established under s. 655.02 or by a court that a physician has acted negligently is an allegation of unprofessional conduct. After the investigation, if the board finds that there is probable cause to believe that the person is guilty of unprofessional conduct, the board shall hold a hearing on such conduct. The board may, when it finds a person guilty of unprofessional conduct, warn or reprimand that person, or limit, suspend or revoke any license or certificate granted by the board to that person. The board shall ~~adopt~~ comply with rules of procedure for such investigation, hearing and action promulgated under ~~ch. 227 s. 440.03 (1)~~.

SECTION 848. 448.07 (1) (b) of the statutes is amended to read:

448.07 (1) (b) On or before March 10 of each year the secretary of the board shall cause to be published ~~and mailed to each person registered under this subsection a copy of the register required by s. 15.40 (2) (e) 440.035 (4)~~, which shall be divided according to the activity for which the registrant is licensed or certified. The secretary of the board shall ~~also~~ cause a copy of ~~such published~~ the list to be mailed to the secretary of state, the district attorney of each county, each local board of health, the sheriff of each county, the chief of police of each community and to any other public official who may request or have need thereof. The board ~~may~~ shall make ~~additional~~ copies available for general distribution at ~~a charge not to exceed \$5 per copy cost~~.

SECTION 849. 448.13 of the statutes, as created by chapter 131, laws of 1977, is amended to read:

448.13 (title) Biennial training requirement. Each physician shall, in each ~~3rd~~ 2nd year at the time of application for a certificate of registration under s. 448.07, submit proof of attendance at and completion of continuing education programs or courses of study approved for at least ~~45~~ 30 hours of credit by the board within the ~~3~~ 2 calendar years preceding the calendar year for which the registration is effective. The board may waive this requirement if it finds that exceptional circumstances such as prolonged illness, disability or other similar circumstances have prevented a physician from meeting the requirement.

SECTION 850. 449.04 of the statutes, as affected by chapter 29, laws of 1977, is repealed and recreated to read:

449.04 Examination. (1) Licenses to engage in the practice of optometry shall be issued only to persons who pass an examination conducted by the examining board. An applicant may take any examination administered by the examining board upon payment of the fee specified in s. 440.05 (1).

(2) The examination shall include a written and practical examination, shall reasonably relate to the skills likely to be needed for an applicant to practice optometry in this state at the time of examination and shall seek to determine the applicant's preparedness to exercise such skills. In regard to the written examination, the examining board may:

- (a) Prepare, administer and grade the examination;
- (b) Approve in whole or in part an examination prepared, administered and graded by the national board of examiners in optometry; or
- (c) Approve and administer an examination prepared and graded by or under the direction of the national board of examiners in optometry.

SECTION 851. 449.07 (title) and (1) (intro.) of the statutes, as affected by chapter 125, laws of 1977, are amended to read:

449.07 (title) Denial, limitation, suspension, revocation, reprimand. (1) (intro.) The examining board, by order, may reprimand and may deny, limit, suspend or revoke any license or certificate of registration if the licensee or registrant:

SECTION 852. 449.09 (title) and (1) of the statutes are amended to read:

449.09 (title) Investigations. ~~(1) The~~ Subject to the rules promulgated under s. 440.03 (1), the examining board may make investigations and conduct hearings in regard to the conduct of any licensed optometrist or any person who, it has reason to

believe, is acting or has acted in such capacity within the state. ~~The person complained against shall have notice in writing of the charges and specifying a date not less than 10 days after the service of the notice for a hearing and he shall have opportunity to confront witnesses against him, and to produce testimony. A stenographic record of the proceedings shall be taken and a transcript shall be made for the department's files. The person complained against may within 60 days after notice in writing of the examining board's action, by registered mail, mailed to his last-known address, proceed to review such action of the examining board by writ of certiorari, brought in the circuit court of Dane county; but the action of the examining board shall stand until otherwise directed under ch. 227.~~

SECTION 853. 449.09 (2) of the statutes is renumbered 449.07 (3).

SECTION 854. 450.02 (7) (a) of the statutes, as affected by chapter 125, laws of 1977, is amended to read:

450.02 (7) (a) The Subject to the rules promulgated under s. 440.03 (1), the examining board, upon notice and hearing, may reprimand or may limit, suspend or revoke the registration of any person who is guilty of a felony, subject to s. 111.32 (5) (a) and (h), or gross immorality, ~~or~~ who is addicted to alcoholic liquors or controlled substances to an extent affecting fitness as a pharmacist, ~~or~~ who is otherwise unfit to practice as a pharmacist, ~~or~~ whose registration was secured by fraud or mistake or the giving of misinformation in any of the applications submitted to the examining board ~~or~~, who has been guilty of a violation of this chapter or ch. 161 or of violations of any of the rules of the examining board, or who has been guilty of acts of unprofessional conduct as defined in par. (b). No such revocation shall become effective until 20 days after notice of the decision of the examining board has been served upon the person accused. Decisions of the examining board under this section ~~shall be~~ are subject to review as provided in ch. 227 and ~~in case if~~ in case if the provisions ~~thereof of ch. 227~~ thereof of ch. 227 are invoked by the accused within such 20-day period, the order of revocation shall become effective only ~~at such time as may be~~ when ordered by the court.

SECTION 855. 450.02 (10) of the statutes is amended to read:

450.02 (10) Every pharmacy shall be equipped with proper pharmaceutical utensils so that compounding of prescriptions and dispensing of medicaments can be properly performed. The examining board, with the advice and consent of the faculty of the university of Wisconsin school of pharmacy, shall prescribe the minimum standards of such professional and technical equipment, which shall include copies of the latest revisions of the U.S. Pharmacopoeia and the National Formulary and any supplement to either of them. No permit shall be issued or continued for the conduct of a pharmacy unless this subsection has been complied with. Failure to maintain a pharmacy equipped with proper sanitary appliances or in a clean and orderly manner constitute grounds for reprimand or for denial, limitation, suspension or revocation of a pharmacy permit. There shall be kept in every pharmacy a suitable book or file, in which every prescription compounded or dispensed shall be preserved for a period of not less than 5 years.

SECTION 856. 452.06 (3) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

452.06 (3) The fees for examinations and licenses granted or renewed under this chapter are specified in s. 440.05, except that a licensed real estate broker may apply for a license as a real estate salesman upon payment of a \$5 fee.

SECTION 857. 452.06 (5) of the statutes is amended to read:

452.06 (5) Sections 452.09, 452.10, ~~452.11,~~ 452.12, 452.15, 452.16, 452.17, 452.18, 452.19 and 452.20, as they apply to real estate salesmen, ~~shall~~ apply with equal effect to cemetery salesmen.

SECTION 858. 452.08 (4) of the statutes is amended to read:

452.08 (4) ROSTER OF BROKERS. The examining board shall prepare and the department shall publish in convenient form the register compiled under s. ~~15.40 (2)~~

~~(e) 440.035 (4).~~ The names of all brokers and salesmen whose licenses have been revoked at any time within ~~one year~~ 2 years prior to the issue thereof shall also be included in the publication. The publication shall be available for purchase at cost.

SECTION 859. 452.10 (1) of the statutes is amended to read:

452.10 (1) ~~The Subject to the rules promulgated under s. 440.03 (1),~~ the examining board may on its own motion make investigations and conduct hearings in regard to the action of any real estate broker, salesman or cemetery salesman, or any person who it has reason to believe is acting or has acted in either such capacity within this state, and may make findings, after a hearing held on 10 days' notice, whether such person has acted as a broker, salesman or cemetery salesman. The findings shall be subject to review under s. 452.17. In such review any additional material evidence presented may be considered.

SECTION 860. 452.10 (2) (intro.) of the statutes is amended to read:

452.10 (2) (intro.) ~~The Subject to the rules promulgated under s. 440.03 (1),~~ the examining board may also on its own motion, or upon complaint in writing, duly signed and verified by the complainant, and upon not less than 10 days' notice to the broker or salesman, suspend any broker's or salesman's license or registration if it has reason to believe, and may limit or revoke such license or registration or reprimand the holder thereof as provided hereafter, if it finds that the holder of ~~such~~ the license or registration has:

SECTION 861. 452.10 (3) of the statutes is amended to read:

452.10 (3) If a broker is a company it shall be sufficient cause for reprimand or for the limitation, suspension or revocation of a broker's license that any officer, director or trustee of the company, or any member of a partnership, or anyone who has financial interest in or is in any way connected with the operation of a brokerage business, has been guilty of any act or omission which would be cause for refusing a broker's license to such person as an individual.

SECTION 862. 452.10 (4) of the statutes is repealed.

SECTION 863. 452.11 of the statutes is repealed.

SECTION 864. 452.20 (2) of the statutes is amended to read:

452.20 (2) The certificate of the secretary or assistant secretary of the examining board to the effect that a specified individual, partnership or corporation is not or was not on a specified date the holder of a real estate broker's or salesman's license or registration, or that a specified license or registration was not in effect on a date specified, or as to the issuance, limitation, suspension or revocation of any license or registration or the reprimand of any holder thereof, the filing or withdrawal of any application or its existence or nonexistence, is prima facie evidence of the facts therein stated for all purposes in any action or proceedings.

SECTION 864m. 453.05 (1) of the statutes is amended to read:

453.05 (1) ~~No~~ Except as provided under s. 453.06 (3) (c), no person ~~shall~~ may practice veterinary medicine without a license from the examining board.

SECTION 865. 453.06 (2) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

453.06 (2) Veterinary licenses shall expire on December 31 of each odd-numbered year following issuance. The license renewal fee shall be that specified in s. 440.05 (3) to (5). An expired license may be reinstated and renewed within 60 days of the date of expiration upon payment of the fees specified in s. 440.05 (4) and (5). If a license is not renewed at the end of the 60-day period, it is automatically revoked and the licensee shall be required to pass the examination under sub. (1) in order to be relicensed.

SECTION 866. 453.06 (3) (c) of the statutes is amended to read:

453.06 (3) (c) The examining board shall, by rule, specify the areas of the practice of veterinary medicine in which a certified animal technician may engage. Except for emergency rules adopted under s. 227.027, no rule promulgated by the examining board under this subsection shall become effective until the examining board has complied with the requirements of s. 227.018 (2).

SECTION 867. 453.07 of the statutes is amended to read:

453.07 (title) **Denial; limitation; suspension; revocation; reprimand.** The examining board, subject to rules promulgated under s. 440.03 (1), may by order deny, limit, suspend or revoke any license or certificate, or reprimand a licensee, if the applicant or licensee is not qualified, has violated this chapter or a rule of the examining board, or has misrepresented or intentionally failed to disclose a material fact in making any application or report to the examining board. ~~The department shall serve written notice of any such action by personal delivery or mailing to the applicant or licensee. The applicant or licensee may file a written demand for hearing by the examining board within 20 days after service of the department's notice; thereupon the action of the examining board shall be stayed pending hearing and service of its decision.~~ After hearing and decision by the examining board the applicant or licensee may seek judicial review under ch. 227.

SECTION 868. 454.06 (4) of the statutes, as affected by chapter 29, laws of 1977, is renumbered 454.06 (3) and amended to read:

454.06 (3) Certificates of registration shall expire on December 31 of each [even-numbered] * year and may be renewed ~~for one year~~ upon the payment of a fee to be specified by the examining board, but not to exceed \$30 [~~a fee to be specified by the examining board, but not to exceed \$30~~ the fee specified in s. 440.05 (3)] *. Applications may be made for renewal after December 15 of each [even-numbered] * year.

SECTION 869. 454.08 (title) and (2) of the statutes are amended to read:

454.08 (title) **Reprimand; limitation; suspension; revocation.** (2) The Subject to the rules promulgated under s. 440.03 (1), the examining board may limit, suspend or revoke a certificate of registration or reprimand the holder of a certificate obtained through error of the examining board or fraud on the part of the applicant, or if the holder is grossly incompetent, guilty of immoral or unethical conduct, or obtained or sought to obtain anything of value by fraudulent representations in the practice of watchmaking. ~~The holder of such certificate shall be given 30 days' notice in writing enumerating the charges and specifying a date for the hearing on such charges. At the hearing he shall have the opportunity to confront witnesses against him and to produce evidence bearing on such charges. A stenographic record of all proceedings shall be made and transcript kept on file with the department.~~ The reprimand, limitation, suspension or revocation shall be subject to review under ch. 227.

SECTION 870. 454.16 (2) of the statutes is amended to read:

454.16 (2) Each watchmaker shall inscribe his or her identification number in each watchcase ~~he~~ the watchmaker repairs unless the repair is crystal replacement. Each watchmaker shall maintain a record which includes the name and address of the customer or owner and date of repair work. Failure to maintain such a record shall be considered just cause for reprimand or revocation, limitation or suspension of a watchmaker's registration certificate.

SECTION 871. 455.01 (1) of the statutes, as affected by chapter 192, laws of 1977, is repealed.

SECTION 872. 455.09 (title) and (1) (intro.) of the statutes are amended to read:

455.09 (title) **Denial, limitation, suspension, revocation and reprimand.** (1) (intro.) The Subject to the rules promulgated under s. 440.03 (1), the examining board may deny an application for a license, or may by order suspend for a period not exceeding one year, limit, revoke or impose probationary conditions upon a license or reprimand a licensee if the applicant or licensee:

SECTION 873. 456.02 (5) of the statutes is amended to read:

456.02 (5) ~~Receive~~ Subject to the rules promulgated under s. 440.03 (1), receive, investigate, and take appropriate action with respect to, any charge or complaint filed

* The material shown in brackets represents the changes made by Chapter 29, Laws of 1977, which should have been incorporated into the text of the statute as directed by the action phrase of SECTION 868.

with the examining board to the effect that any individual licensed as a nursing home administrator has failed to comply with the requirements of such standards;

SECTION 874. 456.10 (1) (intro.) of the statutes is amended to read:

456.10 (1) (intro.) ~~The Subject to the rules promulgated under s. 440.03 (1), the license or registration of any person practicing or offering to practice nursing home administration or the license of a provisional nursing home administrator,~~ may be revoked, limited or suspended or the licensee may be reprimanded, censured or otherwise disciplined under this section upon decision and after due hearing if:

SECTION 875. 456.10 (3) to (5) of the statutes are repealed.

SECTION 876. 459.05 (1) of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

459.05 (1) Whenever the examining board determines that another state or jurisdiction has requirements equivalent to or higher than those in effect in the state for the practice of fitting and selling hearing aids, and that such state or jurisdiction has a program equivalent to or stricter than the program for determining whether applicants in this state are qualified to fit and sell hearing aids, the department may issue a license by reciprocity to applicants who hold valid certificates or licenses to deal in or fit hearing aids in such other state or jurisdiction and is otherwise qualified for licensure. No such applicant for a license by reciprocity ~~pursuant to~~ under this subsection shall be required to submit to or undergo a qualifying examination, other than the payment of the fee under s. 440.05 (2) provided ~~such~~ the applicant personally appears at the next meeting of the examining board after filing the application to answer any questions the examining board has. The holder of a license by reciprocity shall be registered in the same manner as other holders of a license. Grounds for renewal and procedures for reprimand or for the limitation, suspension and revocation of a license by reciprocity shall be the same as for reprimand, renewal, limitation, suspension and revocation of a license.

SECTION 877. 459.10 (intro.) of the statutes is amended to read:

459.10 (title) Reprimand; revocation, limitation or suspension of license. (intro.) Any person licensed under s. 459.05 or 459.06 may have ~~his~~ the license revoked, limited or suspended for a fixed period by the examining board for any of the following causes, but ~~such a reprimand,~~ revocation, limitation or suspension shall not be made until the licensee has had a hearing before the examining board, subject to the rules promulgated under s. 440.03 (1):

SECTION 878. 499.32 (4) of the statutes is amended to read:

499.32 (4) To assure the continued operation and solvency of the authority for the carrying out of the public purposes of this chapter, the authority shall accumulate in the capital reserve fund an amount equal to the capital reserve fund requirement. If at any time the capital reserve fund requirement exceeds the amount of the capital reserve fund, the chairman of the authority shall certify to the secretary of administration, the governor and the joint committee on finance the amount necessary to restore the capital reserve fund to an amount equal to the capital reserve fund requirement. If such certification is received by the secretary of administration in an even-numbered year prior to the completion of the budget compilation under s. 16.43, the secretary shall include the certified amount in the budget compilation. In any case, the joint committee on finance acting under s. 13.101 shall introduce in either house, in bill form, an appropriation of the amount so certified to the capital reserve fund of the authority. Recognizing its moral obligation to do so, the legislature hereby expresses its expectation and aspiration that, if ever called upon to do so, it shall make such appropriation.

SECTION 879. 499.34 of the statutes is repealed and recreated to read:

499.34 Limit on amount and purpose of outstanding bonds and notes. (1) The authority shall not have outstanding at any one time notes and bonds issued for the accomplishment of any of its corporate purposes in the region having the boundaries

established under s. 499.10 (1) (a) in an aggregate principal amount exceeding \$20,000,000, including bonds and notes being issued to refund outstanding notes and bonds.

(2) The authority shall not have outstanding at any one time notes and bonds for the accomplishment of any of its corporate purposes in the region having the boundaries established under s. 499.10 (1) (b) in an aggregate principal amount exceeding \$25,000,000, including bonds and notes being issued to refund outstanding notes and bonds.

(3) The authority may issue notes or bonds only for the accomplishment of one or more of its corporate purposes in the regions having the boundaries established under s. 499.10 (1) (a) or (b). Under this section a note or bond is issued for the accomplishment of a corporate purpose of the authority in a region established under s. 499.10 (1) if the funds provided by the issuance of the note or bond are utilized to accomplish a corporate purpose of the authority in that region.

(4) The authority shall consult with and coordinate the issuance of bonds with the state building commission prior to the issuance of any bonds.

SECTION 880. 551.51 (1) of the statutes is amended to read:

551.51 (1) This chapter shall be administered by the commissioner of securities. The commissioner shall appoint a deputy commissioner ~~to serve at his pleasure. The commissioner may select the deputy from the classified service employes within the office or he may appoint the deputy commissioner outside the classified service, subject to s. 15.04 (2) and (3).~~ The commissioner may designate the deputy commissioner or any employe to perform any duty or exercise any power or function assigned to ~~him~~ the commissioner when he or she is absent from the office.

SECTION 881. 551.52 (1) and (2) of the statutes are amended to read:

551.52 (1) (a) There shall be a minimum filing fee of \$200 for every registration statement filed under s. 551.25 or 551.26. ~~There~~ When a registration statement is withdrawn before the effective date or a pre-effective stop order is entered under s. 551.28, the minimum fee shall be retained. Except as provided in par. (b), there shall be an additional fee of one-tenth of one per cent percent of the maximum aggregate offering price at which the registered securities are to be offered in this state, and the maximum filing fee shall in no case be more than \$400.

(b)

If the registration statement relates to redeemable securities issued by an open-end management company ~~or~~ unit investment trust or a face amount certificate company, as defined in the investment company act of 1940, the additional fee shall be one-twentieth of one ~~per cent percent~~ of the maximum aggregate offering price at which the registered securities are to be offered in this state, and there shall be a no maximum filing fee of \$750. ~~When a registration statement is withdrawn before the effective date or a pre-effective stop order is entered under s. 551.28, the minimum fee shall be retained. The commissioner may by rule permit the registration of an indefinite amount of such securities and prescribe a method for payment of the filing fee.~~

(2) Every applicant for an initial or renewal license under s. 551.32 shall pay a filing fee of \$100 in the case of a broker-dealer, \$20 in the case of an agent or person representing an investment adviser, and \$100 in the case of an investment adviser. A broker-dealer or investment adviser maintaining any office within this state shall pay an additional filing fee of \$30 for each office. When an application is denied or withdrawn, the filing fee shall be retained.

SECTION 882. 553.30 (2) of the statutes is amended to read:

553.30 (2) The registration renewal statement shall be in the form and content prescribed by the commissioner, and shall be accompanied by 2 copies of the proposed offering prospectus. ~~Each such registration renewal statement shall be accompanied by the fee prescribed in s. 553.72.~~

SECTION 883. 553.58 (5) of the statutes is amended to read:

553.58 (5) All orders shall take effect when made and filed or at such later time as the commissioner prescribes, and the commissioner shall, upon making and filing such order, forthwith ~~send~~ deliver personally or by mail a copy thereof to every person to whom such order relates ~~by registered mail to his at the person's~~ last-known address as it appears on the records of the office of the commissioner and ~~such mailing that delivery~~ shall constitute notice thereof.

SECTION 884. 553.72 (2) and (3) of the statutes are repealed.

SECTION 885. 553.72 (4) and (5) of the statutes are renumbered 553.72 (2) and (3), respectively.

SECTION 886. 560.02 of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

560.02 Secretary. The secretary of business development shall direct the execution of the statutory duties and powers assigned to the department and shall advise the governor and legislature on matters regarding economic growth and development in the state. The secretary shall appoint the administrators for the various divisions of the department subject to s. 230.08 (4) (a). Administrators ~~so~~ appointed under the unclassified service shall serve at the pleasure of the secretary. The secretary may delegate any of his or her powers and duties to such officers and employes of the department as he or she designates, and may authorize successive redelegations of such powers and duties.

SECTION 887. 560.07 of the statutes is created to read:

560.07 Industrial building construction loan fund. (1) The industrial building construction loan fund is created to consist of all federal grants made for the purpose of this section as provided in sub. (2). All principal and interest payments for loans made under this section shall be deposited in this fund. The industrial building construction loan fund shall be invested under s. 25.17.

(2) The purpose of this section and the industrial building construction loan fund is to assist and advance the general prosperity and economic welfare of the people of this state and to improve their standard of living and improve employment opportunities in the state by making loans to regional and local development corporations to enable the construction of industrial buildings where such construction would not otherwise occur. In carrying out the purposes and exercising the powers granted by this section the department shall be regarded as performing an essential governmental function.

(3) The department shall administer this section and make loans for the purpose provided under sub. (2) to regional or local corporations. The department may determine the terms and conditions of any such loan, and may charge interest on such loans lower than the going market rate.

SECTION 888. 601.11 (1) of the statutes is amended to read:

601.11 (1) DEPUTY COMMISSIONER. (a) *Appointment.* The deputy commissioner shall be appointed ~~under the classified service and shall be~~ subject to ~~s. ss. 15.04 (2) and (3) and 15.73.~~

(b) *Acting commissioner.* When the office of commissioner is vacant, or when the commissioner is unable to perform his or her duties because of mental or physical disability, the deputy commissioner shall be acting commissioner. The deputy commissioner shall have such other duties and powers as the commissioner delegates and assigns ~~to him.~~

SECTION 888g. 655.03 (1) (d) of the statutes, as affected by chapter 131, laws of 1977, is amended to read:

655.03 (1) (d) Two public members appointed by the governor for 2-year staggered terms who are not attorneys and who, at the time of their appointment, are not engaged in or licensed to practice any of the professions or occupations to which

ch. 655 applies. The governor shall appoint at least 2 alternates for each panel, to serve in the event that any public member is unable to serve on a panel for a particular claim or is unable to complete the term for which the person was appointed.

SECTION 888m. 655.03 (1) (e) of the statutes, as affected by chapter 131, laws of 1977, is amended to read:

655.03 (1) (e) No person appointed to a panel by the administrator under par. (a) ~~to (e) or (b)~~ may decline to serve on a panel except that the administrator may for good cause excuse such person. No person may serve on a panel if the person has a professional or personal interest in a claim under consideration. Persons who resign or who are excused or prohibited from serving on a panel shall be replaced as provided in par. (f). No person appointed under par. (a) or (b) may serve on more than one panel in a 5-year period.

SECTION 888r. 655.03 (1) (f) of the statutes is created to read:

655.03 (1) (f) If a person is excused or is prohibited from serving on a panel, as provided in par. (e), for a particular claim under consideration, a replacement shall be selected, to serve during the consideration of that claim, in the same manner as the original member was selected, except that if the person was appointed under par. (d), that person's replacement shall be appointed by the administrator from the list of alternates appointed under par. (d). If a person resigns or is otherwise unable to complete the term for which appointed, that person's replacement shall be selected, to serve for the remainder of the term, in the same manner as the original member was selected, except that if the person was appointed under par. (d), the person's replacement shall be appointed by the administrator from the list of alternates appointed under par. (d).

SECTION 889. Title XLII-D of the statutes, as affected by chapter 187, laws of 1977, is renumbered Title XLI-D.

SECTION 889m. 701.06 (5m) of the statutes is created to read:

701.06 (5m) TRUST FOR DISABLED INDIVIDUAL. Subsection (5) does not apply to any trust that is established for the benefit of an individual who has a disability which has continued or can be expected to continue indefinitely, substantially impairs the individual from adequately providing for his or her own care or custody, and constitutes a substantial handicap to the afflicted individual if the trust does not result in ineligibility for public assistance under ch. 49. A trustee of a trust which is exempt from claims for public support under this subsection shall notify the county department of social services or public welfare in the county where the disabled beneficiary resides of the existence of the trust.

SECTION 890. Title XLII-N of the statutes, as created by chapter 187, laws of 1977, is renumbered Title XLI-N.

SECTION 891. 753.18 (2) of the statutes, as affected by chapters 29 and 187, laws of 1977, is amended to read:

753.18 (2) A reporter or assistant reporter shall be reimbursed for necessary traveling expenses and hotel bills if the reporter is attending a term of court or attending by the direction of the court the trial of a compulsory reference, outside the county in which ~~he or she~~ the reporter resides provided he or she resides within the appointing judge's circuit, or if the reporter or assistant reporter is attending the sessions of court presided over in other circuits by the judge appointing ~~him or her~~ the reporter, at the request of the judge, ~~shall be reimbursed his or her necessary traveling expenses and hotel bills.~~ Every assistant reporter shall be compensated in such an amount as the judge appointing ~~him or her~~ the assistant reporter directs, but not more than the per diem equivalent of the state salary of the official court reporter for any day or more than the monthly state salary of the official court reporter for any month.

SECTION 892. 757.02 (5) of the statutes is created to read:

757.02 (5) Except for retired judges appointed under ss. 753.075 and 754.195, each supreme court justice, circuit court judge, county court judge and circuit and county

court reporter included under chs. 40 and 41 shall accrue sick leave at the rate established under s. 230.35 (2) for the purpose of credits under s. 230.35 (2m) and for premium payment determinations under ss. 40.146 and 40.16 (3).

SECTION 892m. 801.05 (11) of the statutes, as affected by chapter 105, laws of 1977, is amended to read:

801.05 (11) (title) CERTAIN MARITAL ACTIONS. In addition to personal jurisdiction under sub. (1) and s. 801.06, in any action affecting marriage in which a personal claim is asserted against the respondent commenced in the county in which the petitioner resides at the commencement of the action when the respondent resided in this state in marital relationship with the petitioner for not less than 6 consecutive months within the 6 years next preceding the commencement of the action, and after the respondent left the state the petitioner continued to reside in this state, and the respondent is served personally under s. 801.11. The effect of any determination of a child's custody shall not be binding personally against any parent or guardian unless the parent or guardian has been made personally subject to the jurisdiction of the court in the action as provided under ~~ch. 801~~ this chapter or has been notified under s. 822.05 as provided in s. 822.12.

SECTION 892p. 801.07 (5) of the statutes is created to read:

801.07 (5) When the action is an action affecting marriage under s. 247.02 (1) (a) to (d) and when the residence requirements of s. 247.05 (1m) have been met, a court having subject matter jurisdiction may exercise jurisdiction quasi in rem to determine questions of status if the respondent has been served under s. 801.11 (1).

SECTION 893. 809.24 of the statutes is amended to read:

809.24 Exoneration of bail. The bail may be exonerated either by the death of the defendant or ~~his~~ imprisonment in the Wisconsin state ~~prison~~ prisons, or by ~~his~~ discharge from the obligation to ~~render himself~~ be amenable to the process, or by ~~his~~ surrender to the sheriff of the county where ~~he was~~ arrested, in execution thereof, within ~~twenty~~ 20 days after the commencement of the action against the bail or within such further time as may be granted by the court.

SECTION 895. 880.15 (1m) of the statutes is created to read:

880.15 (1m) ADOPTION BY TEMPORARY GUARDIAN. No person appointed temporary guardian of a child under this section may adopt the child without complying with the adoption procedures of ch. 48.

SECTION 896. 880.33 (2) (a) of the statutes, as affected by chapters 29, 187 and 203, laws of 1977, is repealed and recreated to read:

880.33 (2) (a) 1. The proposed ward has the right to counsel whether or not present at the hearing on determination of competency. The court shall in all cases require the appointment of a guardian ad litem and shall in addition require representation by full legal counsel if the guardian ad litem or the proposed incompetent requests or if the interests of justice so require. The proposed ward shall have the right to a trial by a jury of 6 persons, if demanded by the person, attorney or guardian ad litem. The proposed ward, attorney or guardian ad litem shall have the right to present and cross-examine witnesses, including the physician or psychologist reporting to the court under sub. (1). The attorney or guardian ad litem for the proposed ward shall be provided with a copy of the report of the physician or psychologist at least 96 hours in advance of the hearing. Any final decision of the court is subject to the right of appeal.

2. Prior to July 1, 1978, if the person requests but is unable to obtain counsel, the court shall appoint counsel. If the person is indigent, the county of legal settlement shall be liable for guardian ad litem fees and attorney fees, if any. If an attorney is appointed, the attorney shall be allowed reasonable compensation as is customarily charged by attorneys in this state for comparable services.

3. On or after July 1, 1978, if the person requests but is unable to obtain counsel, the court shall refer the person to the state public defender for an indigency determination and appointment of counsel under ch. 977. If the person is indigent, the county of legal settlement shall be liable for guardian ad litem fees, if any.

SECTION 897. 905.04 (4) (f) of the statutes is created to read:

Partial Veto Overruled **905.04 Physician-patient privilege.** (4) EXCEPTIONS. (f) *Medical assistance.* 7. There is no privilege under this section as to communications or disclosures of information in response to requests by any federal or state governmental entity, or its duly authorized agents, for information requested to disclose the extent of services provided to individuals receiving assistance under a state program for medical assistance under Title XIX of the federal social security act, or under s. 49.046. The act of disclosing such communications or medical records made in good faith under this subsection shall not give rise to civil liability or serve as the basis for criminal actions of a finding of unprofessional conduct.

Partial Veto Overruled 2. Under no circumstances may the clinical records, including physicians' orders and nurses' notes, of a private pay patient not receiving any assistance under s. 49.46 or 49.47, be released or made available to any person without the express written waiver or consent of the patient or the patient's legal guardian.

SECTION 898. 946.42 (3) (e) of the statutes is repealed.

SECTION 899. 967.06 of the statutes, as affected by chapter 29, laws of 1977, is amended to read:

967.06 (title) Determination of indigency; appointment of counsel; preparation of record. As soon as practicable after a person has been detained or arrested in connection with any offense which is punishable by incarceration, or in connection with any civil commitment proceeding, or in any other situation in which a person is entitled to counsel regardless of ability to pay under the constitution or laws of the United States or this state, the person shall be informed of his or her right to counsel. Persons who indicate at any time that they wish to be represented by a lawyer, and who claim that they are not able to pay in full for a lawyer's services, shall immediately be permitted to contact the nearest representative of the state public defender. After presenting information as to their indigency, and after being found indigent in full or in part, such persons shall have counsel appointed for them by the representative of the state public defender as provided in ch. 977. In any case in which the state public defender provides representation to an indigent person, the county treasurer of the county in which the person was prosecuted or committed shall compensate the court reporter or clerk of courts for the preparation of any transcript or court record, upon the written statement of the state public defender that the documents were required in order to provide representation to the indigent person.

SECTION 900. 972.13 (1) of the statutes is amended to read:

972.13 (1) A judgment of conviction shall be entered upon a verdict of guilty by the jury, a finding of guilty by the court in cases where a jury is waived, or a plea of guilty or no contest, ~~except that if the defendant is under the age of 21 a determination under s. 54.03 shall be made prior to the entry of judgment and if the defendant is found to be a youthful offender under that section, a judgment of conviction shall not be entered but rather the judgment shall be for disposition as a youthful offender.~~

SECTION 901. 972.13 (2) of the statutes is amended to read:

972.13 (2) Except in cases where ch. 975 is applicable, upon a judgment of conviction the court shall either impose or withhold sentence and, if the defendant is not fined or imprisoned, the defendant shall be placed on probation as provided in s. 973.09. ~~If the defendant has been adjudged a youthful offender the court may place the defendant on probation as provided in s. 54.04 or commit the defendant to the department of health and social services as a youthful offender as provided in s. 54.07.~~ The court may adjourn the case from time to time for the purpose of pronouncing sentence.

SECTION 902. 972.13 (6) of the statutes is amended to read:

972.13 (6) The following forms may be used for judgments:

STATE OF WISCONSIN

.... County

In Court

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The State of Wisconsin,

vs.

....(Name of defendant)

UPON ALL THE FILES, RECORDS AND PROCEEDINGS,

IT IS ADJUDGED that the defendant has been convicted upon the defendant's plea of guilty (not guilty and a verdict of guilty) (not guilty and a finding of guilty) (no contest) on the day of, 19.., of the crime of in violation of s.; ~~(and the court having made a determination that the defendant was under the age of 21 at the time of the commission of the offense and will benefit from disposition as a youthful offender)~~ and the court having asked the defendant whether the defendant has anything to state why ~~(sentence should not be pronounced,)~~ ~~(the defendant should not be treated as a youthful offender)~~ and no sufficient grounds to the contrary being shown or appearing to the court.

*IT IS ADJUDGED that the defendant is guilty as convicted.

*IT IS ADJUDGED that the defendant is hereby committed to the Wisconsin state prisons (county jail of county) for an indeterminate term of not more than

*IT IS ADJUDGED that the defendant is ordered to pay a fine of \$.... (and the costs of this action).

*The at is designated as the Reception Center to which the said defendant shall be delivered by the sheriff.

*IT IS ORDERED that the clerk deliver a duplicate original of this judgment to the sheriff who shall forthwith execute the same and deliver it to the warden.

~~*IT IS ADJUDGED that the defendant is a youthful offender.~~

~~*IT IS ADJUDGED that the defendant is hereby committed to the Department of Health and Social Services as a youthful offender for a term of not more than~~

Dated this day of, 19...

BY THE COURT

Date of Offense,

District Attorney,

Defense Attorney

*Strike inapplicable paragraphs.

STATE OF WISCONSIN,

.... County

In Court

The State of Wisconsin

vs.

....(Name of defendant)

On the day of, 19.., the district attorney appeared for the state and the defendant appeared in person and by the defendant's attorney.

UPON ALL THE FILES, RECORDS AND PROCEEDINGS

IT IS ADJUDGED that the defendant has been found not guilty by the verdict of the jury (by the court) and is therefore ordered discharged forthwith.

Dated this day of, 19...

BY THE COURT

~~SECTION 903. 973.10 (2) of the statutes is repealed and recreated to read:~~

~~973.10 (2) If the department alleges that any condition or rule of probation has been violated by a probationer, the department may take physical custody of the probationer for the investigation of the alleged violation. If the department is satisfied that any condition or rule of probation has been violated it shall afford the probationer such administrative hearings as are required by law. The final administrative hearing shall be held before an examiner licensed to practice law in this state. The hearing~~

Vetoed
in Part

Vetoed
in Part

~~examiner shall enter an order either revoking or not revoking probation which order shall, upon request by either party, be reviewed by the secretary of the department. If the examiner, or the secretary upon review, finds that the probationer has violated the rules or conditions of the probation, the examiner, or the secretary upon review, may order the probation revoked and the probationer returned to court for the imposition of sentence if sentence has been withheld; or, if sentence has been imposed and stayed, the examiner, or the secretary upon review may order the probation revoked, sentence executed, and the probationer confined in prison or jail pursuant to the judgment of the court; or the examiner or the secretary upon review, may order the probation continued. After July 1, 1978, if the probationer claims or appears to be indigent, the department shall refer the probationer to the state public defender for an indigency determination and appointment of counsel under ch. 977.~~

~~SECTION 904. 973.10 (3) of the statutes is created to read:~~

~~973.10 (3) A copy of the order of the department revoking probation shall be sufficient authority for the officer executing it to take the probationer to court, jail or prison. The officer shall execute the order as a warrant for arrest but any officer may, without order or warrant, take the probationer into custody whenever necessary to prevent escape or for violation of probation.~~

~~SECTION 905. 974.06 (7) of the statutes is amended to read:~~

~~974.06 (7) An appeal may be taken from the order entered on the motion as from a final judgment subject to ss. 974.03 and 974.05.~~

~~SECTION 906. 975.05 of the statutes is amended to read:~~

~~975.05 Sentence imposed. If the department does not recommend specialized treatment for the defendant's mental and physical aberrations, the court shall make disposition in accordance with ch. 54 or sentence the defendant as provided by law.~~

~~SECTION 907. 985.08 (2) of the statutes is renumbered 985.08 (2) (a).~~

~~SECTION 908. 985.08 (2) (b) of the statutes is created to read:~~

~~985.08 (2) (b) When camera-ready copy for all or substantial areas of notice is provided, eliminating typesetting by the newspaper, the maximum rate shall be 60% of the maximum rate established under sub. (1).~~

~~SECTION 909. Authorized state building program changes. In chapter 29, laws of 1977, section 1606c, the following changes shall be made in the authorized state building program for 1977-79, and the appropriate totals in that section shall be adjusted accordingly.~~

~~(1) In section 1606c (1) (a), the following authorizations shall be added to the university of Wisconsin system projects to be financed by building trust funds:~~

Telecommunications equipment	278,000
Madison - lakeshore improvements	75,000
School of veterinary medicine and satellite food animal clinic facilities - advance planning	250,000

~~(2) In section 1606c (1) (a), the following authorizations shall be added to the university of Wisconsin system projects to be financed by general fund supported borrowing:~~

LaCrosse - Main hall remodeling	\$2,750,000
Oshkosh - riverfront stabilization and facility improvements	948,000
Platteville - heating plant improvements	290,000
River Falls - North hall remodeling (total project \$1,044,500 including \$452,600 enumerated in the 1975-77 biennium)	591,900
Stevens Point - Main hall renovation and partial demolition (total project \$1,830,000 including \$840,000 of residual general fund supported borrowing authority)	990,000

~~(3) In section 1606c (1) (a) the following authorization shall be added as a university of Wisconsin system project financed by residual general fund supported borrowing:~~

Projects to be financed by
 borrowing - residual general fund
 supported authority
Stevens Point - Main
 hall renovation 840,000
Total residual general
 fund supported borrowing \$840,000

(4) In section 1606c (1) (a), the authorization for the Madison Camp Randall sports center roof repair under the university of Wisconsin projects financed by general fund supported borrowing is amended to read:

Madison - Camp Randall sports center ~~180,000~~ 398,000
 roof repair (total project all funding sources
 ~~\$360,000~~ \$650,000 including \$72,000 of building
 trust funds)

(5) In section 1606c (1) (a), the authorization for the Madison Camp Randall sports center roof repair under the university of Wisconsin projects financed by self-amortizing supported borrowing is amended to read:

Madison - Camp Randall sports center 180,000
 roof repair (total project all
 funding sources ~~\$360,000~~ \$650,000)

(6) In section 1606c (1) (a), the following authorization shall be added to the university of Wisconsin system projects to be financed by gifts, grants or other agency receipts:

Madison - lakeshore improvements 175,000
 (total project all funding sources
 \$250,000)

(7) In section 1606c (1) (b), the authorizations for the Green Bay reformatory food service building and remodeling of the vocational facility financed by general fund supported borrowing is amended to read:

Green Bay reformatory - food service ~~1,050,000~~ 1,706,000
 and remodeling of vocational
 facility

(8) In section 1606c (1) (b) the authorization for Winnebago and Mendota mental health institutes remodeling to accommodate central state hospital patients financed by general fund supported borrowing is amended to read:

Winnebago and Mendota mental health ~~2,545,000~~ 4,000,000
 institutes - remodeling to accommodate
 central state hospital patients

(9) In section 1606c (1) (b), the following authorizations shall be added to the department of health and social services projects to be financed by general fund supported borrowing:

Mendota mental health institute - replace 375,000
 electrical distribution system
Winnebago mental health institute - replace 473,000
 electrical distribution system

(10) In section 1606c (1) (c), the following authorization shall be added to the department of administration state office facilities projects to be financed by general fund supported borrowing:

Capitol heating system replacement 1,597,000
Madison federal post office on Monona
 Avenue - acquisition 2,000,000
Madison plaza adjacent to general executive
 facilities 2 and 3 - parking 580,000

(11) In section 1606c (1) (g), the following authorization shall be added to the department of natural resources projects to be financed by building trust funds:

Bong recreation area development \$125,000
 (total project all funding sources
 \$3,000,000 including \$150,000 of general
 purpose revenues in addition to the
 enumerated funding)

(12) In section 1606c (1) (g), the following authorization shall be added to the department of natural resources projects to be financed by outdoor recreation program (ORAP) supported borrowing:

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Bong recreation area development \$1,512,500
(total project all funding sources
\$3,000,000)

(13) In section 1606c (1) (g), the following authorizations shall be added to the department of natural resources projects to be financed by gifts, grants or other agency receipts:

Northwest district area headquarters 276,200
Bong recreation area development 1,212,500
(total project all funding sources
\$3,000,000)

(14) In section 1606c (1) (k), the following authorization shall be created under the department of transportation projects to be financed by segregated fund supported borrowing:

Projects financed by segregated fund supported borrowing:
Superior district office and Maintenance facilities \$1,800,000
Total segregated fund borrowing authority \$1,800,000

(15) In section 1606c (1) (L), the authorization for advance planning under statewide projects financed by building trust funds is amended to read:

Projects to be financed by building trust funds:
Advance planning ~~2,000,000~~ \$2,500,000

(16) In section 1606c (1) (L), the following authorization shall be created under statewide projects to be financed by general fund supported borrowing:

Projects to be financed by general fund supported borrowing:
Handicapped access and accommodations \$5,000,000
Total general fund supported borrowing \$5,000,000

SECTION 909a. Chapter 518, laws of 1947, section 3 (new paragraph) is created to read:

(Chapter 518, laws of 1947) Section 3. (new paragraph)

From the intersection Walworth 13
of STH 67 and USH 4 Rock
in the village of Walworth,
extend STH 67 south along
USH 14 to the junction with
CTH "B" and west along
CTH "B" and CTH "W" to
the intersection with STH 140
in Rock county.

SECTION 909b. Chapter 518, laws of 1947, section 3 (approximate mileage) (TOTAL), as last amended by chapter 489, laws of 1969, is amended to read:

(Chapter 518, laws of 1947) Section 3 (approximate mileage).
TOTAL ~~997.15~~ 1,010.15

SECTION 909c. Chapter 518, laws of 1947, section 5, as last amended by chapter 489, laws of 1969, is amended to read:

(Chapter 518, laws of 1947) Section 5. In addition to the mileage specified in SECTION 3, the ~~state highway commission~~ department of transportation is authorized to add to the state trunk highway system additional mileage to a total of not to exceed 145 miles, making a total addition of not to exceed ~~1130.98~~ 1,143.98 miles.

SECTION 909g. Chapter 29, laws of 1977, section 1606c (11) (a) and (b) of the statutes are amended to read:

(Chapter 29, laws of 1977) section 1606c (11) (a) The \$1,000,000 of building trust funds authorized for advanced planning under sub. (1) (b) shall be used to complete the design of a 300 to 400 bed minimum/medium security institution. Release of such funds for preparation of a concept and budget report shall be subject to prior approval by the building commission and the joint committee on finance.

(b) The \$500,000 of building trust funds authorized for advanced planning under sub. (1) (b) shall be used to prepare preliminary plans for a 450-bed maximum security institution. Release of such funds for preparation of a concept and budget report shall be subject to prior approval by the building commission and the joint committee on finance.

SECTION 909m. Chapter 29, laws of 1977, section 1606c (12), is amended to read:

(Chapter 29, laws of 1977) section 1606c (12) The building commission shall release the \$250,000 authorized under sub. (1) (a) for advance planning funds for the establishment of a school of veterinary medicine and satellite food animal clinic facility.

SECTION 910. Chapter 29, laws of 1977, section 1606c (16) is created to read:

(Chapter 29, laws of 1977) Section 1606c (16) The department of health and social services shall limit development of housing and supporting facilities at the Taycheedah correctional institution after the effective date of this act to housing or supporting facilities for female inmates only except for cases of short-term emergency for the duration of the emergency. Of the funds authorized in subsection (1) (b) for housing and supporting facilities at the Taycheedah correctional institution, necessary funds may be expended for the construction of additional beds if the institutional population so warrants so long as the total bed capacity of that institution, as determined by single room occupancy, is not expanded beyond 200. Approval of the joint committee on finance and the state building commission is required before the release of any funds under subsection (1) (b) for construction of additional beds.

SECTION 910m. Chapter 29, laws of 1977, section 1606c (17) is created to read:

(Chapter 29, laws of 1977) Section 1606c (17) The \$2,000,000 bonding authorization for purchase of the federal post office building in Madison under sub. (1) (c) is authorized contingent upon availability of the building, determination by the building commission that the building is appropriate for state use, and negotiation of a purchase price not exceeding \$2,000,000.

SECTION 910s. Chapter 29, laws of 1977, section 1617m is repealed.

SECTION 911. Chapter 29, laws of 1977, section 1618m (2) is amended to read:

(Chapter 29, laws of 1977) section 1618m (2) The department of health and social services shall develop, in consultation with the providers of nursing home services, a prospective reimbursement system under title XIX of the social security act for nursing home services under section 49.45 (6m) of the statutes. ~~This section does not modify the procedures under section 49.45 (6m) (a) 9 of the statutes for changing the methods of implementing the nursing home reimbursement formula.~~

SECTION 912. Chapter 29, laws of 1977, section 1621 is amended to read:

(Chapter 29, laws of 1977) Section 1621. **Income maintenance administration workload standard and contract limitation.** By October 1, 1977, the department of health and social services shall submit to the governor and the joint committee on finance a workload standard to be used as a basis for allocating aids to counties under section 20.435 (4) (de) of the statutes. The standard shall include, but not be limited to, the following criteria: a reasonable length of time necessary to determine initial eligibility and recertify eligibility; and a reasonable time required to complete home visits, make collateral contacts and perform other necessary functions required by state and federal law. The workload standard submitted shall include more than one option. At least one option shall be based on total annual funding for income maintenance administration not exceeding \$20,000,000. The standard shall apply to eligibility determinations for aid to families with dependent children, relief to needy Indian persons, food stamps and medical assistance. The standard shall be applied to contracts with counties for calendar year 1978 and thereafter. ~~The contracts with counties shall not provide for allocation of more than \$20,000,000 in calendar year 1978 and \$20,000,000 in calendar year 1979.~~

SECTION 912d. Chapter 29, laws of 1977, section 1625 (4) is amended to read:

(Chapter 29, laws of 1977) Section 1625 (4) The secretary shall report the findings and recommendations of the study to the governor and the legislature prior to ~~October 1, 1978~~ December 31, 1978.

SECTION 912m. Chapter 29, laws of 1977, section 1625a is repealed.

SECTION 913. Chapter 29, laws of 1977, section 1625c is repealed.

SECTION 914. Chapter 29, laws of 1977, section 1625t is repealed.

SECTION 916. Chapter 29, laws of 1977, section 1626 (6) is created to read:

(Chapter 29, laws of 1977) Section 1626 (6). When the department of local affairs and development proposes that funds under section 20.545 (1) (d) of the statutes support the creation of a new community action agency, the department may present to the joint finance committee, in place of the information required under sub. (2), a description and assurances of the process by which the new agency will obtain other funds amounting to at least 75% of the initial program costs of the new agency. The other funds must be obtained by the new agency within 9 months of the date the department of local affairs and development signs a contract releasing funds under section 20.545 (1) (d) of the statutes to the new agency. Counties which intend to utilize the match waiver provision under this subsection for the creation of a new community action agency shall include in the county board resolution required under subsection (1), a commitment to repay any funds paid to the county under section 20.545 (1) (d) of the statutes and expended, and to return any funds paid to the county under section 20.545 (1) (d) of the statutes and released to the new agency by contract if the other funds are not obtained within the 9-month period.

SECTION 917. Chapter 29, laws of 1977, section 1628a (intro.) and (3) are amended to read:

(Chapter 29, laws of 1977) Section 1628a. **Medical college of Wisconsin, inc.; family practice funds.** (intro.) Of the funds appropriated for the family practice program under section 20.250 (1) (b) of the statutes ~~during the 1977-79 biennium, \$125,000 annually in fiscal year 1978-79, \$170,000~~ may be released by the joint committee on finance upon the receipt and review of:

(3) ~~An annual~~ A report on the number, location and status of all hospital affiliations and the number of residency positions filled by site.

SECTION 918. Chapter 29, laws of 1977, section 1644 (3) (d) 3 is amended to read:

(Chapter 29, laws of 1977) Section 1644 (3) (d) 3. The amounts amount to be transferred from the transportation fund to the general fund under section 86.35 of the statutes, as affected by this act, shall be \$15,512,849 for fiscal year 1977-78 ~~and \$16,429,898 for fiscal year 1978-79.~~

SECTION 918m. Chapter 29, laws of 1977, section 1647 (13), is amended to read:

(Chapter 29, laws of 1977) Section 1647 (13) Wherever "October" appears in the following ~~sections~~ section of the statutes, "July" is substituted: ~~38.16 (1) and 121.06 (1).~~

SECTION 919. Chapter 29, laws of 1977, section 1655 (34m) (b) 1 (intro.) and 2 are amended to read:

(Chapter 29, laws of 1977) Section 1655 (34m) (b) 1. (intro.) Members of the judiciary and county governments shall extend their unlimited cooperation to the state public defender and the state public defender board during the implementation of the state public defender system from July 1, 1978, to June 30, 1979 or the general effective date of the 1979-81 biennial budget act, whichever is later. Cooperation shall include, but not be limited to, judicial determination of indigency, judicial assignment of counsel and county payment of attorney fees for indigent defense where a representative of the state public defender is not available to determine indigency and

assign or provide counsel. Further, during the transition period of July 1, 1978, to June 30, 1979 or the general effective date of the 1979-81 biennial budget act, whichever is later, the state public defender shall, to the extent that appropriations and position authority permit, determine the counties in which the state public defender shall operate during the ~~July 1, 1978, to June 30, 1979,~~ transition time period. The state public defender shall give priority to providing indigent representation in counties meeting the following criteria:

2. The state public defender shall determine the relative importance of the criteria under subdivision 1. a to e of this subsection in establishing which counties the state public defender will operate in during the July 1, 1978, to June 30, 1979 or the general effective date of the 1979-81 biennial budget act, whichever is later, time period. In those counties in which the state public defender does not operate during that time period, the state public defender shall permit judicial determination of indigency, judicial appointment of counsel and county payment of legal fees for indigent representation. Attorney fees shall continue to be reimbursed for those counties under section 256.65 or 757.65 of the statutes, whichever is applicable, provided that the case was assigned prior to June 30, 1979 or the general effective date of the 1979-81 biennial budget act, whichever is later. Counties shall continue to pay attorney fees for indigent representation for all cases assigned to local counsel or public defender organizations prior to state assumption of responsibility for indigency determination and appointment of counsel.

SECTION 920. Chapter 29, laws of 1977, section 1655 (38) (d) is repealed.

SECTION 922. Chapter 170, laws of 1977, section 34 is amended to read:

(Chapter 170, laws of 1977) Section 34. **Appropriation increases.** The appropriation of the department of health and social services under section 20.435 (1) (a) of the statutes, as affected by the laws of 1977, is increased by \$149,200 in fiscal year 1977-78 and by \$115,000 in fiscal year 1978-79 for 7.5 positions in 1977-78 and in 1978-79. Of those amounts, \$60,200 in fiscal year 1977-78 and \$15,000 in fiscal year 1978-79 shall be used for direct hiring by the department of health and social services for 2.5 positions, and \$89,000 in fiscal year 1977-78 and \$100,000 in fiscal year 1978-79 shall be used for contracting with the department of administration for 5 positions in fiscal year 1977-78 and in fiscal year 1978-79.

SECTION 922m. Chapter 196, laws of 1977, section 126 is repealed.

SECTION 923. **Nonstatutory provisions.** (1) ADMINISTRATION. (a) *Governor's committee on Hispanic affairs.* The moneys from the appropriation under section 20.505 (5) (d) of the statutes shall be placed in unallotted reserve pending issuance of an executive order creating the committee on Hispanic affairs and may not be released without the approval of the joint committee on finance.

(b) *Federal energy research funds report.* The department of administration shall submit a quarterly report to the joint committee on finance indicating the federal energy-related grant amounts received by state agencies from the appropriation under section 20.505 (1) (m) of the statutes.

(3) AGRICULTURE, TRADE AND CONSUMER PROTECTION. (a) *Landlord-tenant study.* The department of agriculture, trade and consumer protection shall conduct a landlord-tenant study to be completed on or before December 1, 1978. The legal research portion of the landlord-tenant study shall be conducted by the department of justice under the coordination of a limited-term employe project coordinator provided to the department of agriculture, trade and consumer protection.

(14) ETHICS BOARD. (a) *Reconciliation.* If 1977 Assembly Bill 349 is enacted without change insofar as it affects proposed section 19.45 (7) of the statutes, as affected by senate amendment 12, then the following shall supersede the text of proposed section 19.45 (7) (a) of the statutes in that bill:

"19.45 (7) (a) No state public official who is identified in s. 20.923 may represent a person or organization for compensation before a department or any employe thereof, except:

1. In a contested case which involves a party other than the state with interests adverse to those represented by the state public official; or
2. At an open hearing at which a stenographic or other record is maintained; or
3. In a matter that involves only ministerial action by the department; or
4. In a matter before the department of revenue or tax appeals commission that involves the representation of a client in connection with a tax matter.”.

(18) HEALTH AND SOCIAL SERVICES. (a) *Federal child welfare funds.* The department of health and social services may use \$200,000 of the federal child welfare funds (Title IVB) for innovative child welfare projects. The remaining funds shall be used to offset the cost of state foster care, the child monitoring unit and the Milwaukee county children's home.

(am) *Prevention and wellness promotion efforts.* 1. The department of health and social services, in consultation with an advisory committee appointed by the secretary of health and social services on prevention and wellness promotion, shall immediately begin a review of principal causes of mortality, disability and absenteeism and identify existing preventative programs.

2. Prior to the release of funds under SECTION 927 (18) (tk) of this act by the joint committee on finance, the department shall submit to the joint committee on finance, the assembly committee on health and social services and the senate committee on human services guidelines concerning the nature of the projects to be funded, the allowable administrative expenses of the projects, the target groups of the projects, the relationship of the projects with existing programs and the goals of the projects and a description of each project, including the location of the project, the group to be served, the services to be provided, the amount of the grant and the goals of the project.

3. Prevention and wellness promotion projects under subd. 2 and SECTION 927 (18) (tk) of this act shall not be funded if funding is available from existing programs.

4. The department shall submit a report to the legislature not later than January 1, 1980. The report shall evaluate the prevention and wellness promotion projects and include recommendations.

(b) *Adoption services study and project.* The department of health and social services shall complete a comprehensive study of the adoption service delivery system which it shall submit to the governor on or before January 1, 1979. The department may also establish a pilot program to determine if it is feasible for counties either to provide or purchase adoption services. The study and pilot shall be funded from section 20.435 (4) (a) and (b) of the statutes.

(ba) *Waivers from AFDC program requirements.* The department of health and social services shall seek from the U.S. department of health, education and welfare a waiver permitting federal reimbursement for aid granted to employed participants in the AFDC-U program under section 49.50 (7) (d) of the statutes as created by this act and a waiver permitting the counting of supplemental security income payments as unearned income in cases in which a household applying for or receiving aid to families with dependent children under section 49.19 of the statutes includes an individual receiving aid under section 49.177 of the statutes.

(bd) *Income disregard.* The department of health and social services shall develop a proposal for computing income disregards which permits payment of a fair flat rate for reasonable work expenses; which provides motivation for the recipient to seek employment; which is rationally integrated with other assistance programs and with the tax system; which considers family size grant differences; and which ensures lower ineligibility levels for adult earners. The department shall seek waivers from the U.S. department of health, education and welfare which are necessary for the implementation of the proposal.

(bf) *Aid to families with dependent children - lump sum payment study.* The department of health and social services shall study the use of lump sum payments

granted to recipients of aid to families with dependent children. A report and recommendations shall be submitted to the governor and the legislature on or before October 1, 1978.

(c) *Group homes.* The department of health and social services shall develop an allowable cost policy for group homes. The department shall submit a report and recommendations to the governor on or before January 1, 1979.

(cm) *Payment to nursing homes of 1975 costs.* The department of health and social services shall pay in full any amounts still owing as reimbursement to nursing homes under section 49.45 (6m) of the statutes, as certified by the nursing home appeals board in its 1975 decisions.

Partial
Veto
Overruled

(d) *Licensing study.* The department of health and social services shall study the licensing policies and procedures for those programs and facilities currently licensed by the department or other agency in chapter 48 of the statutes. A report and recommendations shall be submitted to the governor and legislature on or before January 1, 1979.

(dm) *Foster care monitoring system pilot project and foster parent education.* Of the amounts appropriated under section 20.435 (4) (b) of the statutes, \$250,000 shall be utilized for the development of the foster parent education program under section 48.675 of the statutes and for a foster care monitoring pilot program to monitor foster care placements and to measure the effectiveness of the foster care system in meeting the needs of children with special problems.

(e) *Day treatment programs.* The department of health and social services shall continue the funding and administration of day treatment programs through June 30, 1979. On or before January 1, 1979, the department of health and social services and the department of public instruction shall develop the procedures necessary to administer and fund day treatment programs on a joint basis, which shall take effect on July 1, 1979.

(em) *Emergency fuel and utilities assistance.* Of the amounts appropriated under section 20.435 (4) (dL) of the statutes, \$1,000,000 in 1978-79 shall be placed in unallotted reserve and may be released only upon expenditure of all other available funds and with the prior approval of the joint committee on finance.

(f) *Increased income maintenance administration funding.* The increase in the appropriation to the department of health and social services under section 20.435 (4) (de) of the statutes, as provided by this act, and the matching federal funds for that increase under section 20.435 (4) (p) of the statutes shall be placed in unallocated reserve and shall be released in whole or in part only after the department has documented its calendar year 1978 and 1979 expenditures and has demonstrated that it is unable to meet actual expenditures with the funds authorized under chapter 29, laws of 1977, and that it has taken all necessary actions to reallocate funds among counties. County contract addenda for state aids in each calendar year shall not exceed 70% of the amount by which actual expenditures exceed contract levels authorized under chapter 29, laws of 1977. County contract addenda for state aids shall not exceed \$1,100,000 in calendar year 1978 and \$1,212,600 in the first 6 months of calendar year 1979.

(gb) *Ethan Allen school.* The department of health and social services shall study present security measures at Ethan Allen school and report the findings of the study to the legislative council's special committee on juvenile correctional facilities on or before August 1, 1978.

(h) *Services for the deaf.* The governor shall appoint a special committee to study the service needs of the deaf and the appropriate role of the state in meeting such needs. As a part of its study, the committee shall examine and make recommendations regarding alternatives concerning the financing of the service bureau for the deaf to include a phase-down of direct state support and establishment of purchase of certain services and placement within an existing state agency. The committee shall include 4 members of the legislature, including at least one member of the joint committee on

finance; the director of the service bureau for the deaf; representatives of the deaf community, including members of the Wisconsin association for the deaf; and representatives of the department of health and social services. The committee may draw upon legislative staff and other staff for assistance and shall report its findings and recommendations to the governor and the legislature no later than November 1, 1978.

(i) *Aid to families with dependent children; payment levels and standards study.* The department of health and social services shall study the issue of payment levels and standards to be used in the aid to families with dependent children program and shall make recommendations concerning appropriate payment levels and standards to be used in that program. A report and recommendations shall be submitted to the governor and the legislature by December 31, 1978.

(j) *Reconciliation.* In the event that 1977 assembly bill 24 is signed into law, its treatment of section 69.30 of the statutes shall take precedence over the treatment of section 69.30 of the statutes by this act.

(21) HISTORICAL SOCIETY. (a) *Old World Wisconsin study.* The board of curators of the state historical society, in consultation with the department of administration and the legislative fiscal bureau, shall report to the governor and legislature by December 1, 1978, on the scope and future costs of the Old World Wisconsin outdoor museum.

(23) INDUSTRY, LABOR AND HUMAN RELATIONS. (a) *Discrimination complaints.* The department of industry, labor and human relations may not receive or investigate under section 111.36 of the statutes any complaint which charges discrimination or discriminatory practices arising from the application of Wis. Adm. Code chapter Pers. 27, and occurring prior to the effective date of this act, unless the complaint is filed with the department within 45 days after the effective date of this act.

(30) LEGISLATURE. (a) *Study of changes, enrollments and valuations.* The legislative council shall prepare and submit a report to the legislature by January 1, 1979, regarding the impact of changing enrollments and property valuations upon school districts and state school aid. The study shall address the effect of enrollment changes on costs and utilization of facilities, the impact of valuation changes on state aid and tax apportionment, and the use of state resources in assisting school districts.

(b) *Alternatives to annotations volume.* The revisor of statutes shall study the several alternatives to the present procedure of decennially publishing as a separate volume the legislative history of the sections of the statutes, annotations of court decisions interpreting the Wisconsin constitution and statutes, a listing of special, private or local laws and other information. The revisor shall especially study the desirability and feasibility of integrating the material now contained in the annotations into the Wisconsin statutes, and report the results of such study to the joint committee on legislative organization no later than January 15, 1980.

(32) LOCAL AFFAIRS AND DEVELOPMENT. (a) *Housing rehabilitation loan program; legislative declaration.* 1. It is determined that there exists in rural and urban areas of the state a seriously inadequate supply of, and a pressing need for, safe and sanitary dwelling accommodations within the financial means of persons and families of low and moderate income and other persons, including veterans, elderly persons and handicapped persons. It is further determined that a significant portion of the existing housing in the state is presently unsafe, unsanitary and in need of rehabilitation, and that many other housing units in the state will soon become unsafe and unsanitary if not repaired or improved.

2. It is further determined that there exist in the state neighborhoods or areas in which buildings, by reason of age, obsolescence, inadequate or outmoded design, or physical deterioration have become economic or social liabilities, or both; that such conditions impair the economic value of such neighborhoods or areas, infecting them with economic blight, and that such areas are characterized by depreciated values, impaired investments, and reduced capacity to pay taxes; that the existence of such

conditions and the failure to rehabilitate such buildings results in a loss of population from the neighborhoods or areas and further deterioration, accompanied by added costs to the communities for creation of new public facilities and services elsewhere; that it is difficult and uneconomic for individual owners independently to undertake to remedy such conditions; that it is necessary to create, with proper safeguards, inducements and opportunities for the employment of private investment and equity capital in the rehabilitation of such buildings; and that the presence of such buildings and conditions in such neighborhoods and areas has resulted, among other consequences, in a severe shortage of financial resources available to finance the purchase and rehabilitation of housing and an inability or unwillingness on the part of both private lenders and present and prospective owners of such housing to invest in the purchase and rehabilitation of housing in such neighborhoods and areas.

3. It is further declared that among the direct consequences of the inadequate condition of many housing units are the waste of scarce energy resources, high and increasing costs of heating dwellings, and a serious threat to the health and welfare of persons who are unable to maintain an adequate temperature at reasonable costs in the dwellings they occupy. It is further declared that conservation of energy, reducing the financial burden of maintaining an adequate supply of heat in dwellings, and protecting the health and welfare of the residents of the state by assisting the rehabilitation of housing is a valid public purpose and a worthwhile public objective.

4. It is further declared that this shortage of adequate housing, existence of substandard housing and general pattern of disinvestment in such neighborhoods and areas is inimical to the safety, health, education, morals, welfare and comfort of the residents of the state generally and to the growth and development of its communities. Present patterns of providing and rehabilitating housing unduly limit the housing options for many people in the state's urban centers, smaller cities and nonmetropolitan areas.

5. It is further determined that a program to encourage the rehabilitation of housing and to stimulate reinvestment in such neighborhoods and areas is an essential supplement to the state's existing programs intended to stimulate the supply of safe and sanitary dwelling accommodations within the state. It is further determined that a program to encourage rehabilitation of housing and to stimulate reinvestment in such neighborhoods and areas is also essential in order to assure an adequate supply of such housing in the state in the future.

6. It is further declared that the programs provided by the federal government to encourage the rehabilitation of housing and the sound and healthy development and maintenance of neighborhoods and to maintain adequate levels of investment and to stimulate reinvestment in such neighborhoods and areas have been unable to meet the needs of persons and families of low and moderate income, veterans, elderly persons and handicapped persons in this state and that state action is necessary to supplement such federal programs.

7. It is further declared that the provision of an adequate supply of housing for persons and families of low and moderate income, veterans, elderly persons and handicapped persons has been greatly restricted by the extremely high costs of financing the rehabilitation of housing and that providing an adequate supply of safe and sanitary housing to meet the needs of such persons and the residents of the state generally will not be possible until and unless the availability of such financing is encouraged and the cost of such financing is reduced by state action.

8. It is further declared that insufficient funds, the presence of substandard housing and other detrimental conditions and the lack of sufficient incentives have limited the ability of private lending institutions and the private building industry to meet the housing rehabilitation needs of persons and families of low and moderate income, veterans, elderly persons, handicapped persons, and other persons and families who do or desire to reside in certain neighborhoods and areas in the urban communities of the state.

9. It is further declared that it is a valid public purpose of the state to assist in the preservation of neighborhoods as sound and healthy environments and elimination and prevention of substandard housing conditions for persons and families of low and moderate income, veterans, elderly persons and handicapped persons who would otherwise be unable to obtain adequate housing at prices or rentals which they can afford, by encouraging the rehabilitation and improvement of the existing housing stock in the state, encouraging a general pattern of reinvestment in such neighborhoods and areas, and providing the necessary powers and incentives to accomplish these public purposes.

10. It is further declared that in establishing a housing rehabilitation loan program to be assisted by the Wisconsin housing finance authority, the legislature is acting in all respects for the benefit of all the people of this state to accomplish the public purpose of improving and otherwise promoting their health, safety, welfare and prosperity and that the Wisconsin housing finance authority is empowered to act on behalf of the people of this state in serving this public purpose for the benefit of the general public.

11. It is further declared that a housing rehabilitation loan program will increase the availability of adequate and reasonably priced housing to people of low and moderate incomes, increase the usefulness and economic life of housing, encourage the stabilization and upgrading of existing neighborhoods, and assist communities in limiting the costs of providing public services.

12. The treatment by this act of sections 20.855 (9), 25.14 (1), 234.01 (1m) and (2) to (8), 234.02 (title) and (3), 234.03 (2m), 234.04 (2) and (3), 234.17 and 234.40 (4) of the statutes and the creation by this act of sections 20.490, 20.545 (2) (d), 20.855 (5), 22.42, 25.17 (1) (r) and (2) (c), 25.41, 66.465, 234.01 (3), 234.03 (13s) and 234.50 to 234.55 of the statutes is declared to be necessary for the welfare of the state and its inhabitants; therefore, such legislation shall be liberally construed to effect its purpose.

(b) *Evaluation of housing rehabilitation and neighborhood conservation program.* By January 1, 1981, the department of local affairs and development shall provide the governor and the legislature with a report evaluating the housing rehabilitation and neighborhood conservation program. The report shall include an accounting for administrative costs incurred by the department of local affairs and development and the Wisconsin housing finance authority, by categories of expenditure and shall make recommendations on continuation of and alterations to the program. The report shall contain the following information:

1. An evaluation of the program's geographic distribution and impact in smaller municipalities.
2. An evaluation of the program's impact in larger cities.
3. An assessment of the program's impact on energy conservation and relation to other energy conservation programs.
4. An assessment of the program's impact on neighborhood reinvestment and revitalization, including the effect of private financing on home improvements and impact on property values.
5. An analysis of the adequacy of administrative procedures and identification of any conflicting procedures or requirements between the program and the home improvement tax credit program.
6. An analysis of the age and income of families participating in the program.
7. An analysis of the costs and physical kinds of improvements funded by the program.
8. An analysis of the program's relationship to municipal housing code enforcement.
9. An analysis of reported consumer complaints and a survey of client satisfaction.

(37) NATURAL RESOURCES. (a) *Solid waste management grant program report.* The department of natural resources shall prepare a report for distribution to the governor and the legislature on or before October 1, 1980, evaluating the solid waste management grant program under sections 144.60 to 144.64 of the statutes, as created by this act, and making recommendations whether to continue with the program. The recommendations shall be based on data consistent with the requirements of section 144.61 (1) (b) of the statutes, as created by this act.

(b) *Nonpoint source water pollution abatement program evaluation.* The department of natural resources, in consultation with the board of soil and water conservation districts, shall prepare an evaluation of the nonpoint source water pollution abatement program under section 144.25 of the statutes, as created by this act, and shall make recommendations for modifications, including regulatory actions where needed, and shall report to the governor and the legislature on or before January 1, 1982. The department of natural resources shall also submit a report to the governor and the legislature with its 1979-81 biennial budget request regarding any modifications in the nonpoint source water pollution abatement program under section 144.25 of the statutes, as created by this act, made necessary or desirable by promulgation of rules under the federal nonpoint source pollution grant program established by the clean water act of 1977, P.L. 95-217.

(c) *Wildlife damages recommendations.* The department of natural resources shall submit, with its 1979-81 biennial budget request, recommendations regarding any modifications to the state wildlife damage program which may be required as a result of implementation of a federal crop insurance program covering those damages.

(d) *Revision of sport trolling and commercial fishing laws; legislative intent.* 1. The legislature recognizes that the fish resources and fisheries of this state's outlying waters contribute to the economy, food supply and recreational opportunities for the citizens of this state. The primary responsibility for the protection, development and wise use of these resources rests with the state, which must provide proper management to maintain and develop fish resources and fisheries in the face of increasing demands.

2. The fish resources of the state are capable of being managed scientifically to maintain an adequate and stable resource for all uses. Past management of the Great Lakes has been unable to prevent depletion of the fish resources.

3. The intent of the legislature in revising commercial fishing laws is to provide for multi-use management of the Great Lakes fishery, including an economically viable and stable commercial fishery and an active recreational fishery. To reach this management objective, the legislature recognizes that it may be necessary to limit participation in the commercial fishery and to limit the harvest of commercially fished species through proven scientific management techniques.

4. The intent of this legislation in revising commercial fishing laws is further to assure those persons currently participating in and earning the majority of their income from the fishery the opportunity to continue to do so for a period of 5 years and to further provide those persons with the opportunity to demonstrate their intent to meet criteria established by the commercial fishing boards for continued fishing in an orderly transition from the fishery as presently administered.

(39) PUBLIC INSTRUCTION. (a) *Teacher education and certification study.* The department of public instruction shall study alternatives for more efficient administration and service delivery in the bureau for teacher education and certification. The study shall identify the public purposes for this bureau and shall examine the full range of services and other expenditure of certification fees to determine the direct benefit to teachers and the public. The study shall identify a procedure through which the bureau can continue to operate within projected program revenues. Toward this end, the study shall also include a schedule of proposed certification fees and revenue and expenditure projections for the 1979-81 and 1981-83 biennia. The department shall submit its report and recommendations to the joint education committee of the legislative council no later than September 1, 1978.

(b) *Island school districts.* For the 1977-78 and 1978-79 school years, any school district located entirely on an island may use an average of the 3 prior years in computing its memberships and controllable cost under subchapter VII of chapter 121 of the statutes. In addition, any costs incurred during 1977-78 and 1978-79 to correct errors in prior years' budgets may be exempted. The state superintendent shall make these adjustments and shall develop a plan which details alternatives for obtaining compliance with the standards established in section 121.02 of the statutes for the district and shall submit this plan to the joint education committee on or before January 1, 1979.

(42) REVENUE. (b) *1978 Special property tax credit.* 1. In this paragraph, unless the context clearly indicates otherwise:

a. "Claimant" means a person who has filed a claim under this paragraph and who was domiciled in this state during the entire 1978 calendar year and who paid gross rent or had property taxes accrued on the claimant's homestead or both for 1978. When 2 or more individuals of a household or in a dwelling unit are able to meet the qualifications for a claimant, they may determine between them as to who the claimant shall be. If they are unable to agree, the matter shall be referred to the secretary of revenue and the secretary's decision shall be final.

b. "Department" means the department of revenue.

c. "Gross rent" means rental paid for the right of occupancy of a homestead. "Gross rent" includes the space rental paid to a landlord for parking of a mobile home, exclusive of any charges for utilities, services, furniture and furnishings or personal appliances furnished by the landlord as a part of the space rental.

d. "Homestead" means the dwelling, whether owned or rented, and so much of the land surrounding it, not exceeding one acre, as is reasonably necessary for use of the dwelling as a home, and may consist of a part of a multidwelling or multipurpose building and a part of the land upon which it is built. "Owned" includes a vendee in possession under a land contract and of one or more joint tenants or tenants in common. "Homestead" does not include personal property such as furniture, furnishings or appliances, but a mobile home may be a homestead.

e. "Household" means a claimant and an individual related to the claimant as husband or wife.

f. "Property taxes accrued" means property taxes, exclusive of special assessments, delinquent interest and charges for service, levied on a claimant's homestead in 1978 under chapter 70 of the statutes, less the tax credit, if any, afforded in respect of the homestead property by section 79.10 (3) of the statutes. If a homestead is owned by 2 or more persons or entities as joint tenants or tenants in common and one or more such persons or entities is not a member of claimant's household, "property taxes accrued" is that part of property taxes levied on such homestead (reduced by the tax credit under section 79.10 (3) of the statutes) as reflects the ownership percentage of the claimant and the claimant's household. For purposes of this subdivision property taxes are "levied" when the tax roll is delivered to the local treasurer with the warrant for collection. If a homestead is sold during 1978 the "property taxes accrued" for the seller and buyer shall be the amount of the tax levy prorated to each in the closing agreement pertaining to the sale of the homestead or, if not so provided for in the closing agreement, the tax levy shall be prorated between seller and buyer in proportion to months of their respective ownership, provided that the seller and buyer occupy the homestead during the periods of their respective ownership. If a household owns and occupies 2 or more homesteads in 1978 "property taxes accrued" shall be the sum of the prorated taxes attributable to the household for each of such homesteads. If a homestead is an integral part of a larger unit such as a farm, or a multipurpose or multidwelling building, property taxes accrued shall be that percentage of the total property taxes accrued as the value of the homestead is of the total value, except that the claimant may use the total property taxes accrued for the larger unit, but not exceeding 120 acres of land. For purposes of this paragraph, monthly parking permit fees collected under section 66.058 (3) (c) of the statutes shall be considered property taxes.

2. The right to file a claim under this paragraph shall be personal to the claimant and shall not survive the claimant's death, but the right may be exercised on behalf of a claimant by the claimant's legal guardian or attorney-in-fact. When a claimant dies after having filed a timely claim the amount of the claim shall be disbursed to another member of the household as determined by the secretary of revenue. If the claimant was the only member of the household, the claim may be paid to the claimant's executor or administrator, but if neither is appointed and qualified within 2 years of the filing of the claim, the amount of the claim shall escheat to the state.

3. Subject to the limitations provided in this paragraph, a claimant may claim Wisconsin property taxes accrued as a credit against Wisconsin income taxes otherwise due. If a claimant did not have property taxes accrued for 1978, the claimant may claim a credit of \$40 against Wisconsin income taxes otherwise due. A claimant who paid both gross rent and had property taxes accrued for 1978 may elect to credit either \$40 or the amount under subdivision 8 against Wisconsin income taxes otherwise due. If the allowable amount of claim exceeds the income taxes otherwise due on the claimant's income or if there are no Wisconsin income taxes due on the claimant's income, the amount of the claim not used as an offset against income taxes shall be certified to the department of administration for payment to the claimant from the appropriation under section 20.835 (2) (e) of the statutes, as created by this act. No interest shall be allowed on any payment made to a claimant under this paragraph.

4. No claim under this paragraph shall be allowed or paid unless filed with the department on or before December 31, 1979.

5. The amount of any claim otherwise payable under this paragraph may be applied by the department against any liability outstanding on the books of the department against the claimant, or against any other individual who was a member of the claimant's household in the year to which the claim relates.

6. Only one claimant per dwelling unit may receive the credit under this paragraph.

7. No claim may be paid under this paragraph based on property taxes accrued or gross rent paid prior to January 1, 1978.

8. The amount of any credit granted under this paragraph shall not exceed the lesser of \$100 or 10% of property taxes accrued.

9. If the amount of a qualified claimant's claim is less than \$40, the amount of credit shall be \$40.

10. The claimant shall, at the claimant's election, not be required to record on the claim form the amount claimed. The claim allowable to persons making this election shall be computed by the department which shall notify the claimant by mail of the amount of the allowable claim.

11. In administering this paragraph the department shall make available suitable forms with instructions for claimants, including a form which may be included with or a part of the individual income tax blank. The forms shall include a space for identification of the county and city, village or town in which the claimant resides.

12. Every claimant under this paragraph shall supply to the department, in support of his or her claim, a statement of age, property taxes accrued, and the size and nature of property claimed as the homestead.

13. Whenever an audit of any claim filed under this paragraph indicates that an incorrect claim was filed, the department shall make a determination of the correct amount and notify the claimant of the determination and the reasons for the determination. Notice of the determination shall be given to the claimant prior to December 31, 1983. Any person aggrieved by the determination shall, within 30 days after receipt of the notice of determination, petition the department for redetermination. The department shall make a redetermination on the petition within 6 months after it is filed and notify the claimant of the redetermination. If no timely petition for redetermination is filed with the department, its determination shall be final and conclusive.

14. A claimant who has filed a timely claim under this paragraph may file an amended claim with the department prior to December 31, 1983.

15. In any case in which it is determined that a claim is or was excessive and was filed with fraudulent intent, the claim shall be disallowed in full, and, if the claim has been paid or a credit has been allowed against income taxes otherwise payable, the credit shall be canceled and the amount paid may be recovered by assessment as income taxes are assessed and the assessment shall bear interest from the date of payment or credit of the claim, until refunded or paid, at the rate of 1.5% per month. In any case in which it is determined that a claim is or was excessive and was negligently prepared, 10% of the corrected claim shall be disallowed and if the claim has been paid, or credited against income taxes otherwise payable, the credit shall be reduced or canceled, and the proper portion of any amount paid shall be similarly recovered by assessment as income taxes are assessed and the assessment shall bear interest at 1.5% per month from the date of payment until refunded or paid.

16. Any person aggrieved by the department's redetermination under this paragraph, except when the denial is based upon late filing of claim for credit, may appeal the redetermination to the tax appeals commission by filing a petition with the commission within 30 days after the redetermination, as provided under section 73.01 (5) of the statutes with respect to income tax cases, and review of the commission's decision may be had under section 73.015 of the statutes. For appeals brought under this subdivision, the filing fee required under section 73.01 (5) (a) of the statutes shall not apply.

17. No claim may be allowed if the department finds that the claimant received title to the claimant's homestead primarily for the purpose of receiving benefits under this paragraph.

18. No claim for credit under this paragraph may be allowed to any claimant who was claimed as a dependent for federal income tax purposes by another person during 1978 but this limitation shall not apply if the claimant was 62 years of age or older.

(47) SUPREME COURT. (a) *Programmer analyst*. The supreme court is authorized to fund one programmer analyst position to provide improved statistical information on case disposition, incorporate Milwaukee county statistics into the state system and assist in the development of monitoring and audit capabilities and routine maintenance of existing programs and special report generation capacity. The position shall be funded from the appropriation in section 20.680 (2) (a) of the statutes.

(48) TRANSPORTATION. (a) *Construction of the Prentice railroad overpass prohibited*. Notwithstanding sections 195.28 and 195.29 of the statutes or any order made thereunder, the department of transportation is prohibited from constructing or participating in the construction of a separated grade overhead structure intersecting relocated state trunk highway 13 and the Soo Line Railroad tracks located west of the village of Prentice in Price County. The department of transportation and Soo Line Railroad Company shall establish an at-grade crossing including automatic crossing protection for the relocated highway. Costs associated with construction of the at-grade crossing and crossing protection shall be paid from the appropriations under sections 20.395 (1) (td) and (te) and (3) of the statutes, as appropriate.

(b) *Rail service and facility preservation; study*. The legislature recognizes that a sound railroad system is important to the welfare and vitality of the state and its localities. The legislature further recognizes that the current private sector rail system in this state and in particular the branch line portion thereof, which primarily serves the smaller communities and rural areas, is facing a serious state of deterioration and accelerating abandonment in many locations. The legislature finds that neither private capital nor local government resources are adequate to forestall the deterioration and to accomplish appropriate and needed rehabilitation of the system. The legislature further finds that it is in the interest of the state to take such actions as are within its power to assist in the preservation of those rail services that are economically and socially justified, including the maximizing of federal aid for such purposes. The legislature therefore directs the department of transportation to study other means

outside its current authority to prevent and reverse rail system deterioration and thereby preserve valuable rail service, to consult with the appropriate standing committees of the legislature, and to prepare and present to the legislature and the governor by January 1, 1979, recommendations for legislative action to be considered during the 1979 legislative session.

(c) *Vehicle registration; applicability of statutory changes; refunds.* 1. Notwithstanding chapter 29, laws of 1977, section 1657 (43) (c), any person who has paid a registration fee for any vehicle for any full registration period commencing after December 31, 1977, that is at least \$2 greater than the fee prescribed in section 341.25 (1) (ge) and (2) or 341.26 (3) (g) of the statutes as affected by this act for that vehicle and for that registration period may apply to the department of transportation for a refund of any excess fee so paid. Applications for refunds under this subdivision shall be made prior to January 1, 1979.

2. No person is required to pay any fee in addition to the fee already paid for that registration period if that fee was prescribed in section 341.25 or 341.26 (3) (g) of the statutes, as affected by chapter 29, laws of 1977.

3. Any person who has paid the full annual registration fee for any motor home registered at a gross weight of more than 8,000 pounds prior to the effective date of the treatment of section 341.30 (1) (f) of the statutes by this act may apply to the department of transportation for reregistration of that vehicle on a quarterly basis and for a refund of any difference in the fee so paid. Applications for reregistration and refunds under this subdivision shall be made prior to June 30, 1978.

(d) *Grant acceptance.* Notwithstanding section 20.907 of the statutes, the grant of the Wisconsin state agencies building corporation to the department of transportation is accepted and shall be deposited in the transportation fund.

(e) *Handicapped parking.* The department of transportation shall adopt specifications for the design and installation of traffic signs and markers for reserved parking for handicapped persons as part of the manual establishing a uniform system of traffic control devices under section 84.02 (4) (e) of the statutes.

(f) *Right-of-way acquisition.* Of the amounts appropriated under sections 20.395 (5) (sd) and (td) of the statutes by this act, at least \$4,600,000 shall be used for the acquisition of abandoned rail right-of-way and associated administrative expenses.

(fm) *Loan specifications.* The department of transportation shall adopt specifications for the loans to ~~transport commissions~~ under section 85.08 (4m) of the statutes, as created by this act.

Vetoed
in Part

(g) *Disposition of Park West freeway lands by this state.* 1. Notwithstanding sections 59.965, 84.02 and 84.09 of the statutes, the secretary of transportation, with the governor's approval, may dispose of interests in lands and property previously acquired and held in trust for the state for the Park West freeway by conveyance or otherwise under such terms as the secretary deems reasonable and in the public interest. No such disposition is valid unless approved by the county board of Milwaukee county.

2. Any proceeds received from the disposition of interests in lands and property under this paragraph shall be deposited in the state transportation fund. Any reimbursement from those proceeds to federal and local governments for expenditures incurred in acquiring such interests shall be made from the appropriation under section 20.395 (3) (xe) of the statutes, as created by this act. The reimbursement shall be made in accordance with applicable federal and state law and with the terms of the plan of disposition of such lands and property made and approved under this paragraph. Notwithstanding any other statute or other law, any amounts received by any county or other unit of local government as reimbursement under this paragraph may be retained by the county and local government and are not required to be used by its governing body for highway purposes.

(h) *Disposition of Park West freeway lands by Milwaukee county.* Notwithstanding sections 59.965, 84.02 and 84.09 of the statutes, the county board of Milwaukee county may:

1. Amend the general expressway plan as it pertains to the Park West freeway by means of a resolution.

2. Dispose of interests in lands and property previously acquired and held in the name of the county by conveyance or otherwise to the extent practicable in conformance with the disposition plan made and approved under this paragraph and par. (g), and under such terms as the county board deems reasonable and in the public interest. Notwithstanding any other statute or other law, any amounts received by the county from such disposition may be retained by the county and are not required to be used by the county board for highway purposes.

(50) UNIVERSITY OF WISCONSIN SYSTEM. (a) *Laboratory of hygiene board.* The laboratory of hygiene board shall submit a report to the governor and the legislature by November 15, 1978, that defines public health testing in terms of the program objectives and needs of the departments of natural resources and health and social services and the university of Wisconsin system. In addition, the report shall develop 2 alternative funding structures, for consideration in the 1979-81 biennium, based on the following variables:

1. A funding structure that provides both program revenue, by the retention of fees for testing services, and general purpose revenue support for essential public health activities but only program revenue support for other testing activities by the development of a cost-based user fee schedule.

2. A funding structure that utilizes a variable fee schedule to generate sufficient program revenue to maintain the current level of laboratory activities at the same proportion of general purpose revenue to program revenue support as established in chapter 29, laws of 1977.

(b) *School of veterinary medicine and food animal clinic report.* 1. The board of regents shall submit a report to the governor and the legislature by January 1, 1979, concerning the establishment of a school of veterinary medicine and food animal clinic facility.

2. The report shall be based on the following assumptions:

a. The school of veterinary medicine and food animal clinic facility will begin operations at the beginning of the 1983-84 school year.

b. The school of veterinary medicine will have an annual class size of approximately 80 students consisting of 60 Wisconsin residents and 20 students who are full-cost contract students from outside the state.

c. The school of veterinary medicine and food animal clinic facility will utilize existing university facilities to the maximum extent possible.

3. The report shall include the following information:

a. Construction options describing facilities that could be built for \$16 million, \$20 million, \$24 million and \$28 million using 1980 dollars.

b. Possible federal assistance. The board of regents shall make a maximum effort to secure federal construction grants and other assistance to defray the cost of establishing the school of veterinary medicine and food animal clinic facility.

c. Fully developed construction plans, total cost estimates and an operating budget.

d. The planned curricula of the school of veterinary medicine and food animal clinic facility. The curriculum of the school of veterinary medicine shall emphasize veterinary services for food-producing animals and shall include a clinical residency component. The clinical residency component shall direct veterinary medicine students to areas within the state where there is a shortage of veterinary services for food-producing animals.

e. The planned admission policy of the school of veterinary medicine. The policy shall encourage the admission of students who are likely to practice large animal veterinary medicine in this state.

(53) VOCATIONAL, TECHNICAL AND ADULT EDUCATION. (a) *Nonresident tuition study.* The board of vocational, technical and adult education shall report to the governor and the joint committee on finance by February 1, 1979, on the impact of the nonresident tuition policy for vocational-adult and postsecondary students in 1977-79. The study shall include, by program, the number of interdistrict contractual agreements requested and approved, the number of students paying their own nonresident fees, the amount of nonresident fee payments between districts, and the number of requests for district nonresident support which were denied and the reasons for such denials.

(54) WISCONSIN SOLID WASTE RECYCLING AUTHORITY. (a) *Report.* The Wisconsin solid waste recycling authority shall submit a report regarding the status of activities the authority is undertaking in the regions having the boundaries specified in section 499.10 (1) (a) and (b) of the statutes to the senate natural resources and tourism committee, the assembly environmental protection committee, the assembly natural resources committee, and the joint committee on finance, not later than February 1, 1979. The report shall include, but not be limited to, a statement of activities which have been completed to date, plans for completion of current and future projects, cost projections, timetables, evaluation of program operations and administration, analysis of actual as compared to projected cash flow, and recommendations regarding statutory changes.

(55) MISCELLANEOUS. (a) *Menominee county housing authority transfer.* Notwithstanding section 66.40 (25) and (26) of the statutes, the board of supervisors of Menominee county may transfer the assets of the Menominee county housing authority to the governing body of the Menominee Indian tribe recognized by the United States without complying with statutory liquidation, disposal and dissolution procedures, provided that in making any such transfer the rights and interests of bondholders, creditors and other persons under contract with the authority are maintained and protected.

SECTION 924. Word changes.

(8m) COURT OF APPEALS. (a) *Condemnation appeals.* Wherever the term "supreme court" appears in section 32.05 (10) (c), (11) (c) and (13) of the statutes, the term "court of appeals" is substituted.

(13m) EMPLOYMENT RELATIONS DEPARTMENT. (a) *Performance awards.* Wherever the term "merit increases" appears in sections 230.32 (1) (intro.) and 230.35 (3) (a) of the statutes, as affected by chapter 196, laws of 1977, the term "performance awards" is substituted.

(18) HEALTH AND SOCIAL SERVICES. (a) *Waupun correctional institution.* 1. Wherever the term "state prison at Waupun" appears in the following section of the statutes, the term "Waupun correctional institution" is substituted: 341.12 (2), as affected by chapter 29, laws of 1977.

2. Wherever the term "state prison" appears in the following sections of the statutes, the term "Waupun correctional institution" is substituted: 56.02 (1).

(b) *Fox lake correctional institution.* 1. Wherever the term "Wisconsin correctional institution at Fox Lake" appears in the following section of the statutes, the term "Fox Lake correctional institution" is substituted: 20.916 (3).

2. Wherever the term "Wisconsin correctional institution" appears in the following section of the statutes, the term "Fox Lake correctional institution" is substituted: 46.047.

(c) *Green Bay correctional institution.* Wherever the term "Green Bay reformatory" appears in the following section of the statutes, the term "Green Bay correctional institution" is substituted: 13.48 (7).

(d) *Dodge correctional institution.* 1. Wherever the term "Wisconsin Treatment Institution" appears in the following section of the statutes, the term "Dodge correctional institution" is substituted: 53.01.

2. Wherever the term "Wisconsin treatment institution" appears in the following sections of the statutes, the term "Dodge correctional institution" is substituted: 53.02 (4d).

3. Wherever the term "central state hospital" appears in the following sections of the statutes, the term "Dodge correctional institution" is substituted: 20.435 (3) (jm), 46.03 (1) and 49.10 (12) (f) 1.

(e) *Wisconsin state prison*. 1. Wherever the term "state prison" appears in the following sections of the statutes, the term "Wisconsin state prisons" is substituted: 12.60 (1) (a), 36.25 (6) (d), 56.07 (2), 56.19 (4), 112.05, 139.25 (1), 155.10, 176.05 (9), 176.051, 176.405 (2), 181.69, 215.12, 221.39 and 939.60.

2. Wherever the term "the state prison" appears in the following section of the statutes the term "a state prison" is substituted: 56.07 (3).

3. Wherever the term "state penitentiary" appears in the following section of the statutes, the term "Wisconsin state prisons" is substituted: 221.17.

(22) HOUSING FINANCE AUTHORITY. (a) Wherever in sections 234.01 (10) (a) 5, as renumbered by this act, and 234.42 (4) of the statutes, the term "chairman" appears, the term "chairperson" is substituted.

(48) TRANSPORTATION. (a) *Highway commission*. Wherever the term "highway commission" appears in section 84.30 (2) (em) of the statutes, as created by chapter 43, laws of 1977, the term "department" is substituted.

(b) *Administrator*. Wherever the term "administrator" or "administrator's" appears in section 194.41 (4) of the statutes, the term "secretary" or "secretary's" is substituted.

(c) *Highway commission*. Wherever the term "highway commission" appears in the following sections of the statutes, the term "department of transportation" is substituted: 83.02 (3) and 86.25 (2) and (3).

(d) *State highway funds*. Wherever the term "state highway funds" appears in the following section of the statutes, the term "transportation funds" is substituted: 66.64.

(50) UNIVERSITY OF WISCONSIN SYSTEM. (a) *Hospital name change*. Whenever in the statutes, except sections 36.25 (13) (title) and (a) and 46.22 (5) (a) 2 of the statutes, the terms "university hospitals", "Wisconsin memorial hospital", "university of Wisconsin hospitals", "Wisconsin general hospital", "Wisconsin orthopedic hospital for children", or "university of Wisconsin-Madison university hospitals" appear, the term "university of Wisconsin hospital and clinics" is substituted.

SECTION 925. **Program responsibilities.** In the sections of the statutes listed in Column A, the program responsibilities references shown in Column B are deleted and the program responsibilities references shown in Column C are inserted:

(1) ADMINISTRATION. (c) *Designation of public depositories.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.101 (intro.)	None	20.921 (3) (b) 71.20 (4) 78.12 (5) 78.84

(23) INDUSTRY, LABOR AND HUMAN RELATIONS. (a) *Examination and apprenticeship responsibilities for architects, professional engineers, designers and land surveyors.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.221 (intro.)	None	443.01 (6) (j) 443.02 (3) (a) 5

(26) INVESTMENT BOARD. (a) *State housing authority reserve fund.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.761	None	25.41

(b) *Depository selection board.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.761	None	15.105 (3)

(29) JUSTICE. (a) *Revocation of accountants' certificates.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.251 (intro.)	442.12	None

(b) *Medical assistance offenses.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.251 (intro.)	None	49.495

(40) PUBLIC SERVICE COMMISSION. (a) *Employe medical examinations.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.791	103.37 (4)	None

(49) TREASURER. (a) *Depository selection board.*

A	B	C
Statute Sections	References Deleted	References Inserted
14.561	None	15.105 (3)

(50) UNIVERSITY OF WISCONSIN SYSTEM. (a) *Board of soil and water conservation districts.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.911 (1)	None	144.25

SECTION 926. **Appropriation transfers for inflation and records center charges.**

(1) ADMINISTRATION. (a) There is transferred from the appropriation made under section 20.865 (1) (fo) of the statutes, as affected by the laws of 1977, the following amounts to the appropriations made to the department of administration under the following sections of the statutes for the purpose of funding inflationary costs and record center charges directly through the agency budget:

20.505 (1) (a)	\$183,700
20.505 (4) (a)	\$2,900
20.505 (5) (b)	\$1,400
20.505 (7) (a)	\$4,700

(2) AGING. (a) There is transferred from the appropriation made under section 20.865 (1) (fo) of the statutes, as affected by the laws of 1977, \$600 to the appropriation made to the board on aging under section 20.430 (1) (a) of the statutes for the purpose of funding inflationary costs and records center charges directly through the agency budget.

(3) AGRICULTURE, TRADE AND CONSUMER PROTECTION. (a) There is transferred from the appropriation made under section 20.865 (1) (fo) of the statutes, as affected by the laws of 1977, the following amounts to the appropriations made to the department of agriculture, trade and consumer protection under the following sections of the statutes for the purpose of funding inflationary costs and records center charges directly through the agency budget:

20.115 (1) (a)	\$27,500
20.115 (1) (b)	\$8,000
20.115 (2) (a)	\$30,500
20.115 (3) (a)	\$16,000
20.115 (8) (a)	\$12,300

(b) There is transferred from the appropriation under section 20.865 (1) (Lo) of the statutes, as affected by the laws of 1977, \$14,300 to the appropriation made to the department of agriculture, trade and consumer protection under section 20.115 (3) (j) of the statutes for the purpose of funding inflationary costs and records center charges directly through the agency budget.

(c) There is transferred from the appropriation under section 20.865 (1) (vo) of the statutes, as affected by the laws of 1977, \$1,900 to the appropriation made to the department of agriculture, trade and consumer protection under section 20.115 (1) (q) of the statutes for the purpose of funding inflationary costs and records center charges directly through the agency budget.

(4) ARTS BOARD. There is transferred from the appropriation made under section 20.865 (1) (fo) of the statutes, as affected by the laws of 1977, \$2,800 to the

appropriation made to the arts board under section 20.215 (1) (a) of the statutes for the purpose of funding inflationary costs and records center charges directly through the agency budget.

(5) **BANKING.** There is transferred from the appropriation made under section 20.865 (1) (Lo) of the statutes, as affected by the laws of 1977, \$17,900 to the appropriation made to the office of the commissioner of banking under section 20.124 (1) (g) of the statutes for the purpose of funding inflationary costs and records center charges directly through the agency budget.

(7) **BUSINESS DEVELOPMENT.** (a) There is transferred from the appropriation made under section 20.865 (1) (fo) of the statutes, as affected by the laws of 1977, the following amounts to the appropriations made to the department of business development under the following sections of the statutes for the purpose of funding inflationary costs and records center charges directly through the agency budget:

20.135 (1) (a)	\$3,200
20.135 (2) (a)	\$3,100

(9) **CREDIT UNIONS.** There is transferred from the appropriation made under section 20.865 (1) (Lo) of the statutes, as affected by the laws of 1977, \$6,000 to the appropriation made to the office of the commissioner of credit unions under section 20.141 (1) (g) of the statutes for the purpose of funding inflationary costs and records center charges directly through the agency budget.

(10) **EDUCATIONAL COMMUNICATIONS BOARD.** There is transferred from the appropriation made under section 20.865 (1) (fo) of the statutes, as affected by the laws of 1977, \$94,800 to the appropriation made to the educational communications board under section 20.225 (1) (f) of the statutes for the purpose of funding inflationary costs and records center charges directly through the agency budget.

(11) **ELECTIONS BOARD.** There is transferred from the appropriation made under section 20.865 (1) (fo) of the statutes, as affected by the laws of 1977, \$10,300 to the appropriation made to the elections board under section 20.510 (1) (a) of the statutes for the purpose of funding inflationary costs and records center charges directly through the agency budget.

(13) **EMPLOYMENT RELATIONS COMMISSION.** There is transferred from the appropriation made under section 20.865 (1) (fo) of the statutes, as affected by the laws of 1977, \$5,600 to the appropriation made to the employment relations commission under section 20.425 (1) (a) of the statutes for the purpose of funding inflationary costs and records center charges directly through the agency budget.

(14) **ETHICS BOARD.** There is transferred from the appropriation made under section 20.865 (1) (fo) of the statutes, as affected by the laws of 1977, \$600 to the appropriation made to the ethics board under section 20.521 (1) (a) of the statutes for the purpose of funding inflationary costs and records center charges directly through the agency budget.

(18) **HEALTH AND SOCIAL SERVICES.** There is transferred from the appropriation made under section 20.865 (1) (fo) of the statutes, as affected by the laws of 1977, the following amounts to the appropriations made to the department of health and social services under the following sections of the statutes for the purpose of funding inflationary costs and records center charges directly through the agency budget:

20.435 (1) (a)	\$206,000
20.435 (2) (a)	\$172,400
20.435 (3) (a)	\$581,700
20.435 (4) (a)	\$147,100
20.435 (5) (a)	\$128,100
20.435 (5) (d)	\$1,700
20.435 (6) (a)	\$1,700
20.435 (8) (a)	\$275,300

(21) **HISTORICAL SOCIETY.** There is transferred from the appropriation made under section 20.865 (1) (fo) of the statutes, as affected by the laws of 1977, \$38,600 to the appropriation made to the office of the state historical society under section 20.245 (1) (a) of the statutes for the purpose of funding inflationary costs and records center charges directly through the agency budget.

(23) **INDUSTRY, LABOR AND HUMAN RELATIONS.** There is transferred from the appropriation under section 20.865 (1) (fo) of the statutes, as affected by the laws of 1977, \$100,900 to the appropriation made to the department of industry, labor and human relations under section 20.445 (1) (a) of the statutes for the purpose of funding inflationary costs and records center charges directly through the agency budget.

(24) **INSURANCE.** There is transferred from the appropriation made under section 20.865 (1) (vo) of the statutes, as affected by the laws of 1977, the following amounts to the appropriations made to the office of the commissioner of insurance under the following sections of the statutes for the purpose of funding inflationary costs and records center charges directly through the agency budget:

20.145 (3) (u)	\$400
20.145 (4) (u)	\$1,000

(25) **INTERSTATE COOPERATION COMMISSION.** There is transferred from the appropriation under section 20.865 (1) (fo) of the statutes, as affected by the laws of 1977, \$200 to the appropriation made to the interstate cooperation commission under section 20.765 (2) (c) of the statutes for the purpose of funding inflationary costs and records center charges directly through the agency budget.

(26) **INVESTMENT BOARD.** There is transferred from the appropriation under section 20.865 (1) (Lo) of the statutes, as affected by the laws of 1977, \$3,600 to the appropriation made to the investment board under section 20.536 (1) (h) of the statutes for the purpose of funding inflationary costs and records center charges directly through the agency budget.

(29) **JUSTICE.** There is transferred from the appropriation made under section 20.865 (1) (fo) of the statutes, as affected by the laws of 1977, the following amounts to the appropriations made to the department of justice under the following sections of the statutes for the purpose of funding inflationary costs and records center charges directly through the agency budget:

20.455 (1) (a)	\$35,000
20.455 (2) (a)	\$45,000
20.455 (3) (a)	\$14,300

(30) **LEGISLATURE.** (a) There is transferred from the appropriation made under section 20.865 (1) (fo) of the statutes, as affected by the laws of 1977, \$300 to the appropriation made to the joint survey committee on retirement systems under section 20.765 (2) (a) of the statutes for the purpose of funding inflationary costs and records center charges directly through the agency budget.

(b) There is transferred from the appropriation under section 20.865 (1) (vo) of the statutes, as affected by the laws of 1977, \$100 to the appropriation made to the highway problems study committee under section 20.765 (2) (u) of the statutes for the purpose of funding inflationary costs and records center charges directly through the agency budget.

(c) There is transferred from the appropriation made under section 20.865 (1) (fo) of the statutes, as affected by the laws of 1977, \$200 to the appropriation made to the revisor of statutes bureau under section 20.765 (3) (a) of the statutes for the purpose of funding inflationary costs and records center charges directly through the agency budget.

(d) There is transferred from the appropriation made under section 20.865 (1) (fo) of the statutes, as affected by the laws of 1977, \$2,700 to the appropriation made to the legislative reference bureau under section 20.765 (3) (b) of the statutes for the purpose of funding inflationary costs and records center charges directly through the agency budget.

(e) There is transferred from the appropriation under section 20.865 (1) (fo) of the statutes, as affected by the laws of 1977, \$4,300 to the appropriation made to the legislative council under section 20.765 (3) (e) of the statutes for the purpose of funding inflationary costs and records center charges directly through the agency budget.

(31) **LIEUTENANT GOVERNOR.** There is transferred from the appropriation made under section 20.865 (1) (fo) of the statutes, as affected by the laws of 1977, \$1,400 to the appropriation made to the office of the lieutenant governor under section 20.765 (4) (b) of the statutes for the purpose of funding inflationary costs and records center charges directly through the agency budget.

(32) **LOCAL AFFAIRS AND DEVELOPMENT.** There is transferred from the appropriation made under section 20.865 (1) (fo) of the statutes, as affected by the laws of 1977, the following amounts to the appropriations made to the department of local affairs and development under the following sections of the statutes for the purpose of funding inflationary costs and records center charges directly through the agency budget:

20.545 (1) (a)	\$8,800
20.545 (2) (a)	\$2,100
20.545 (3) (a)	\$3,600
20.545 (4) (a)	\$2,800

(34) **MILITARY AFFAIRS.** There is transferred from the appropriation made under section 20.865 (1) (fo) of the statutes, as affected by the laws of 1977, the following amounts to the appropriations made to the department of military affairs under the following sections of the statutes for the purpose of funding inflationary costs and records center charges directly through the agency budget:

20.465 (1) (a)	\$8,900
20.465 (1) (b)	\$6,600

(37) **NATURAL RESOURCES.** (a) There is transferred from the appropriation made under section 20.865 (1) (fo) of the statutes, as affected by the laws of 1977, the following amounts to the appropriations made to the department of natural resources under the following sections of the statutes for the purpose of funding inflationary costs and records center charges directly through the agency budget:

20.370 (2) (a)	\$35,800
20.370 (3) (a)	\$8,800
20.370 (5) (a)	\$28,100
20.370 (8) (a)	\$14,800

(b) There is transferred from the appropriation made under section 20.865 (1) (vo) of the statutes, as affected by the laws of 1977, the following amounts to the appropriations made to the department of natural resources under the following sections of the statutes for the purpose of funding inflationary costs and records center charges directly through the agency budget:

20.370 (1) (u)	\$194,300
20.370 (3) (u)	\$7,800
20.370 (5) (u)	\$77,700
20.370 (8) (u)	\$53,600

(38) **PUBLIC DEFENDER.** There is transferred from the appropriation made under section 20.865 (1) (fo) of the statutes, as affected by the laws of 1977, \$6,900 to the appropriation made to the public defender board under section 20.550 (1) (a) of the statutes for the purpose of funding inflationary costs and records center charges directly through the agency budget.

(39) **PUBLIC INSTRUCTION.** There is transferred from the appropriation made under section 20.865 (1) (fo) of the statutes, as affected by the laws of 1977, the following amounts to the appropriations made to the department of public instruction under the following section of the statutes for the purpose of funding inflationary costs and records center charges directly through the agency budget:

20.255 (1) (a)	\$39,000
20.255 (2) (a)	\$27,500
20.255 (3) (a)	\$24,900

(40) **PUBLIC SERVICE COMMISSION.** There is transferred from the appropriation under section 20.865 (1) (Lo) of the statutes, as affected by the laws of 1977, \$26,800 to the appropriation made to the public service commission under section 20.155 (1) (g) of the statutes for the purpose of funding inflationary costs and records center charges directly through the agency budget.

(41) **REGULATION AND LICENSING.** (a) There is transferred from the appropriation under section 20.865 (1) (fo) of the statutes, as affected by the laws of 1977, \$13,100 to the appropriation made to the department of regulation and licensing under section 20.165 (3) (a) of the statutes for the purpose of funding inflationary costs and records center charges directly through the agency budget.

(b) There is transferred from the appropriation made under section 20.865 (1) (Lo) of the statutes, as affected by the laws of 1977, \$58,100 to the appropriation made to the office of the department of regulation and licensing under section 20.165 (2) (g) of the statutes for the purpose of funding inflationary costs and records center charges directly through the agency budget.

(42) REVENUE. (a) There is transferred from the appropriation made under section 20.865 (1) (fo) of the statutes, as affected by the laws of 1977, the following amounts to the appropriations made to the department of revenue under the following sections of the statutes for the purpose of funding inflationary costs and records center charges directly through the agency budget:

20.566 (1) (a)	\$197,200
20.566 (2) (a)	\$62,900
20.566 (3) (a)	\$115,500

(b) There is transferred from the appropriation under section 20.865 (1) (Lo) of the statutes, as affected by the laws of 1977, \$7,500 to the appropriation made to the department of revenue under section 20.566 (2) (g) of the statutes for the purpose of funding inflationary costs and records center charges directly through the agency budget.

(c) There is transferred from the appropriation under section 20.865 (1) (vo) of the statutes, as affected by the laws of 1977, \$4,500 to the appropriation made to the department of revenue under section 20.566 (1) (u) of the statutes for the purpose of funding inflationary costs and records center charges directly through the agency budget.

(43) SAVINGS AND LOAN. There is transferred from the appropriation under section 20.865 (1) (Lo) of the statutes, as affected by the laws of 1977, \$3,300 to the appropriation made to the office of the commissioner of savings and loan under section 20.175 (1) (g) of the statutes for the purpose of funding inflationary costs and records center charges directly through the agency budget.

(44) SECRETARY OF STATE. There is transferred from the appropriation made under section 20.865 (1) (fo) of the statutes, as affected by the laws of 1977, \$13,200 to the appropriation made to the office of the secretary of state under section 20.575 (1) (a) of the statutes for the purpose of funding inflationary costs and records center charges directly through the agency budget.

(45) SECURITIES. There is transferred from the appropriation made under section 20.865 (1) (fo) of the statutes, as affected by the laws of 1977, \$7,900 to the appropriation made to the office of the commissioner of securities under section 20.185 (1) (a) of the statutes for the purpose of funding inflationary costs and records center charges directly through the agency budget.

(47) SUPREME COURT. There is transferred from the appropriation under section 20.865 (1) (fo) of the statutes, as affected by the laws of 1977, \$5,200 to the appropriation made to the supreme court under section 20.680 (5) (a) of the statutes for the purpose of funding inflationary costs and records center charges directly through the agency budget.

(48) TRANSPORTATION. There is transferred from the appropriation made under section 20.865 (1) (vo) of the statutes, as affected by the laws of 1977, the following amounts to the appropriations made to the department of transportation under the following sections of the statutes for the purpose of funding inflationary costs and records center charges directly through the agency budget:

20.395 (3) (vd)	\$122,100
20.395 (6) (qd)	\$576,400
20.395 (6) (rd)	\$100,000
20.395 (6) (sd)	\$267,100
20.395 (6) (td)	\$352,800

(49) TREASURER. There is transferred from the appropriation under section 20.865 (1) (fo) of the statutes, as affected by the laws of 1977, \$8,600 to the appropriation made to the office of the state treasurer under section 20.585 (1) (a) of the statutes for the purpose of funding inflationary costs and records center charges directly through the agency budget.

(50) UNIVERSITY OF WISCONSIN SYSTEM. There is transferred from the appropriation made under section 20.865 (1) (fo) of the statutes, as affected by the laws of 1977, the following amounts to the appropriations made to the university of Wisconsin system under the following sections of the statutes for the purpose of funding inflationary costs and records center charges directly through the agency budget:

20.285 (1) (a)	\$2,413,500
20.285 (1) (fc)	\$28,900

(52) VETERANS AFFAIRS. (a) There is transferred from the appropriation under section 20.865 (1) (fo) of the statutes, as affected by the laws of 1977, \$11,200 to the appropriation made to the department of veterans affairs under section 20.485 (1) (a) of the statutes for the purpose of funding inflationary costs and records center charges directly through the agency budget.

(b) There is transferred from the appropriation under section 20.865 (1) (Lo) of the statutes, as affected by the laws of 1977, \$200 to the appropriation made to the department of veterans affairs under section 20.485 (1) (g) of the statutes for the purpose of funding inflationary costs and records center charges directly through the agency budget.

(c) There is transferred from the appropriation made under section 20.865 (1) (vo) of the statutes, as affected by the laws of 1977, the following amounts to the appropriations made to the department of veterans affairs under the following sections of the statutes for the purpose of funding inflationary costs and records center charges directly through the agency budget:

20.485 (2) (u)	\$24,900
20.485 (2) (v)	\$400

(53) VOCATIONAL, TECHNICAL AND ADULT EDUCATION. There is transferred from the appropriation made under section 20.865 (1) (fo) of the statutes, as affected by the laws of 1977, the following amounts to the appropriations made to the board of vocational, technical and adult education under the following sections of the statutes for the purpose of funding inflationary costs and records center charges directly through the agency budget:

20.292 (1) (a)	\$9,400
20.292 (2) (a)	\$300

SECTION 927. Appropriation changes. (1) ADMINISTRATION. (a) *Membership dues.* The appropriation under 20.505 (1) (a) of the statutes, as affected by the laws of 1977, is increased by \$5,400 in 1978-79 to cover the dues to the national association of state budget officers and the council of state planning agencies.

(am) *Contract compliance unit.* The appropriation under section 20.505 (1) (a) of the statutes, as affected by the laws of 1977, is increased by \$24,300 in 1978-79 to provide funding for one contract compliance position on a one-year project basis.

(b) *Statewide population forecasting system.* The appropriation under section 20.505 (1) (a) of the statutes, as affected by the laws of 1977, is increased by \$31,000 in 1978-79 to provide the department of administration with resources to research and develop a standard, long-range population projection and forecasting system.

(bm) *State budget office.* The appropriation under section 20.505 (1) (a) of the statutes, as affected by the laws of 1977, is increased by \$29,400 in 1978-79 to provide funding for 2.0 budget and management analyst 2 positions for the state budget office.

(c) *Coordination of section 504, federal Vocational Rehabilitation Act implementation.* The appropriation under section 20.505 (1) (a) of the statutes, as affected by the laws of 1977, is increased by \$24,900 in 1978-79 to provide funding to coordinate the implementation of Section 504 of the federal Vocational Rehabilitation Act of 1973 in state agencies, including one additional position.

~~(em) *State office of planning and energy.* The appropriation under section 20.505 (1) (a) of the statutes, as affected by the laws of 1977, is decreased by \$31,600 in 1978-79 for the elimination of 2.0 vacant planning positions in the state office of planning and energy.~~

(cr) *Employment relations transfer.* The appropriation under section 20.505 (1) (a) of the statutes, as affected by the laws of 1977, is decreased by \$2,080,300 and 77.5 positions in 1978-79 for the purpose of transferring 73.5 positions to the department of employment relations and the elimination of 4.0 positions pursuant to chapter 196, laws of 1977.

(cx) *Robert M. La Follette, Sr., bust.* The appropriation under section 20.505 (1) (a) of the statutes, as affected by the laws of 1977, is increased by \$12,000 in 1977-78 to provide for the purchase and permanent display in the state capitol of the Jo Davidson bust of Robert M. La Follette, Sr.

(d) *Governor's committee on tax reform.* The appropriation under section 20.505 (5) (a) of the statutes, as affected by the laws of 1977, is increased by \$18,500 in 1977-78 and \$35,400 in 1978-79 to provide funding for 2.0 unclassified one-year project positions and the general program operations of the governor's committee on tax reform as specified in executive order number 52, January 26, 1978.

(3) AGRICULTURE, TRADE AND CONSUMER PROTECTION. (a) *Consumer protection position.* The appropriation under section 20.115 (1) (a) of the statutes, as affected by the laws of 1977, is increased by \$14,000 in 1978-79 to fund one secretarial position in the new division of consumer protection.

(b) *Landlord-tenant study.* The appropriation under section 20.115 (1) (a) of the statutes, as affected by the laws of 1977, is increased by \$48,600 in 1978-79 to provide funds for a study of landlord-tenant problems.

(c) *Mileage cost increase.* The appropriation under section 20.115 (1) (a) of the statutes, as affected by the laws of 1977, is increased by \$5,200 in 1978-79 to provide additional funding necessary to meet higher mileage costs of the agency.

(d) *Mileage cost increase.* The appropriation under section 20.115 (1) (b) of the statutes, as affected by the laws of 1977, is increased by \$12,000 in 1978-79 to provide additional funding necessary to meet higher mileage costs of the agency.

(e) *Mileage cost increase.* The appropriation under section 20.115 (2) (a) of the statutes, as affected by the laws of 1977, is increased by \$2,600 in 1978-79 to provide additional funding necessary to meet higher mileage costs of the agency.

(f) *Mileage cost increase.* The appropriation under section 20.115 (3) (a) of the statutes, as affected by the laws of 1977, is increased by \$500 in 1978-79 to provide additional funding necessary to meet higher mileage costs of the agency.

(g) *Mileage cost increase.* The appropriation under section 20.115 (8) (a) of the statutes, as affected by the laws of 1977, is increased by \$600 in 1978-79 to provide additional funding necessary to meet higher mileage costs of the agency.

(h) *World Dairy Expo.* The appropriation under section 20.115 (4) (e) of the statutes, as affected by the laws of 1977, is increased by \$20,000 in 1978-79 to provide increased premium aids to the World Dairy Expo.

(6) BUILDING COMMISSION. (a) *Miscellaneous.* The appropriation under section 20.710 (2) (f) of the statutes, as affected by the laws of 1977, is increased by \$978,000 in fiscal year 1977-78 to appropriate funds for handicapped access-advance planning, university of Wisconsin-Madison lakeshore improvement and telecommunication equipment and the Bong recreation area development projects.

(b) *Veterinary school advance planning.* The appropriation under section 20.710 (2) (f) of the statutes, as affected by the laws of 1977, is decreased by \$240,000 in the fiscal year 1977-78 and increased by \$250,000 in the fiscal year 1978-79 to reflect a transfer and increase of funds to provide advance planning for the establishment of a school of veterinary medicine and satellite food animal clinic facility.

(7) BUSINESS DEVELOPMENT. (a) *Economic development consultant.* The appropriation under section 20.135 (1) (a) of the statutes, as affected by the laws of 1977, is increased by \$33,000 in 1978-79 to provide funds for an additional economic development consultant position for expanded industrial development activities.

Vetoed
in Part

(c) *Tourist information centers*. The appropriation under section 20.135 (2) (a) of the statutes, as affected by the laws of 1977, is increased by ~~\$4,700 in 1977-78 and~~ \$40,700 in 1978-79 to convert three LTE positions to 2.0 permanent seasonal positions, to provide the state's share of maintenance costs at the Prairie du Chien tourist information center and to reopen the Genoa City tourist information center.

(d) *Communication systems*. The appropriation under section 20.135 (2) (a) of the statutes, as affected by the laws of 1977, is increased by \$31,200 in 1978-79 to provide funding for 1.0 telephone information services position on a 2-year project basis to operate a toll-free WATS line to handle tourist information inquiries.

(dm) *Position reallocations*. There is transferred from the appropriation under section 20.135 (2) (a) of the statutes, as affected by the laws of 1977, to the appropriation under section 20.135 (1) (a) of the statutes, as affected by the laws of 1977, \$63,100 in 1978-79 to reflect the transfer of 3 positions from the tourism program to the economic development program.

(f) *Tourism advertising and promotion funding transfer*. The appropriation under section 20.135 (2) (b) of the statutes, as affected by the laws of 1977, is increased by \$300,000 in 1978-79 for tourism advertising and promotion to reflect a transfer in funding source for this purpose from the transportation fund to the general fund.

(10) EDUCATIONAL COMMUNICATIONS BOARD. (a) *General program operations*. The appropriation under section 20.225 (1) (a) of the statutes, as affected by the laws of 1977, is reduced by \$14,400 in 1977-78 and increased by \$32,500 in 1978-79 to reflect adjustments due to the delayed sign-on of Channel 36 — Park Falls and to provide funding for instructional programming in southeast Wisconsin, installation of a weather warning system and retensioning of television guy wires.

(b) *Programming*. The appropriation under section 20.225 (1) (f) of the statutes, as affected by the laws of 1977, is reduced by \$5,800 in 1977-78 and increased by \$19,900 in 1978-79 to reflect a position and salary reallocation and to provide funding for 2.0 regional services assistant positions.

(11) ELECTIONS BOARD. (a) *Administration of election and campaign finance laws*. The appropriation under section 20.510 (1) (a) of the statutes, as affected by the laws of 1977, is increased by \$33,200 in 1978-79 to provide funding for increased rent, conversion of LTE funding to a permanent position, and possible campaign finance costs necessitated by chapter 107, laws of 1977.

(13) EMPLOYMENT RELATIONS COMMISSION. (a) *Municipal employment collective bargaining*. The appropriation under section 20.425 (1) (a) of the statutes, as affected by the laws of 1977, is decreased by \$59,800 in 1977-78 to reflect a reestimate of the amount needed to administer chapter 178, laws of 1977.

(b) *Word processing*. The appropriation under section 20.425 (1) (a) of the statutes, as affected by the laws of 1977, is increased by \$59,800 in 1978-79 to fund 2 additional positions and word processing costs to serve ongoing needs of the employment relations commission.

(13m) EMPLOYMENT RELATIONS DEPARTMENT. (a) *General program operations*. The appropriation under section 20.512 (1) (a) of the statutes, as affected by the laws of 1977, is increased by \$355,100 in 1978-79, for the purpose of funding the general program operations, including 9 additional positions.

(b) *Employee transfer*. The appropriation under section 20.512 (1) (a) of the statutes, as affected by the laws of 1977, is increased by \$2,036,700 in 1978-79 for the purpose of transferring 73.5 positions from the department of administration to the department of employment relations.

(c) *Test development and administration personnel*. The appropriation under section 20.512 (1) (a) of the statutes, as affected by the laws of 1977, is increased by \$44,783 in fiscal year 1978-79 to appropriate funds for 3 professional positions for development and administration of tests to accommodate the increased responsibilities placed on the division of personnel by the requirement under chapter 196, laws of 1977, that testing and certification of candidates for entry level professional positions conform to the standards for other employment.

(16) EXECUTIVE COUNCILS. (a) *Council on criminal justice.* The appropriation under section 20.530 (2) (a) of the statutes, as affected by the laws of 1977, is decreased by \$7,100 in 1978-79 in order to accurately match the available federal funds.

(b) *Council on criminal justice.* The appropriation under section 20.530 (2) (c) of the statutes, as affected by the laws of 1977, is increased by \$11,900 in 1978-79 in order to match the anticipated expenditures of the federal law enforcement administration agency action funds for local assistance.

(c) *Council on criminal justice.* The appropriation under section 20.530 (2) (d) of the statutes, as affected by the laws of 1977, is increased by \$8,600 in 1978-79 in order to match the anticipated expenditure of federal law enforcement administration agency action funds for state operations.

(d) *Council on criminal justice.* The appropriation under section 20.530 (2) (e) of the statutes, as affected by the laws of 1977, is increased by \$66,400 in 1978-79 in order to match the anticipated expenditures of federal law enforcement administration agency action funds for aids to organizations.

(17) GREAT LAKES COMPACT COMMISSION. (a) *General program operations.* The appropriation under 20.325 (1) (a) of the statutes, as affected by the laws of 1977, is increased by \$23,000 in 1978-79 to provide for the dues paid to the Great Lakes commission and for the expenses of the Great Lakes compact commissioners.

(18) HEALTH AND SOCIAL SERVICES. (a) *Community-based residential facilities.* The appropriation under section 20.435 (1) (a) of the statutes, as affected by the laws of 1977, is increased by \$81,100 in 1978-79 to provide 6.5 positions to begin the licensure of community-based residential facilities.

(am) *Early periodic screening, diagnostic and treatment programs.* The appropriation under section 20.435 (1) (a) of the statutes, as affected by the laws of 1977, is increased by \$78,100 in 1978-79 to fund .5 project position to develop a pilot project to consolidate title XIX early periodic screening, diagnostic and treatment programs and school health screening services.

(b) *Independent medical and professional reviews.* The appropriation under section 20.435 (1) (a) of the statutes, as affected by the laws of 1977, is increased by \$31,600 in 1978-79 for 2 positions to perform independent medical and professional reviews for an increased number of Title XIX nursing home patients.

(bm) *Kidney disease aids.* The appropriation under section 20.435 (1) (a) of the statutes, as affected by the laws of 1977, is increased by \$83,600 in 1978-79 to provide funding for 2 project positions for the general administration and operation of the kidney disease aids program.

(c) *Limited term employe salaries.* The appropriation under section 20.435 (1) (a) of the statutes, as affected by the laws of 1977, is decreased by \$19,200 in 1978-79 to reflect a decreased cost of permanent positions and an increased cost of limited term employe positions in the department of health and social services.

(cm) *Nursing home surveys.* The appropriation under section 20.435 (1) (a) of the statutes, as affected by the laws of 1977, is increased by \$275,000 in 1978-79 to provide funding for the conduct of annual nursing home surveys.

(cx) *Vision screening.* The appropriation under section 20.435 (1) (a) of the statutes, as affected by the laws of 1977, is increased by \$5,200 in 1977-78 and \$40,200 in 1978-79 to provide funding for the vision screening program under section 140.05 (19) of the statutes.

(dm) *Community services — general program operations — institutions.* The appropriation under section 20.435 (2) (a) of the statutes, as affected by the laws of 1977, is decreased by \$32,200 in 1977-78 and is increased by \$504,800 in 1978-79 to provide funding for 55.65 positions and for general program operations of the division of community services.

Vetoed in Part (e) *Community-based residential facilities.* The appropriation under section 20.435 (2) (a) of the statutes, as affected by the laws of 1977, is increased by \$128,300 in 1978-79 to provide funding for 9 positions to complete ~~program~~ reviews of facilities required to be licensed under chapter 413, laws of 1975.

Vetoed in Part (em) *Community services information system.* The appropriation under section 20.435 (2) (a) of the statutes, as affected by the laws of 1977, is increased by \$186,500 in 1978-79 to provide funds to ~~privately~~ contract for a comprehensive study of the informational needs of the division of community services and the development of a conceptual model to meet these needs and for 2 project positions to monitor the contract.

(f) *Limited term employe salaries.* The appropriation under section 20.435 (2) (a) of the statutes, as affected by the laws of 1977, is decreased by \$77,100 in 1978-79 to reflect a decreased cost of permanent positions and an increased cost of limited term employe positions in the department of health and social services.

(fm) *Employe assistance program.* The appropriation under section 20.435 (2) (a) of the statutes, as affected by the laws of 1977, is increased by \$98,500 in 1978-79 for 4 positions to allow for the continuation of the employe assistance program and prevention coordination.

(fn) *Foster grandparent program.* The appropriation under section 20.435 (2) (a) of the statutes, as affected by the laws of 1977, is increased by \$215,000 in 1978-79 for 0.5 accountant and to expand the foster grandparent program in state and local facilities.

(g) *Developmental disabilities services.* The appropriation under section 20.435 (2) (b) of the statutes, as affected by the laws of 1977, is increased by \$3,000,000 in 1978-79 to provide additional special needs funds for community care of the developmentally disabled. The department of health and social services shall develop criteria for allocating these additional funds which give special consideration to counties which appropriate a portion of county tax levy or federal revenue sharing funds for community care of the developmentally disabled.

(gm) *Supplemental foster care.* The appropriation under section 20.435 (4) (df) of the statutes, as affected by the laws of 1977, is increased by \$367,070 for fiscal year 1978-79 to utilize remaining undistributed funds allocated for foster care under chapter 29, laws of 1977.

(h) *Correctional services; general program operations.* The appropriation under section 20.435 (3) (a) of the statutes, as affected by the laws of 1977, is decreased by \$1,203,500 in 1977-78 and is decreased by \$2,175,200 in 1978-79 to eliminate funding for 71.50 positions in 1977-78 and 243.25 positions in 1978-79 and for the general program operations in the division of corrections.

(im) *Limited term employe salaries.* The appropriation under section 20.435 (3) (a) of the statutes, as affected by the laws of 1977, is decreased by \$144,200 in 1978-79 to reflect a decreased cost of permanent positions and an increased cost of limited term employe positions in the department of health and social services.

(j) *Purchase of services; reestimates.* The appropriation under section 20.435 (3) (d) of the statutes, as affected by the laws of 1977, is decreased by 72,100 in 1978-79 to reflect a reestimate of the average daily populations in the adult institutions of the division of corrections.

(k) *Adoption pilot.* The appropriation under section 20.435 (4) (a) of the statutes, as affected by the laws of 1977, is increased by \$40,000 in 1978-79 to complete a comprehensive study of the adoption services delivery system and for 2 project positions to pilot test the feasibility of counties either providing or purchasing all adoption services.

(km) *Community services — detention alternatives.* The appropriation under section 20.435 (4) (a) of the statutes, as affected by the laws of 1977, is increased by \$36,500 in 1978-79 to provide funding for 2 positions for a detention alternative development program.

(kp) *Family planning services.* The appropriation under section 20.435 (4) (a) of the statutes, as affected by the laws of 1977, is increased by \$1,000,000 in 1978-79 to provide funding for services under section 146.80 of the statutes as created by this act.

(L) *Limited term employe salaries.* The appropriation under section 20.435 (4) (a) of the statutes, as affected by the laws of 1977, is decreased by \$11,200 in 1978-79 to reflect a decreased cost of permanent positions and an increased cost of limited term employe positions in the department of health and social services.

(Lm) *Medical assistance.* The appropriation under section 20.435 (4) (a) of the statutes, as affected by the laws of 1977, is increased by \$67,500 in 1978-79 to provide for the general administration and operation of the state's medical assistance program and 3 positions.

(m) *Phase down of direct services — staff reductions.* The appropriation under section 20.435 (4) (a) of the statutes, as affected by the laws of 1977, is decreased by \$16,300 in 1978-79 to eliminate funding for 3 positions to accurately reflect staffing adjustments based on a reestimate of the anticipated caseload and modifications made within program functions.

(mm) *Random moment time study.* The appropriation under section 20.435 (4) (a) of the statutes, as affected by the laws of 1977, is increased by \$7,300 in 1978-79 for .5 position to perform required statistical functions in compliance with requirements of Title XX of the social security act.

(mt) *Quality control.* The appropriation under section 20.435 (4) (a) of the statutes, as affected by the laws of 1977, is increased by \$54,900 in 1978-79 to provide funding for 3 project positions to conduct medical assistance quality control procedures.

(n) *Adoption pilot.* The appropriation under section 20.435 (4) (b) of the statutes, as affected by the laws of 1977, is increased by \$110,000 in 1978-79 to pilot test the feasibility of counties either providing or purchasing all adoption services.

(nm) *Reestimate of state foster care.* The appropriation under section 20.435 (4) (b) of the statutes, as affected by the laws of 1977, is decreased by \$2,356,100 in 1978-79 to reflect a reestimate in the state's foster care and child-caring institutional caseload.

(nr) *State-purchased foster care.* The appropriation under section 20.435 (4) (b) of the statutes, as affected by the laws of 1977, is decreased by \$123,000 in 1978-79 to reflect the use of federal child welfare funds to offset the cost of state-purchased foster care and reimbursement to the Milwaukee county children's home.

(ns) *Foster parent education and foster care monitoring.* The appropriation under section 20.435 (4) (b) of the statutes, as affected by the laws of 1977, is increased by \$97,600 in 1978-79 to provide for the development of a foster parent education program and a foster care monitoring system.

(nt) *Milwaukee county children's home.* The appropriation under section 20.435 (4) (b) of the statutes, as affected by the laws of 1977, is increased by \$250,000 in 1978-79 to provide funding for the Milwaukee county children's home.

(o) *Uniform foster care rate.* The appropriation under section 20.435 (4) (b) of the statutes, as affected by the laws of 1977, is decreased by \$225,800 in 1978-79 to provide for a reestimate of the funding needed to implement a uniform foster care rate.

(of) *Work training.* The appropriation under section 20.435 (4) (db) of the statutes, as affected by the laws of 1977, is decreased by \$300,000 in 1977-78 to reflect delayed program startup.

(og) *Payment of nursing homes of 1975 costs.* The appropriation under section 20.435 (4) (da) of the statutes, as affected by the laws of 1977, is increased by \$3,000,000 in 1978-79 to fund the full reimbursement to nursing homes under section 49.45 (6m) of the statutes, as certified by the nursing home appeals board in its 1975 decisions.

Partial
Veto
Overruled

(om) *Economic assistance.* The appropriation to the department of health and social services under section 20.435 (4) (de) of the statutes, as affected by the laws of 1977, is increased by \$1,156,100 in fiscal year 1978-79 to provide additional support for income maintenance administration.

(p) *Phase down of direct services — county aids.* The appropriation under section 20.435 (4) (df) of the statutes, as affected by the laws of 1977, is decreased by \$1,425,200 in 1978-79 to accurately reflect the amount of state funds needed to support the cases that were transferred to the counties during the 1977-78 phase down.

(pm) *Phase down of direct services — staff reductions.* The appropriation under section 20.435 (4) (df) of the statutes, as affected by the laws of 1977, is decreased by \$49,300 in 1978-79 to adjust for a funding switch due to a staff reduction in the direct services program.

(q) *Random moment time study.* The appropriation under section 20.435 (4) (df) of the statutes, as affected by the laws of 1977, is increased by \$21,300 in 1978-79 to allow the continuation of the random moment time study which is necessary to meet federal reporting requirements.

(qm) *Uniform foster care rate.* The appropriation under section 20.435 (4) (df) of the statutes, as affected by the laws of 1977, is decreased by \$1,322,400 in 1977-78 and increased by \$933,500 in 1978-79 to provide for funding of a uniform foster care rate.

(qz) *Community services — detention alternatives.* The appropriation under section 20.435 (4) (df) of the statutes, as affected by the laws of 1977, is increased by \$109,100 in 1978-79 to provide funding for 6 positions for a detention alternative development program.

(rg) *Emergency fuel and utilities assistance.* The appropriation under section 20.435 (4) (dL) of the statutes, as affected by the laws of 1977, is increased by \$1,400,000 in 1978-79 to reflect an expansion of the emergency fuel and utilities assistance program.

(rm) *Vocational rehabilitation services — general program operations.* The appropriation under section 20.435 (5) (a) of the statutes, as affected by the laws of 1977, is increased by \$865,000 in 1978-79 to provide funding for the general program operations in the division of vocational rehabilitation.

(rs) *Service bureau for the deaf.* The appropriation under section 20.435 (5) (c) of the statutes, as affected by the laws of 1977, is increased by \$17,000 in 1978-79 to provide additional funding for the service bureau for the deaf.

(s) *Homestead annuity.* The appropriation under section 20.435 (6) (a) of the statutes, as affected by the laws of 1977, is increased by \$72,700 in 1978-79 for 2.5 project positions and funding to study the feasibility of converting homestead equity into supplementary income for the elderly.

(sm) *Limited term employe salaries.* The appropriation under section 20.435 (6) (a) of the statutes, as affected by the laws of 1977, is decreased by \$500 in 1978-79 to reflect a decreased cost of permanent positions and an increased cost of limited term employe positions in the department of health and social services.

(tf) *Prevention and wellness promotion administration.* The appropriation under section 20.435 (8) (a) of the statutes, as affected by the laws of 1977, is increased by \$80,100 in 1977-78 to provide funding for 3 positions for prevention and wellness promotion efforts of the department of health and social services and to provide funding for the expenses of an advisory commission on prevention and wellness promotion efforts. Funds not spent by June 30, 1978, shall be available during 1978-79.

(tk) *Prevention and wellness promotion project fund.* The appropriation under section 20.435 (8) (a) of the statutes, as affected by the laws of 1977, is increased by \$980,000 in 1978-79 for funding of prevention and wellness promotion projects under section 923 (18) (am) of this act. Funds for projects shall not be released until approved by the joint committee on finance.

(tm) *Decertification of specialized hospital services.* The appropriation under section 20.435 (8) (a) of the statutes, as affected by the laws of 1977, is increased by \$22,500 in 1978-79 for one project position to implement the provisions of chapter 150 of the statutes regarding decertification of specialized hospital services.

(u) *Hospital rate review.* The appropriation under section 20.435 (8) (a) of the statutes, as affected by the laws of 1977, is increased by \$53,300 in 1978-79 for 2.5 positions and the development of an analytic section to review rate increase requests submitted to the Wisconsin hospital rate review program.

(v) *Limited term employe salaries.* The appropriation under section 20.435 (8) (a) of the statutes, as affected by the laws of 1977, is decreased by \$49,200 in 1978-79 to reflect a decreased cost of permanent positions and an increased cost of limited term employe positions in the department of health and social services.

(w) *Medicaid management information system.* The appropriation under section 20.435 (8) (a) of the statutes, as affected by the laws of 1977, is decreased by \$283,600 in 1977-78 and \$237,700 in 1978-79 to eliminate 3 project positions each fiscal year due to the anticipated medicaid management information system certification of the state's new fiscal intermediary.

(x) *General administration services - general program operations.* The appropriation under section 20.435 (8) (a) of the statutes as affected by the laws of 1977, is increased by \$208,100 in 1978-79 to provide funding for 11 positions and the operation of the office of information systems and to improve personnel processing.

(y) *Community care organization.* The appropriation under section 20.435 (8) (a) of the statutes, as affected by the laws of 1977, is increased by \$7,800 in 1977-78 and \$56,600 in 1978-79 for administration of the community care organization project.

(20) HIGHER EDUCATION AIDS BOARD. (a) *General program operations.* The appropriation under section 20.235 (1) (a) of the statutes, as affected by the laws of 1977, is decreased by \$223,300 in 1978-79 to provide for the replacement of general purpose revenue funding by federal funding.

(b) *General program operations.* The appropriation under section 20.235 (3) (a) of the statutes, as affected by the laws of 1977, is decreased by \$189,600 in 1978-79 to provide for the replacement of general purpose revenue funding by federal funding.

(c) *Dental education contract.* The appropriation under section 20.235 (4) (a) of the statutes, as affected by the laws of 1977, is increased by \$75,000 in 1978-79 to increase per capita support for Wisconsin residents covered under contract with the Marquette university school of dentistry.

(21) HISTORICAL SOCIETY. (a) *Old World Wisconsin, publications and minimum wage.* The appropriation under section 20.245 (1) (a) of the statutes, as affected by the laws of 1977, is increased by \$3,400 in 1977-78 and by \$160,500 in 1978-79 to provide funding for the Old World Wisconsin outdoor museum, the publications division of the society and minimum wage cost increases.

(b) *Historic preservation program.* The appropriation under section 20.245 (1) (fa) of the statutes, as affected by the laws of 1977, is increased by \$8,400 in 1977-78 and \$16,900 in 1978-79 to provide adequate funding for the historic preservation program.

(23) INDUSTRY, LABOR AND HUMAN RELATIONS. (a) *Department of industry, labor and human relations.* 1. The appropriation under section 20.445 (1) (a) of the statutes, as affected by the laws of 1977, is decreased by \$16,200 in 1977-78 and increased by \$12,900 in 1978-79 to adjust funding for the general program operations of the department of industry, labor and human relations.

2. The appropriation under 20.445 (1) (t) of the statutes, as affected by the laws of 1977, is increased by \$106,200 in fiscal year 1977-78 and \$572,200 in fiscal year 1978-79 to provide funding to support payments from the work injury supplemental benefit fund under section 102.65 of the statutes, as affected by chapter 29, laws of 1977.

(24) INSURANCE. (a) *Annual billing for domestic insurers examination.* The appropriation under section 20.145 (3) (u) of the statutes, as affected by the laws of 1977, is increased by \$2,000 in 1978-79 to provide for an annual examination billing cycle.

(b) *Rating service change.* The appropriation under section 20.145 (3) (u) of the statutes, as affected by the laws of 1977, is increased by \$15,000 in 1978-79 to continue the rating of small structures insured under the state property insurance fund.

(c) *Annual billing for domestic insurers examinations.* The appropriation under section 20.145 (4) (u) of the statutes, as affected by the laws of 1977, is increased by \$2,400 in 1978-79 to provide for an annual examination billing cycle.

(d) *Data processing system completion.* The appropriation under section 20.145 (4) (u) of the statutes, as affected by the laws of 1977, is increased by \$75,000 in 1978-79 to allow full computerization of all the state life insurance fund policy series.

(29) JUSTICE. (a) *Court reorganization.* The appropriation under section 20.455 (1) (a) of the statutes, as affected by the laws of 1977, is increased by \$59,400 in 1978-79 to provide funding for 3.0 positions to absorb workload generated with the creation of a new court of appeals.

(b) *Support services.* The appropriation under section 20.455 (1) (a) of the statutes, as affected by the laws of 1977, is increased by \$50,800 in 1978-79 to provide funding for 3.0 secretarial positions in the legal services division.

(c) *White collar crime.* The appropriation under section 20.455 (2) (a) of the statutes, as affected by the laws of 1977, is increased by \$62,500 in 1978-79 to provide funding for 3.0 positions to increase the division of criminal investigation's ability to investigate suspected white collar crimes.

(30) LEGISLATURE. (a) *Commission on uniform state laws.* The appropriation under section 20.765 (2) (b) of the statutes, as affected by the laws of 1977, is increased by \$1,100 in 1978-79 for travel expenses for the commission on uniform state laws.

(am) *Interstate cooperation commission director reclassification.* The appropriation under section 20.765 (2) (c) of the statutes, as affected by the laws of 1977, is increased by \$100 in 1977-78 and by \$1,200 in 1978-79 to provide funding for the reclassification of the commission director position.

(b) *Legislative attorney training.* The appropriation under section 20.765 (3) (b) of the statutes, as affected by the laws of 1977, is increased by \$400 in 1978-79 for legislative attorney training for the legislative reference bureau.

(c) *Research analyst — reference library.* The appropriation under section 20.765 (3) (b) of the statutes, as affected by the laws of 1977, is increased by \$10,500 in 1978-79 for .34 of an additional research analyst position and for limited term employment funds to provide additional staff for the legislative reference bureau library.

(d) *Law books — drafting aids.* The appropriation under section 20.765 (3) (b) of the statutes, as affected by the laws of 1977, is increased by \$3,900 for one-time financing in 1978-79 for law books and drafting aids for the legislative reference bureau.

(e) *Legislative council study committees.* The appropriation under section 20.765 (3) (e) of the statutes, as affected by the laws of 1977, is increased by \$13,300 in 1977-78 to fund increased study committee expenses.

(f) *Legislative council staff.* The appropriation under section 20.765 (3) (e) of the statutes, as affected by the laws of 1977, is increased by \$65,600 in 1978-79 to fund 4 additional staff positions and supporting expenses for the legislative council.

(g) *Revisor of statutes staff.* The appropriation under section 20.765 (3) (a) of the statutes, as affected by the laws of 1977, is increased by \$3,300 in 1977-78 and by \$14,200 in 1978-79 to fund 0.6 permanent and 1.0 project positions and supporting expenses for the revisor of statutes bureau.

(h) *Legislative fiscal bureau data processing.* The appropriation under section 20.765 (3) (d) of the statutes, as affected by the laws of 1977, is increased by \$31,700 in 1978-79 to fund 1.0 additional staff position and supporting expenses plus associated services costs for establishment of a data processing capability in the legislative fiscal bureau.

(32) LOCAL AFFAIRS AND DEVELOPMENT. (a) *Community action staff.* The appropriation under section 20.545 (1) (a) of the statutes, as affected by the laws of 1977, is increased by \$31,300 in 1978-79 to provide funding for 1.0 community services specialist position on a one-year project basis to increase staff activities for the expanded coverage by community action agencies.

(b) *Consolidate rent account.* The appropriation under section 20.545 (1) (a) of the statutes, as affected by the laws of 1977, is decreased by \$81,900 in 1978-79 to provide funding for the consolidation of the department's rent accounts.

(d) *Reorganization.* The appropriation under section 20.545 (1) (a) of the statutes, as affected by the laws of 1977, is increased by \$32,500 in 1978-79 to reflect changes caused by reorganization of the department in November 1977.

(dm) *Local assistance.* The appropriation under section 20.545 (1) (a) of the statutes, as affected by the laws of 1977, is increased by \$27,900 in 1978-79 to provide funding for one position related to the local assistance.

(e) *Community action start up.* The appropriation under section 20.545 (1) (d) of the statutes, as affected by the laws of 1977, is increased by \$55,000 in 1978-79 to provide start up funding for expanded coverage by community action agencies.

(f) *Weatherization program.* The appropriation under section 20.545 (1) (e) of the statutes, as affected by the laws of 1977, is increased by \$541,000 in 1977-78 to provide funding for match to the weatherization program.

(g) *Consolidation of rent account.* The appropriation under section 20.545 (2) (a) of the statutes, as affected by the laws of 1977, is decreased by \$24,500 in 1978-79 to provide funding for the consolidation of rent accounts in the department.

(h) *Housing technical assistance.* The appropriation under section 20.545 (2) (a) of the statutes, as affected by the laws of 1977, is increased by \$11,600 in 1978-79 to provide funding for a .5 housing technical assistance position previously funded by a contract with the Wisconsin housing finance authority.

(i) *Reorganization.* The appropriation under section 20.545 (2) (a) of the statutes, as affected by the laws of 1977, is decreased by \$9,600 in 1978-79 to reflect changes made in the department's reorganization in 1977.

(iz) *Housing rehabilitation program.* The appropriation to the department of local affairs and development made under section 20.545 (2) (a) of the statutes, as affected by the laws of 1977, is increased by \$25,400 for the 1977-78 fiscal year and by \$217,000 in the 1978-79 fiscal year for the purpose of funding start-up costs, including 3 additional positions in 1977-78 and 5 additional project positions and 3 permanent positions in 1978-79 for the housing rehabilitation program created by this act.

(j) *Communications officer.* The appropriation under section 20.545 (3) (a) of the statutes, as affected by the laws of 1977, is increased by \$15,000 and .5 position in 1978-79 to provide funding for the communications officer in the division of emergency government.

(jm) *Emergency police services.* The appropriation under section 20.545 (3) (q) of the statutes, as affected by the laws of 1977, is increased by \$1,000 in 1977-78 and \$3,600 in 1978-79 to provide additional fringe benefit funds and permanent property for the emergency police staff in the division of emergency government.

(k) *Consolidation of rent accounts.* The appropriation under section 20.545 (4) (a) of the statutes, as affected by the laws of 1977, is increased by \$106,400 in 1978-79 to provide funding for the consolidation of the department's Lorraine Office Building rent accounts.

(L) *Liability insurance premium lapse.* The appropriation under section 20.545 (4) (a) of the statutes, as affected by the laws of 1977, is decreased by \$600 in 1978-79 to provide funding for the lapse of the department's liability insurance premium.

(m) *Reorganization adjustments.* The appropriation under section 20.545 (4) (a) of the statutes, as affected by the laws of 1977, is increased by \$22,700 in 1978-79 to provide funding for 1.0 position for a deputy secretary and to reflect adjustments caused by the department's November 1977 reorganization.

(n) *Housing rehabilitation program rental costs.* The appropriation under section 20.545 (4) (a) of the statutes, as affected by the laws of 1977, is increased by \$8,100 in 1978-79 to pay rental costs for the administration of the housing rehabilitation program.

(33) MEDICAL COLLEGE OF WISCONSIN. (a) *Family practice program.* The appropriation under section 20.250 (1) (b) of the statutes, as affected by the laws of 1977, is decreased by \$45,000 in 1977-78 and increased by \$45,000 in 1978-79 to enable the medical college of Wisconsin to align its family practice expenditures with its timetable for program development.

(34) MILITARY AFFAIRS. (a) *National guard operations.* The appropriation under section 20.465 (1) (a) of the statutes, as affected by the laws of 1977, is increased by \$60,700 in 1978-79 to provide funding for fiscal and property management improvement including authorization of 2.13 full-time equivalent building maintenance positions, 1.0 budget and management analyst position, and 1.0 typist position on a one-year project basis.

(b) *Repair and maintenance.* The appropriation under section 20.465 (1) (b) of the statutes, as affected by the laws of 1977, is increased by \$1,454,400 in 1978-79 to provide funding for repair and maintenance which fall outside the scope of the state building program and capital budget.

(37) NATURAL RESOURCES. (a) *Natural areas inventory.* An additional half-time project position is authorized for the appropriation under section 20.370 (1) (fn) of the statutes, as affected by the laws of 1977, for a survey of potential natural areas in the state.

(am) *Car fleet purchases.* The appropriation under section 20.370 (1) (u) of the statutes, as affected by the laws of 1977, is increased by \$107,900 in 1978-79 for the purchase of additional automobiles.

(b) *County timber harvest.* The appropriation under section 20.370 (1) (u) of the statutes, as affected by the laws of 1977, is increased by \$225,000 in 1978-79 to expand the state's capability to assist counties in the harvest of overmature timber in county forests including travel funding for fire control seasonal positions to assist in forestry field work.

(bm) *Limited term employe minimum wage.* The appropriation under section 20.370 (1) (u) of the statutes, as affected by the laws of 1977, is increased by \$10,000 in 1977-78 and \$28,300 in 1978-79 to reflect the recent increase in minimum wages to be paid to limited term employes.

(c) *Major maintenance.* The appropriation under section 20.370 (1) (u) of the statutes, as affected by the laws of 1977, is increased by \$60,000 in 1978-79 to repair buildings in the southern forests that have critical maintenance needs.

(cm) *Marketing specialist.* The appropriation under section 20.370 (1) (u) is increased by \$19,800 in 1978-79 to provide funding for one position which would establish a new forestry market liaison capability in the department.

(d) *Miscellaneous adjustments.* The appropriation under section 20.370 (1) (u) of the statutes, as affected by the laws of 1977, is increased by \$1,500 in 1977-78 and \$31,800 in 1978-79 to provide a utility supplement for the Neville station, to install safety cables in 100 fire towers, to provide funding for the state's share of the salary of a person compiling regional fire hazard data, to acquire radio equipment for the Flambeau state forest and to convert a half-time position to full-time status to enhance the department's land acquisition capabilities in the southern forests.

(dm) *Personnel survey adjustments.* The appropriation under section 20.370 (1) (u) of the statutes, as affected by the laws of 1977, is increased by \$12,400 in 1977-78 and \$23,600 in 1978-79 to fund adjustments from a recent personnel survey of various classifications of department employees.

(e) *Resource conservation and development funding change.* The appropriation under section 20.370 (1) (u) of the statutes, as affected by the laws of 1977, is increased by \$25,000 in 1977-78 and \$25,000 in 1978-79 to pick up the cost of a position formerly funded with federal moneys.

(em) *Seasonal conversions.* The appropriation under section 20.370 (1) (u) of the statutes, as affected by the laws of 1977, is increased by \$9,300 in 1978-79 to convert seasonal positions to full time status.

(f) *Development funding.* The appropriation under section 20.370 (1) (u) of the statutes, as affected by the laws of 1977, is decreased by \$368,000 in 1977-78 and \$236,900 in 1978-79 to reflect creation of a new appropriation for development.

(fm) *Wildlife damage payments.* The appropriation under section 20.370 (1) (ue) of the statutes, as affected by the laws of 1977, is increased by \$50,000 in 1977-78 and \$25,000 in 1978-79 to meet anticipated claims for wildlife damage.

(g) *Air monitoring capital equipment.* The appropriation under section 20.370 (2) (a) of the statutes, as affected by the laws of 1977, is increased by \$95,000 in 1978-79 to provide funds for the maintenance of an effective air monitoring network of instruments approved by the U.S. environmental protection agency.

(gm) *Car fleet purchase.* The appropriation under section 20.370 (2) (a) of the statutes, as affected by the laws of 1977, is increased by \$73,700 in 1978-79 for the purchase of additional automobiles.

(h) *Environmental fee program; limited term employe conversion.* The appropriation under section 20.370 (2) (a) of the statutes, as affected by the laws of 1977, is increased by \$4,000 in 1978-79 to convert an existing limited term employe position to permanent status in the environmental fee program.

(hm) *Municipal sewage treatment plant operation and maintenance assistance.* The appropriation under section 20.370 (2) (a) of the statutes, as affected by the laws of 1977, is increased by \$68,600 in 1978-79 to fund a pilot program for assistance to treatment plant operators to improve water quality.

(i) *Personnel survey adjustments.* The appropriation under section 20.370 (2) (a) of the statutes, as affected by the laws of 1977, is increased by \$15,700 in 1977-78 and \$31,200 in 1978-79 to fund salary adjustments resulting from a recent personnel survey of various classifications of department employees.

(im) *Solid waste management.* The appropriation under section 20.370 (5) (a) of the statutes, as affected by the laws of 1977, is increased by \$43,100 in 1978-79 to fund 2 positions needed to administer the solid waste management grant program.

(ip) *Environmental impact position.* The appropriation under section 20.370 (2) (a) of the statutes, as affected by the laws of 1977, is increased by \$63,900 in 1978-79 to fund 3.0 positions for the review and preparation of environmental impact statements.

(j) *Car fleet purchase.* The appropriation under section 20.370 (3) (a) of the statutes, as affected by the laws of 1977, is increased by \$9,800 in 1978-79 for the purchase of additional automobiles.

(jm) *Convert seasonal enforcement staff to full-time positions.* The appropriation under section 20.370 (3) (a) of the statutes, as affected by the laws of 1977, is increased by \$2,200 in 1978-79 to convert 2 eleven month seasonal positions to full-time status.

(k) *District water management positions.* The appropriation under section 20.370 (3) (a) of the statutes, as affected by the laws of 1977, is increased by \$52,900 in 1978-79 to reduce the backlog in the processing of water regulation permits.

(km) *Personnel survey adjustments.* The appropriation under section 20.370 (3) (a) of the statutes, as affected by the laws of 1977, is increased by \$5,800 in 1977-78 and \$9,200 in 1978-79 to fund salary adjustments resulting from a recent personnel survey of various classifications of department employees.

(kr) *Local flood hazard evaluation.* The appropriation under section 20.370 (3) (a) of the statutes, as affected by the laws of 1977, is increased by \$30,000 in 1978-79 to provide funding necessary for the department of natural resources to contract with the department of transportation for the assistance of 2 engineers and for support costs for local community flood hazard evaluation.

(L) *Additional mileage supplement.* The appropriation under section 20.370 (3) (u) of the statutes, as affected by the laws of 1977, is increased by \$35,000 in 1977-78 and \$49,000 in 1978-79 to supplement for the additional costs of operating wardens' automobiles.

(Lm) *Personnel survey adjustments.* The appropriation under section 20.370 (3) (u) of the statutes, as affected by the laws of 1977, is increased by \$28,800 in 1977-78 and \$59,800 in 1978-79 for salary adjustments resulting from a recent personnel survey of various classifications of department employees.

(m) *Seasonal positions for enforcement.* The appropriation under section 20.370 (3) (u) of the statutes, as affected by the laws of 1977, is increased by \$2,600 in 1978-79 to fund 0.25 position resulting from converting seasonal positions budgeted in other subprograms to full time and utilize them for law enforcement purposes.

(mm) *Personnel survey adjustments.* The appropriation under section 20.370 (3) (vo) of the statutes, as affected by the laws of 1977, is increased by \$1,300 in 1977-78 and \$2,800 in 1978-79 for salary adjustments resulting from a recent personnel survey of various classifications of department employees.

(n) *Personnel survey adjustments.* The appropriation under section 20.370 (3) (wd) of the statutes, as affected by the laws of 1977, is increased by \$2,700 in 1977-78 and \$5,700 in 1978-79 for salary adjustments resulting from a recent personnel survey of various classifications of department employees.

(ng) *Position transfers.* There is transferred to the appropriation under section 20.370 (5) (a) of the statutes, as affected by the laws of 1977, \$46,100 in 1978-79 from the appropriation under section 20.370 (3) (a) of the statutes in 1978-79, as affected by the laws of 1977, to fund 3 positions according to their actual workload.

(nm) *Personnel survey adjustments.* The appropriation under section 20.370 (5) (a) of the statutes, as affected by the laws of 1977, is increased by \$1,300 in 1977-78 and \$6,600 in 1978-79 to fund salary adjustments resulting from a recent personnel survey of various classifications of department employees.

(o) *Position transfers.* There is transferred to the appropriation under section 20.370 (5) (a) of the statutes, as affected by the laws of 1977, \$68,900 in 1978-79 from the appropriation under section 20.370 (1) (u) of the statutes, as affected by the laws of 1977, to fund 3 positions doing environmental impact work according to their actual workload.

(om) *Position transfers.* There is transferred to the appropriation under section 20.370 (5) (a) of the statutes, as affected by the laws of 1977, \$190,400 in 1978-79 from the appropriation under section 20.370 (2) (a) of the statutes in 1978-79, as affected by the laws of 1977, to fund 10 positions according to their actual workload.

(op) *Environmental impact positions.* The appropriation under section 20.370 (5) (a) of the statutes, as affected by the laws of 1977, is increased by \$186,800 in 1978-79 to fund 9.0 positions for the review and preparation of environmental impact statements.

(p) *Southern district operating cost.* The appropriation under section 20.370 (5) (a) of the statutes, as affected by the laws of 1977, is increased by \$5,700 in 1978-79 to fund half of the increased operating cost of the southern district headquarters.

(pm) *Appraisal training.* The appropriation under section 20.370 (5) (b) of the statutes, as affected by the laws of 1977, is increased by \$1,200 in 1978-79 to train foresters in the division of trust lands to make field appraisals.

(q) *Minimum wage.* The appropriation under section 20.370 (5) (e) of the statutes, as affected by the laws of 1977, is increased by \$15,400 in 1977-78 and \$54,600 in 1978-79 to pay youth campers the minimum wage.

(qm) *Car fleet purchases.* The appropriation under section 20.370 (5) (u) of the statutes, as affected by the laws of 1977, is increased by \$46,800 in 1978-79 for the purchase of additional automobiles.

(r) *Miscellaneous adjustments.* The appropriation under section 20.370 (5) (u) of the statutes, as affected by the laws of 1977, is increased by \$5,700 in 1978-79 for funding half of the increased operating cost of the southern district headquarters and by \$1,200 in 1977-78 and \$1,200 in 1978-79 for the operating cost of a new storage building in La Crosse.

(rm) *Personnel survey adjustments.* The appropriation under section 20.370 (5) (u) of the statutes, as affected by the laws of 1977, is increased by \$2,800 in 1977-78 and \$5,500 in 1978-79 to fund salary adjustments resulting from a recent personnel survey of various classifications of department employees.

(s) *Position transfer.* There is transferred to the appropriation under section 20.370 (5) (u) of the statutes, as affected by the laws of 1977, \$20,600 in 1978-79 from the appropriation under section 20.370 (1) (u) of the statutes in 1978-79, as affected by the laws of 1977, to fund one positions according to their actual workload.

(sm) *Seasonal conversion.* The appropriations under sections 20.370 (5) (u) and 20.370 (5) (a) of the statutes, as affected by the laws of 1977, are increased by \$4,000 and reduced by \$3,600 respectively for 1978-79 to fund the conversion of seasonal positions in the field services program to full-time status.

(t) *Development funding.* The appropriation under section 20.370 (5) (v) of the statutes, as affected by the laws of 1977, is reduced by \$533,500 in 1977-78 to reflect a new appropriation for development.

(tm) *Limited term employe assistance.* The appropriation under section 20.370 (8) (a) of the statutes, as affected by the laws of 1977, is increased by \$10,000 in 1978-79 to provide limited term employe assistance for the department's policy planning and budget unit.

(tn) *Nonpoint source administration.* The appropriation under section 20.370 (5) (a) of the statutes, as affected by the laws of 1977, is increased by \$220,000 in 1978-79 to provide funding for 3.5 positions to administer the nonpoint source water pollution abatement grant program and for preparation of detailed watershed plans.

(tp) *Point source administration.* The appropriation under section 20.370 (5) (a) of the statutes, as affected by the laws of 1977, is increased by \$102,400 in 1978-79 to provide funding for 5.0 positions to administer the point source water pollution abatement grant program.

(ts) *Personnel staff.* The appropriation under section 20.370 (8) (a) of the statutes, as affected by the laws of 1977, is increased by \$26,000 in 1978-79 to fund one position to handle the increased workload in the personnel subprogram.

(u) *Position transfers.* There is transferred to the appropriation under section 20.370 (8) (a) of the statutes, as affected by the laws of 1977, \$31,400 in 1978-79 from the appropriation under section 20.370 (2) (a) of the statutes in 1978-79, as affected by the laws of 1977, to fund 2 positions according to their actual workload.

(um) *Seasonal conversion.* The appropriation under section 20.370 (8) (a) of the statutes, as affected by the laws of 1977, is increased by \$1,300 in 1978-79 to convert seasonal positions to full time status.

(v) *Basin commission dues.* The appropriation under section 20.370 (8) (a) of the statutes, as affected by the laws of 1977, is increased by \$59,000 in 1977-78 and \$59,000 in 1978-79 to reinstate Wisconsin's membership in the Upper Mississippi River Basin Commission and the Great Lakes Basin Commission.

(ve) *Hearing examiners.* There is transferred to the appropriation under section 20.505 (8) (a) of the statutes, as created by this act, \$138,900 in 1978-79 from the appropriation under section 20.370 (8) (a) of the statutes, as affected by the laws of 1977, for the purpose of transferring 2.0 attorney hearing examiner positions, 1.0 attorney, 1.0 technical typist, 1.0 administrative secretary and 1.0 hearing recorder for contested cases from the department of natural resources hearing examiners section to the division of natural resources hearings in the department of administration.

(vm) *Car purchases.* The appropriation under section 20.370 (8) (u) of the statutes, as affected by the laws of 1977, is increased by \$7,400 in 1978-79 for the purchase of additional automobiles.

(w) *Goose permits.* The appropriation under section 20.370 (8) (u) of the statutes, as affected by the laws of 1977, is increased by \$22,700 in 1977-78 and \$22,700 in 1978-79 to fund the increased cost of issuing goose permits for the Horicon area.

(wm) *Limited term employe minimum wage.* The appropriation under section 20.370 (8) (u) of the statutes, as affected by the laws of 1977, is increased by \$700 in 1978-79 to reflect the recent increase in minimum wage to be paid to limited term employes in the administrative services division.

(x) *Voucher storage.* The appropriation under section 20.370 (8) (u) of the statutes, as affected by the laws of 1977, is increased by \$1,000 in 1977-78 to purchase file cabinets for voucher storage.

(xm) *Personnel staff.* The appropriation under section 20.370 (8) (u) of the statutes, as affected by the laws of 1977, is increased by \$17,600 in 1978-79 to fund one position to handle the increased workload in the personnel subprogram.

(y) *Seasonal conversion.* The appropriation under section 20.370 (8) (u) of the statutes, as affected by the laws of 1977, is increased by \$2,100 in 1978-79 to convert seasonal positions to full-time status.

(z) *Limited term employe minimum wage.* The appropriation under section 20.370 (8) (w) of the statutes, as affected by the laws of 1977, is increased by \$1,300 in 1977-78 to reflect the recent increase in the minimum wage to be paid to limited term employes in the administrative services division.

(zm) *Reforestation fund lapse.* On the effective date of this act, all unencumbered balances remaining in the reforestation fund under section 25.30 of the statutes, as repealed by this act, shall be transferred to the conservation fund under section 25.29 of the statutes.

(37g) PERSONNEL BOARD. (a) *Personnel regulation.* The appropriation under section 20.546 (1) (a) of the statutes, as affected by the laws of 1977, is increased by \$21,200 in 1978-79 to provide funding for the general program operations of the personnel board, including funding and authorization of 1.0 typist position.

(37r) PERSONNEL COMMISSION. (a) *Review of personnel decisions.* The appropriation under section 20.547 (1) (a) of the statutes, as affected by the laws of 1977, is increased by \$253,100 in 1978-79 to provide funding for the general program operations of the personnel commission, including one additional attorney position.

(39) PUBLIC INSTRUCTION. (a) *Vocational education.* The appropriation under section 20.255 (1) (a) of the statutes, as affected by the laws of 1977, is increased by \$34,500 in 1977-78 to fund 2.3 positions and \$55,100 in 1978-79 to fund 5.1 positions as a vocational education match.

(b) *Data processing.* The appropriation under section 20.255 (1) (a) of the statutes, as affected by the laws of 1977, is increased by \$5,900 in 1977-78 and \$5,900 in 1978-79 to correct a technical data processing fund error.

(bm) *Human growth and development health education.* The appropriation under section 20.255 (1) (a) of the statutes, as affected by the laws of 1977, is increased by \$25,900 in 1978-79 for the purpose of providing a human growth and development health education consultant in the department of public instruction.

(c) *School accounting system.* The appropriation under section 20.255 (1) (a) of the statutes, as affected by the laws of 1977, is increased by \$96,100 in 1978-79 to fund 4.0 positions and related costs for the school accounting system.

(d) *Insurance offset.* The appropriation under section 20.255 (1) (a) of the statutes, as affected by the laws of 1977, is decreased by \$1,800 in 1978-79 as an insurance offset.

(e) *Library materials.* The appropriation under section 20.255 (1) (a) of the statutes, as affected by the laws of 1977, is increased by \$10,400 in 1978-79 for materials and services in the school libraries bureau.

(g) *Limited term employe workload.* The appropriation under section 20.255 (1) (a) of the statutes, as affected by the laws of 1977, is increased by \$12,700 in 1978-79 to meet the limited term employe workload.

(h) *Handicapped services.* The appropriation under section 20.255 (1) (a) of the statutes, as affected by the laws of 1977, is increased by \$157,600 in 1978-79 to pick up 8.0 positions in the handicapped services division.

(i) *Education information system.* The appropriation under section 20.255 (1) (a) of the statutes, as affected by the laws of 1977, is increased by \$57,400 in 1978-79 to fund 4.0 positions for the education information system.

(j) *Statewide assessment.* The appropriation under section 20.255 (1) (a) of the statutes, as affected by the laws of 1977, is increased by \$41,900 in 1978-79 to fund 2.0 positions for the statewide assessment program.

(L) *Handicapped aid appropriation.* The appropriation under section 20.255 (1) (d) of the statutes, as affected by the laws of 1977, is decreased by \$1,159,400 in 1977-78 and \$2,204,100 in 1978-79 in order to reflect a revised estimate of need.

(m) *Weekend transportation.* The appropriation under section 20.255 (1) (d) of the statutes, as affected by the laws of 1977, is increased by \$128,400 in 1978-79 for weekend transportation of students at the state's residential handicapped programs. Of this amount, \$30,900 shall be held in unallotted reserve subject to release by the joint committee on finance, pending a ruling by the U.S. office of education on the number of weekend trips which must be provided for a residential school pupil at no cost to the child's parents.

(n) *General school aid.* The appropriation under section 20.255 (1) (f) of the statutes, as affected by the laws of 1977, is decreased by \$14,270,800 in 1977-78 and increased by \$12,341,000 in 1978-79 to reflect a reestimate of amounts transferred from the personal property tax relief appropriation and to provide additional funding for school districts with declining enrollments.

(o) *Human growth and development coordinator.* The appropriation under section 20.255 (1) (fc) of the statutes, as affected by the laws of 1977, is increased by \$490,400 in 1978-79 for the purpose of providing ~~one~~ human growth and development ~~health coordinator~~ ~~for each cooperative education service agency district.~~

Vetoed
in Part

(p) *Pre-school project.* The appropriation in section 20.255 (1) (fm) of the statutes, as affected by the laws of 1977, is increased by \$58,500 in 1977-78 to provide reimbursement for claims from 1976-77 that will be paid in 1977-78.

(r) *Property insurance premiums.* The appropriation under section 20.255 (2) (a) of the statutes, as affected by the laws of 1977, is reduced by \$1,300 in 1978-79 to reflect a reduction in the property insurance premium of the residential schools.

(s) *Materials and services.* The appropriation under section 20.255 (2) (a) of the statutes, as affected by the laws of 1977, is reduced by \$3,400 in 1978-79 to reflect a reduction in the materials and services budget.

(sm) *Professional services center staffing.* The appropriation under section 20.255 (2) (a) of the statutes, as affected by the laws of 1977, is increased by \$15,600 in 1978-79 to provide funding for 2.0 positions of the professional services center at the Wisconsin school for the visually handicapped.

(st) *Financial aids position funding reallocation.* The appropriation under section 20.255 (2) (a) of the statutes, as affected by the laws of 1977, is decreased by \$23,300 in 1977-78 for the purpose of reallocating funds for support of positions in the division of financial aids.

(t) *Residential school positions.* The appropriation under section 20.255 (2) (a) of the statutes, as affected by the laws of 1977, is reduced by \$64,600 in 1978-79 to reflect a reduction of 4.89 positions at the residential schools.

(v) *Insurance premium.* The appropriation under section 20.255 (3) (a) of the statutes, as affected by the laws of 1977, is decreased by \$100 in 1978-79 to reflect reduced insurance premiums.

(w) *Governor's conference on libraries.* The appropriation under section 20.255 (3) (a) of the statutes, as affected by the laws of 1977, is increased by \$20,000 in 1978-79 for a Governor's conference on libraries.

(x) *Ohio College Library Consortium terminal.* The appropriation under section 20.255 (3) (a) of the statutes, as affected by the laws of 1977, is increased by \$22,000 in 1978-79 to continue operation of the Ohio College Library Consortium terminal at reference and loan.

(y) *Aid to public library systems.* The appropriation in section 20.255 (3) (d) of the statutes, as affected by the laws of 1977, is increased by \$204,500 in 1978-79 in order to assure that library systems receive 80% of their statutory formula allocations.

(41) REGULATION AND LICENSING. (a) *Refund of scholarship assessments.* All moneys collected under section 440.07 of the statutes prior to the effective date of this act shall be refunded by check from the appropriation under section 20.165 (2) (h) of the statutes, as affected by this act, payable to the person from whom collected.

(b) *Auditor position.* The appropriation under section 20.165 (3) (a) of the statutes, as affected by the laws of 1977, is increased by \$15,200 in 1978-79 to provide one auditor position to increase bingo field audits.

(42) REVENUE. (a) *Federal minimum wage law.* The appropriation under section 20.566 (1) (a) of the statutes, as affected by the laws of 1977, is increased by \$160,400 in 1978-79 to provide funding for the payment of minimum wage to tax-processing limited term employees.

(b) *Homestead tax law change.* The appropriation under section 20.566 (1) (a) of the statutes, as affected by the laws of 1977, is increased by \$59,300 in 1978-79 to provide funding for the administration of the expanded homestead tax credit program.

(c) *Mileage reimbursement increase.* The appropriation under section 20.566 (1) (a) of the statutes, as affected by the laws of 1977, is increased by \$41,800 in 1978-79 to provide funding for the increased mileage reimbursement rate of 17 cents per mile.

(d) *Mileage reimbursement increase.* The appropriation under section 20.566 (1) (u) of the statutes, as affected by the laws of 1977, is increased by \$3,500 in 1978-79 to provide funding for the increased mileage reimbursement rate of 17 cents per mile.

(e) *Annual valuation of manufacturing machinery and equipment.* The appropriation under section 20.566 (2) (a) of the statutes, as affected by the laws of 1977, is increased by \$42,300 in 1978-79 to provide funding for 2.0 positions for an annual valuation of exempt manufacturing machinery and equipment for state aid purposes.

(f) *Auditing municipal electric utilities.* The appropriation under section 20.566 (2) (a) of the statutes, as affected by the laws of 1977, is increased by \$17,500 in 1978-79 to provide funding for the regular auditing of municipal electric utilities.

(g) *Home improvement tax credit.* The appropriation under section 20.566 (2) (a) of the statutes, as affected by the laws of 1977, is increased by \$28,500 in 1978-79 to provide funding for 1.0 positions for the initial development and implementation of the home improvement tax credit program.

(h) *Management improvement transfer.* There is transferred from the appropriation under section 20.566 (2) (a) of the statutes, as affected by the laws of 1977, to the appropriation under section 20.566 (3) (a) of the statutes, as affected by the laws of 1977, \$31,400 in 1978-79 to provide 2.0 positions for a professional analytical capability within the department for purposes of internal management analysis and review.

(i) *Metalliferous mining tax.* The appropriation under section 20.566 (2) (a) of the statutes, as affected by the laws of 1977, is increased by \$21,500 in 1978-79 to provide funding for 1.0 position to administer chapter 31, laws of 1977.

(j) *Mileage reimbursement increase.* The appropriation under section 20.566 (2) (a) of the statutes, as affected by the laws of 1977, is increased by \$23,600 in 1978-79 to provide funding for the increased mileage reimbursement rate of 17 cents per mile.

(k) *Space rental transfer.* There is transferred from the appropriation under section 20.566 (2) (a) of the statutes, as affected by the laws of 1977, to the appropriation under section 20.566 (3) (a) of the statutes, as affected by the laws of 1977, \$10,600 in 1978-79 to provide for a transfer of space rental funds.

(L) *Utility tax audit improvement.* The appropriation under section 20.566 (2) (a) of the statutes, as affected by the laws of 1977, is increased by \$55,600 in 1978-79 to provide funding for 2.0 positions for the proper and efficient operation of the utility tax unit.

(m) *Federal minimum wage law.* The appropriation under section 20.566 (3) (a) of the statutes, as affected by the laws of 1977, is increased by \$48,100 in 1978-79 to provide funding for the payment of minimum wage to tax processing limited term employes.

(n) *Home improvement tax credit.* The appropriation under section 20.566 (3) (a) of the statutes, as affected by the laws of 1977, is increased by \$3,000 in 1978-79 to provide funding for the initial development and implementation of the home improvement tax credit program.

(o) *Homestead tax law change.* The appropriation under section 20.566 (3) (a) of the statutes, as affected by the laws of 1977, is increased by \$1,900 in 1978-79 to provide funding for the administration of the expanded homestead tax credit program.

(p) *Insurance premium lapse.* The appropriation under section 20.566 (3) (a) of the statutes, as affected by the laws of 1977, is decreased by \$600 in 1978-79 to delete funding for liability insurance premiums previously budgeted to the department.

(q) *Legal staff attorney.* The appropriation under section 20.566 (3) (a) of the statutes, as affected by the laws of 1977, is increased by \$33,000 in 1978-79 to provide funding for 2.0 positions to comply with the judgment issued by the federal district court in the *Pitts* case.

(r) *Limited term to permanent position conversion.* The appropriation under section 20.566 (3) (a) of the statutes, as affected by the laws of 1977, is increased by \$4,600 in 1978-79 to provide funding for the conversion of 2 limited term employee programmer positions to permanent status.

(s) *Low income tax law change.* The appropriation under section 20.566 (3) (a) of the statutes, as affected by the laws of 1977, is increased by \$20,900 in 1978-79 to provide funding for the administrative changes required by the passage of chapter 111, laws of 1977.

(t) *Mileage reimbursement increase.* The appropriation under section 20.566 (3) (a) of the statutes, as affected by the laws of 1977, is increased by \$500 in 1978-79 to provide funding for the increased mileage reimbursement rate of 17 cents per mile.

(u) *Secretarial support.* The appropriation under section 20.566 (3) (a) of the statutes, as affected by the laws of 1977, is increased by \$9,200 in 1978-79 to provide funding for one centralized secretarial services position.

(v) *Stenographic reporter.* The appropriation under section 20.566 (3) (a) of the statutes, as affected by the laws of 1977, is increased by \$21,000 in 1978-79 to provide funding for the creation of an unallotted reserve account to supplement program revenue funding for a stenographic court reporter.

(w) *Tax burden study.* The appropriation under section 20.566 (3) (a) of the statutes, as affected by the laws of 1977, is increased by \$95,000 in 1978-79 to provide funding for the completion of the tax burden study.

(44) SECRETARY OF STATE. (a) *Managing and operating program responsibilities.* The appropriation under section 20.575 (1) (a) of the statutes, as affected by the laws of 1977, is reduced by \$35,300 in 1977-78 and is increased by \$29,000 in 1978-79 to transfer funding for an ongoing involuntary dissolution program, transfer positions from general purpose to program revenue, and effectuate management improvement.

(45) SECURITIES. (a) *Additional limited-term employe funding.* The appropriation under section 20.185 (1) (a) of the statutes, as affected by the laws of 1977, is increased by \$2,700 in 1978-79 to provide funds to standardize the agency's clinical internship program.

(b) *Increased mileage cost.* The appropriation under section 20.185 (1) (a) of the statutes, as affected by the laws of 1977, is increased by \$300 in 1978-79 to provide additional funding necessary to meet higher mileage costs of the agency.

(c) *Position reallocations.* The appropriation under section 20.185 (1) (a) of the statutes, as affected by the laws of 1977, is increased by \$10,600 in 1978-79 to provide for salary changes in 5 positions resulting from a study by the bureau of personnel.

(47) SUPREME COURT. (a) *Wisconsin state law library.* The appropriation under section 20.680 (5) (a) of the statutes, as affected by the laws of 1977, is increased by \$15,900 in 1978-79 to provide funding for one assistant librarian position for the state law library.

(48) TRANSPORTATION. (a) *Aeronautics technical adjustment.* The appropriation under section 20.395 (2) (qd) of the statutes, as affected by the laws of 1977, is increased by \$30,000 in 1977-78 and by \$30,000 in 1978-79 to offset an unintentional program reduction made in chapter 29, laws of 1977.

(ad) *Federal nonparticipating costs.* The appropriation under section 20.395 (3) (rd) of the statutes, as affected by the laws of 1977, is increased by \$249,800 in 1977-78 and \$249,800 in 1978-79 to cover increased highway administrative costs which are not eligible for full federal cost-sharing.

(ah) *Major highway development.* The appropriation under section 20.395 (3) (rd) of the statutes, as affected by the laws of 1977, is increased by \$8,435,000 in 1978-79 for new highway construction projects.

(am) *Improvement of existing highways.* The appropriation under section 20.395 (3) (sd) of the statutes, as affected by the laws of 1977, is increased by \$7,245,000 in 1978-79 to increase the level of reconstruction on the state trunk highway system.

(an) *Simplified real estate sales.* The appropriation under section 20.395 (3) (sd) of the statutes, as affected by the laws of 1977, is decreased by \$8,800 in 1978-79 to reflect the administrative savings of the simplification of the procedures for the sale of departmental property.

(ap) *Federal nonparticipating costs.* The appropriation under section 20.395 (3) (td) of the statutes, as affected by the laws of 1977, is increased by \$95,700 in 1977-78 and \$95,700 in 1978-79 to cover increased highway administrative costs which are not eligible for full federal cost-sharing.

(at) *Bridge improvement.* The appropriation under section 20.395 (3) (td) of the statutes, as affected by the laws of 1977, is increased by \$750,000 in 1978-79 to replace additional bridges on the state trunk highway system.

(aw) *Federal nonparticipating costs.* The appropriation under section 20.395 (4) (qd) of the statutes, as affected by the laws of 1977, is increased by \$202,100 in 1977-78 and \$202,100 in 1978-79 to cover increased highway administrative costs which are not eligible for full federal cost-sharing.

(b) *State rail matching funds.* The appropriation under section 20.395 (5) (qd) of the statutes, as affected by the laws of 1977, is increased by \$200,000 in 1978-79 to match anticipated increases in federal ~~rail~~ aid. Vetoed
in Part

(c) *Data processing positions.* The 76 data processing positions funded under section 20.395 (6) (qd) of the statutes shall, for the 1978-79 fiscal year, be funded from section 20.395 (6) (up) of the statutes.

(d) *Medical review board.* The appropriation under section 20.395 (6) (sd) of the statutes, as affected by the laws of 1977, is increased by \$37,700 in 1978-79 to authorize and fund 3 positions for administrative support for the medical review board.

(e) *Increased workload in driver revocations.* The appropriation under section 20.395 (6) (sd) of the statutes, as affected by the laws of 1977, is increased by \$19,300 in 1978-79 to authorize and fund 2 positions to handle the anticipated growth in revocation workload associated with chapter 193, laws of 1977.

(f) *Increased license plate costs.* The appropriation under section 20.395 (6) (sd) of the statutes, as affected by the laws of 1977, is increased by \$145,200 in 1977-78 and by \$332,000 in 1978-79 to provide funding for the higher than anticipated costs of issuing base year license plates.

(g) *Continued funding for positions authorized by the implied consent legislation.* The appropriation under section 20.395 (6) (sd) of the statutes as affected by the laws of 1977, is increased by \$29,400 in 1978-79 to continue funding for the 3 positions authorized by chapter 193, laws of 1977, to handle the increased workload relating to the issuances of occupational licenses.

(h) *Reduced administrative costs.* The appropriation under section 20.395 (6) (sd) of the statutes, as affected by the laws of 1977, is decreased by \$414,100 in 1977-78 and by \$405,600 in 1978-79 to reflect a reduction of 8.0 positions in 1977-78 and 8.0 positions in 1978-79 because of administrative savings resulting from eliminating the requirement that trailers weighing 3,000 pounds or less be registered.

(i) *Refund administrative costs.* The appropriation under section 20.395 (6) (sd) of the statutes, as affected by the laws of 1977, is increased by \$69,100 in 1977-78 and by \$108,900 in 1978-79 to cover administrative costs related to granting refunds to those individuals registering vehicles under fees prescribed in chapter 29, laws of 1977, which are reduced by this act.

(im) *School bus operator's test.* The appropriation under section 20.395 (6) (sd) of the statutes, as affected by the laws of 1977, is decreased by \$21,300 in 1978-79 to reflect the administrative savings of eliminating the annual school bus operator's examination.

(j) *Ambulance inspection.* The appropriation under section 20.395 (6) (td) of the statutes is increased by \$43,200 in 1978-79 to authorize and fund 2 positions for ambulance inspection to reflect the change in the funding of the ambulance inspection program from general purpose revenues to segregated transportation fund revenues.

(jm) *School bus operator's test.* The appropriation under section 20.395 (6) (td) of the statutes, as affected by the laws of 1977, is decreased by \$12,600 in 1978-79 to reflect the administrative savings of eliminating the annual school bus operator's examination.

(k) *Janitorial services.* The appropriation under section 20.395 (6) (td) of the statutes, as affected by the laws of 1977, is increased by \$7,200 in 1978-79 to convert 3 existing limited term employe positions to permanent positions to provide janitorial support for 3 state patrol district headquarters.

(L) *Alcohol counter measure enforcement program.* The appropriation under section 20.395 (6) (td) of the statutes, as affected by the laws of 1977, is increased by \$37,400 in 1977-78 and by \$46,100 in 1978-79 to provide funding for increased state patrol overtime and the acquisition of 227 citizen band radio units for the state patrol.

~~(m) *Municipal rail service grants.* The appropriation under section 20.395 (6) (qd) of the statutes, as affected by the laws of 1977, is decreased by \$30,000 in~~ Vetoed
in Part

Vetoed
in Part

~~1977-78 and by \$70,000 in 1978-79 to reflect the transfer of these funds to the appropriation for municipal rail service grants created by this act.~~

(49) TREASURER. (a) *Salary increase.* The appropriation under section 20.585 (1) (a) of the statutes, as affected by the laws of 1977, is increased by \$3,700 in 1978-79 to fund the state treasurer's salary at the maximum of the executive salary range 1.

(50) UNIVERSITY OF WISCONSIN SYSTEM. (a) *General program operations.* The appropriation under section 20.285 (1) (a) of the statutes, as affected by the laws of 1977, is decreased by \$310,300 in 1977-78 and \$2,140,000 in 1978-79 to adjust the level of funding for general program operations of the university of Wisconsin system.

(b) *Student aid.* There is transferred from the appropriation under section 20.285 (1) (a) of the statutes, as affected by the laws of 1977, to the appropriation under section 20.285 (1) (ab) of the statutes, as affected by the laws of 1977, \$20,000 to provide graduate fellowships in applied urban research.

(c) *Application fee lapse.* From the appropriation under section 20.285 (1) (a) of the statutes, as affected by the laws of 1977, there is lapsed to the general fund on June 30, 1978, an amount equal to 72% of program revenue collected in 1977-78 from graduate application fees under section 36.11 (3) (d) of the statutes, to reflect the transfer of funding sources for the processing of graduate applications to program revenue funding.

(d) *Veterinary school funding.* The net appropriation under section 20.285 (1) (a) of the statutes, as affected by the laws of 1977, is decreased by \$426,800 for the 1978-79 fiscal year. This revision reflects a reduction of the original general purpose revenue funding (\$703,800 for the 1978-79 fiscal year) which was provided to establish a school of veterinary medicine and food animal clinic facility by chapter 29, laws of 1977, but the authorization for which was vetoed by the governor. \$277,000 for the 1978-79 fiscal year remains and is authorized for the purpose of funding initial costs in establishing a school of veterinary medicine and food animal clinic facility including funding for 7 additional staff positions.

Vetoed
in Part

~~(e) *Occupational health nurse practitioner program.* The appropriation under section 20.285 (1) (a) of the statutes, as affected by the laws of 1977, is increased by \$60,300 in 1977-78 and \$186,700 in 1978-79 to provide funding for an occupational health nurse practitioner program at the university of Wisconsin-Milwaukee school of nursing.~~

(52) VETERANS AFFAIRS. (b) *Home for veterans — general program operations.* The appropriation under section 20.485 (1) (a) of the statutes, as affected by chapter 29, laws of 1977, is increased by \$40,900 in 1978-79 to provide funding for 1.0 position for the home for veterans for an alcohol counselor, increased permanent property and a 0.5 position in the personnel office.

(c) *Microfilm project.* The appropriation under section 20.485 (2) (u) of the statutes, as affected by the laws of 1977, is increased by \$8,900 in 1978-79 to fund 1.0 project position to continue a microfilm project.

(cm) *Vets House programs.* The appropriation under section 20.485 (2) (u) of the statutes, as affected by the laws of 1977, is increased by \$77,100 in 1978-79 to provide funding for Vets House discharge upgrading and prison counseling programs.

(d) *Self-amortizing mortgage loans.* The appropriation under section 20.485 (3) (s) of the statutes, as affected by the laws of 1977, is increased by \$82,900 in 1978-79 to provide funding and 2.0 positions for departmental reorganization and funding for limited term employes for direct loan analyst staffing.

(53) VOCATIONAL, TECHNICAL AND ADULT EDUCATION. (a) *General program operations.* The appropriation under section 20.292 (1) (a) of the statutes, as affected by the laws of 1977, is increased by \$4,300 in 1977-78 and \$97,300 in 1978-79 to provide funding for projected rent increases and required match at the state board of vocational, technical and adult education.

(b) *Fire schools.* The appropriation under section 20.292 (1) (c) of the statutes, as affected by the laws of 1977, is increased by \$200 in 1977-78 and \$200 in 1978-79 to provide funding for an increase in the cost of rent.

(c) *State aids transfer.* There is transferred from the appropriation under section 20.292 (1) (d) of the statutes, as affected by the laws of 1977, to the appropriation under section 20.292 (1) (a) of the statutes, as affected by the laws of 1977, \$28,000 in 1977-78 and \$42,900 in 1978-79 to provide for a transfer of funds from state aids to state operations.

(55) OTHER. (a) *Assessments.* The appropriation under section 20.865 (3) (b) of the statutes, as affected by the laws of 1977, is increased by \$800,000 in 1978-79 to provide additional funding for assessments for local improvements.

(b) *Public debt.* 1. The appropriation under section 20.866 (2) (s) of the statutes, as affected by laws of 1977, is increased by \$5,787,900 in fiscal year 1977-78 to appropriate funds for La Crosse main hall remodeling, Oshkosh riverfront stabilization and facility improvements, Platteville heating plant improvements, River Falls North hall remodeling, Stevens Point main hall renovation, and Madison Camp Randall roof repair projects.

2. The appropriation under section 20.866 (2) (tp) of the statutes, as affected by the laws of 1977, is increased by \$1,512,500 in fiscal year 1977-78 to appropriate funds for the Bong recreation area development project.

3. The appropriation under section 20.866 (2) (u) of the statutes, as affected by the laws of 1977, is increased by \$1,800,000 in fiscal year 1977-78 to appropriate funds for the Superior district office and maintenance facilities project.

4. The appropriation under section 20.866 (2) (v) of the statutes, as affected by the laws of 1977, is increased by \$4,286,300 in fiscal year 1977-78 to appropriate funds for the Winnebago and Mendota mental health institutes-remodeling, Mendota mental health institute-electrical and Winnebago mental health institute-electrical projects and decrease funds appropriated for the central state hospital-conversion project.

5. The appropriation under section 20.866 (2) (w) of the statutes, as affected by the laws of 1977, is decreased by \$1,889,000 in fiscal year 1977-78 to transfer funds to the Winnebago and Mendota mental health institutes-remodeling project while increasing funds appropriated for the Green Bay reformatory food service project.

6. The appropriation under section 20.866 (2) (y) of the statutes, as affected by the laws of 1977, is increased by \$4,177,000 in fiscal year 1977-78 to appropriate funds for the capitol heating system replacement project, development of parking facilities under the plaza adjacent to general executive facilities 2 and 3 in Madison and purchase of the federal post office building on Monona Avenue in Madison.

7. The appropriation under section 20.866 (2) (z) of the statutes, as affected by the laws of 1977, is increased by \$5,000,000 in fiscal year 1977-78 to appropriate funds for the handicapped access and accommodations project.

(d) *State capitol and executive residence maintenance.* The appropriation under section 20.865 (2) (e) of the statutes, as affected by the laws of 1977, is increased by \$400,000 in 1978-79 to provide for additional maintenance of the capitol and the executive residence.

(e) *Payments for municipal services.* The appropriation under section 20.855 (3) (a) of the statutes, as affected by the laws of 1977, is increased by \$2,650,000 in 1978-79 to provide increased funding for state payments to municipalities for municipal services.

SECTION 928. Transitional provisions. (8) **CIRCUIT AND COUNTY COURTS.** (a) *Costs of indigent defendants.* The treatment of section 256.65 of the statutes by SECTION 750 of this act applies to all trials completed on or after the effective date of this act.

(12) **EMPLOYEE TRUST FUNDS.** (a) *Union service leave.* The creation of sections 40.18 (4) and ~~40.195~~ of the statutes by this act applies to union service leaves taken by state employees employed by the state, including those on authorized leaves of absence, on and after the effective date of this act.

(16) EXECUTIVE COUNCILS. (a) *Council on criminal justice*. The initial members of the council on criminal justice under section 14.017 (5) of the statutes, as created by this act, shall be the persons who are members of the council on criminal justice as of the effective date of this act.

(18) HEALTH AND SOCIAL SERVICES. (a) *Nursing home reimbursements*. The department of health and social services shall, on or before September 1, 1978, submit to the joint committee on finance for its approval a prospective reimbursement system developed according to section 1618m (2) of chapter 29, laws of 1977.

(b) *Clarification of classification*. The amendment of section 946.71 (intro.) of the statutes by chapter 161, laws of 1977, was not repealed by chapter 173, laws of 1977. Both amendments stand. Prior to June 1, 1978, the text of section 946.71 (intro.) of the statutes is as follows:

“946.71 *Interference with custody of child*. (intro.) Except as provided under ch. 48, whoever intentionally does any of the following may be fined not more than \$500 or imprisoned not more than one year or both:”

On and after June 1, 1978, the text of section 946.71 (intro.) of the statutes is as follows:

“946.71 *Interference with custody of child*. (intro.) Except as provided under ch. 48, whoever intentionally does any of the following is guilty of a Class E felony:”

(d) *Youthful offender phaseout*. All persons determined to be youthful offenders prior to the repeal of chapter 54 of the statutes by this act shall retain youthful offender status until discharged, and shall be subject to chapter 54, 1975 stats., as if it had not been repealed or amended except that the department of health and social services may comeingle youthful offenders and criminal offenders.

(e) *Medical assistance offenses*. The treatment of section 49.49 (1) and (2) of the statutes by this act shall apply to acts occurring and statements or representations made on or after the effective date of this act.

(37) NATURAL RESOURCES. (a) *Hearing examiners*. Two hearing examiner positions and one attorney position and the incumbents thereof are transferred to the division of natural resources hearings in the department of administration, as created by this act, from the department of natural resources. The first administrator of the division of natural resources hearings shall be the incumbent of the chief hearing examiner position in the department of natural resources on the effective date of this act. One electronic recording technician position and 2 clerical positions are also transferred to the division of natural resources hearings from the department of natural resources.

(41) REGULATION AND LICENSING. (a) *Board of nursing membership*. The terms of the following members of the board of nursing, as it exists prior to the effective date of this act, shall terminate on the effective date of this act: the state medical society member; the nursing home administrator member; the Wisconsin conference of the Catholic hospital association member; the department of health and social services member; and the state hospital association member. The first vacancy occurring after the effective date of this act in one of the 6 registered nurse member positions on the board of nursing existing prior to the effective date of this act shall be filled by appointment of a licensed practical nurse.

(b) *Examining board of architects, professional engineers, designers and land surveyors; removal authority*. Notwithstanding section 17.07 (5) of the statutes, any member of the examining board of architects, professional engineers, designers and land surveyors appointed prior to the effective date of this act may be removed from office by the governor at any time, for cause.

(c) *Council on physician's assistants membership*. The terms of the following members of the council on physician's assistants, as it exists prior to the effective date of this act, shall terminate on the effective date of this act:

1. The dean of the medical college of Wisconsin or the dean's designee.

2. The designee of the department of health and social services.
3. The member or designee of the board of vocational, technical and adult education.
4. One of the governor's appointees, designated by the governor.
5. The 2 physicians appointed by the medical examining board.
6. The member of the medical examining board.
7. The dean of the university of Wisconsin - Milwaukee school of nursing or the dean's designee.
8. The person selected by the board of nursing.
9. The 2 consumer representatives selected by the state health policy and program council.

(d) *Complaint-handling, investigations and hearings.* Prior to the promulgation of rules by the department of regulation and licensing under section 440.03 (1) of the statutes, as created by this act, the board of nursing and the examining boards in the department shall continue to be subject to the applicable provisions of the 1975 statutes and their respective rules relating to complaint-handling, investigations and hearings.

(42) REVENUE. (a) *Homestead tax credit.* The treatment of section 71.09 (7) (a) 1 and (p) of the statutes by this act applies to homestead tax credit claims filed in 1979 and thereafter and based upon property taxes accrued or rent constituting property taxes accrued in the preceding calendar year.

(b) *Homestead tax credit.* The treatment of section 71.09 (7) (a) 3 of the statutes by this act applies to homestead tax credit claims filed in 1978 and thereafter and based upon property taxes accrued or rent constituting property taxes accrued in the preceding calendar year.

(bm) *Homestead tax credit; tax-exempt housing.* The treatment of section 71.09 (7) (t) of the statutes by this act applies to homestead tax credit claims filed in 1978 and thereafter and based upon property taxes accrued or rent constituting property taxes accrued in the preceding calendar year except that persons who have not filed a claim for homestead tax credit prior to the effective date of this act may elect to file prior to December 31, 1978, under section 71.09 (7) (t) of the statutes, as affected by chapter 29, laws of 1977, or section 71.09 (7) (t) of the statutes as affected by chapters 29 and (this act), laws of 1977.

(c) *Income tax assessments and refunds.* The treatment of section 71.11 (21) (d) of the statutes by this act applies to extensions in effect on, and extensions entered into on or after, the effective date of this act.

(d) *Tax incremental finance.* 1. The treatment of section 66.46 (4) of the statutes by this act shall apply to any tax incremental district created by a resolution adopted on or after July 1, 1978, or an amendment to a project plan adopted on or after July 1, 1978.

2. The treatment of section 66.46 (5) (a), (d) and (e) and the creation of section 66.46 (5) (d) of the statutes by this act shall apply to amendments adopted or applications submitted on or after July 1, 1978.

3. The treatment of section 66.46 (5) (g), as renumbered, and 66.46 (6) (b) of the statutes by this act shall apply to all taxes collected after the next settlement date provided by law which settlement occurs after June 30, 1978.

4. The treatment of section 66.46 (9) (b) 3 of the statutes by this act shall apply to bonds or notes issued on or after July 1, 1978.

~~5. The treatment of section 20.255 (1) (fo) and the creation of section 121.085 of the statutes by this act shall apply to fiscal year 1977-78 and thereafter except the amount paid to a school district under section 121.085 of the statutes as created by this act in that fiscal year shall be reduced by the amount paid prior to the effective date of the treatment or creation of those sections to that school district under sections 20.255 (1) (fo) and 66.46 (11) (b) of the statutes for that fiscal year.~~

(e) *Property acquired from a decedent.* The treatment of section 71.05 (1) (g) of the statutes by this act applies to any sales, exchanges, abandonments or other dispositions if such transactions occurred on or after the first day of the 1977 calendar year or corresponding fiscal year.

(g) *Status of mutually acknowledged parent.* The treatment of sections 72.01 (15m) and 72.16 (1) of the statutes by this act applies to all transfers because of a death or gift occurring on or after January 1, 1976.

(i) *Joint tenancy exclusion.* The treatment of section 72.12 (6) (b) (title) and (c) of the statutes by this act applies to all transfers because of a death occurring on or after January 1, 1978.

(h) *Household furnishings.* The treatment of section 72.15 (4) of the statutes by this act applies to all transfers because of a death which occurs on or after January 1, 1978.

(j) *Power of appointment.* The treatment of sections 72.01 (17), 72.12 (5), 72.28 (1) (e) and 72.75 (2) of the statutes by this act applies to transfers which occur or are completed on or after January 1, 1978.

Vetoed
in Part (m) *Farmland tax credit.* The treatment of section 71.09 (11) (a) 1 (intro.), 3, 3m, 6. a and 7, (b) 1 and 2 and ~~(c)~~ of the statutes by this act applies to farmland tax credit claims filed in 1979 and thereafter and based upon property taxes accrued in the preceding calendar year.

(s) *Sales tax exemptions.* The treatment of sections 77.51 (7) (am), 77.52 (2) (a) 13, 77.53 (17), 77.54 (7), (10), (12), (15) and (29) and 77.61 (1) (a) and (c) of the statutes by this act takes effect on the first day of the first calendar month commencing at least 30 days after publication.

(44) SECRETARY OF STATE. (a) *Program fees.* The treatment of section 20.575 (1) (g) of the statutes by this act applies retrospectively to July 1, 1977.

(53) VOCATIONAL, TECHNICAL AND ADULT EDUCATION. (a) *Tuition and fees.* The treatment of section 38.24 (3) of the statutes by this act applies commencing with the 1978 summer school session.

(55) OTHER. (a) *Actions affecting marriage.* The treatment of sections 801.05 (11) and 801.07 (5) of the statutes by this act applies retrospectively to February 1, 1978. All actions filed under chapter 105, laws of 1977, shall be deemed to have the same validity and effect as if the treatment of sections 801.05 (11) and 801.07 (5) of the statutes by this act had been in effect on the date of filing.

(b) *Town assessors.* Notwithstanding section 60.60 (4) of the statutes, the salary or compensation rate of an elected town assessor may be increased at any time prior to April 15, 1979, to provide for the temporary increase in the number of assessments required to be conducted by town assessors under chapter 29, laws of 1977.

Vetoed
in Part (c) *Reconciliation: children's code.* 1. ~~The treatment of sections 48.31 (1) and 48.34 of the statutes by chapter ... (1977 Assembly Bill 874), laws of 1977, shall supersede the treatment of sections 48.31 (1) and 48.34 of the statutes by this act, and section 48.31 (4) of the statutes, as affected by this act, is renumbered section 48.22 (6) of the statutes, as of the effective date of chapter ... (1977 Assembly Bill 874), laws of 1977.~~

2. Section 48.22 (5) of the statutes, as created by chapter (1977 Assembly Bill 874), laws of 1977, is amended by this act to read:

“48.22 (5) A county board; or 2 or more county boards jointly, may contract with privately operated shelter care facilities or home detention programs for purchase of services. The county board may delegate this authority to county social services departments.”.

3. The treatment of section 48.24 of the statutes by chapter (1977 Assembly Bill 874), laws of 1977, shall supersede the treatment of section 48.24 of the statutes by chapter (1977 Assembly Bill 898), laws of 1977, except that section 48.24 (2)

of the statutes as created by chapter (1977 Assembly Bill 898), laws of 1977, shall be renumbered section 48.135 (2) of the statutes; and section 48.135 of the statutes, as created by chapter (1977 Assembly Bill 874), laws of 1977 shall be renumbered section 48.135 (1) of the statutes.

SECTION 929. Cross reference changes. In the sections of the statutes listed in Column A, the cross references shown in Column B are changed to the cross references shown in Column C:

(1) ADMINISTRATION. (a) *Payment for extraordinary police services.*

A	B	C
Statute Sections	Old Cross References	New Cross References
15.101 (6), as affected by chapter 196, laws of 1977	16.008	16.006
20.505 (1) (a), as affected by chapter 196, laws of 1977	16.008	16.006
20.865 (1) (b), as affected by chapter 196, laws of 1977	16.008	16.006
70.119 (2)	sub. (3) (e)	sub. (3) (d)

(8m) COURT OF APPEALS. (a) *General changes.*

A	B	C
Statute Sections	Old Cross References	New Cross References
754.26, as aff. by ch. 187, laws of 1977	Title XLII-N	chs. 851 to 879
754.30 (1), as aff. by ch. 187, laws of 1977	Title XLII-N	chs. 851 to 879
754.32 (2) and (3), as aff. by ch. 187, laws of 1977	Title XLII-N	chs. 851 to 879
754.33 (1) (a), as aff. by ch. 187, laws of 1977	Title XLII-N	chs. 851 to 879
756.096 (1), as aff. by ch. 187, laws of 1977	255.04	756.04
879.45 (5)	255.04 to 255.09 255.04 to 255.096 809.40	756.04 to 756.09 756.04 to 756.096 809.30 and 809.40
974.02 (1), as aff. by ch. 187, laws of 1977		

(16) EXECUTIVE COUNCILS. (a) *Highway safety.*

A	B	C
Statute Sections	Old Cross References	New Cross References
20.530 (1) (o), as renumbered	(qx), (qy) and (ry)	(m), (n) and (p)

(18) HEALTH AND SOCIAL SERVICES. (a) *Foster homes.*

A	B	C
Statute Sections	Old Cross References	New Cross References
48.76	48.62, 48.63 or 48.65	48.62 or 48.65
48.77	48.62, 48.63 or 48.65	48.62 or 48.65
48.90 (2)	48.63 or 48.98	48.98
49.43 (9), as created by chapter 29, laws of 1977	49.49 to 49.499	49.49 and 49.495
49.43 (11), as created by chapter 29, laws of 1977	49.49 to 49.499	49.49 and 49.495

(b) *Purchase of care and service.*

A	B	C
Statute Sections	Old Cross References	New Cross References
46.10 (8) (h)	46.036 (3) (g)	46.036

(37) NATURAL RESOURCES. (a) *Wisconsin natural resources.*

A	B	C
Statute Sections	Old Cross References	New Cross References
20.370 (5) (x), as created by chapter 29, laws of 1977	29.21	29.21 (1)

(b) *Forestation tax.*

A	B	C
Statute Sections	Old Cross References	New Cross References
25.29 (6) (a)	70.58 (2)	70.58
25.29 (6) (b)	70.58 (2)	70.58

(41) REGULATION AND LICENSING. (a) *General changes.*

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A	B	C
Statute Sections	Old Cross References	New Cross References
440.035 (2), as re-numbered	sub. (3)(e)	s. 440.04 (3)

(b) Authority to reprimand, limit, suspend and revoke.

A	B	C
Statute Sections	Old Cross References	New Cross References
298.04 (2) (intro.), as affected by chapter 26, laws of 1977	448.01 (13m)	448.01 (10)
446.01 (2)(b)	448.01 (13m)	448.01 (10)
448.01 (11), as renumbered	15.08 (5)	15.08 (5)(b)

(42) REVENUE.

(b) Correction of erroneous cross-reference.

A	B	C
Statute Sections	Old Cross References	New Cross References
79.19	79.12	79.17

(c) Levy limits.

A	B	C
Statute Sections	Old Cross References	New Cross References
60.175 (4), as affected by chapter 113, laws of 1977	sub. (2) (a)	sub. (2)
61.46 (3) (d), as affected by chapter 113, laws of 1977	par. (b) 1	par. (b)
65.07 (2) (d), as affected by chapter 113, laws of 1977	par. (b) 1	par. (b)
70.62 (4) (d), as affected by chapter 113, laws of 1977	par. (b) 1	par. (b)

(44) SECRETARY OF STATE. (a) Corporations and cooperatives.

A	B	C
Statute Sections	Old Cross References	New Cross References
180.769 (2)	sub. (1)(b) and (c)	sub. (1)(a) and (b)
185.72 (2)	sub. (1)(b) and (c)	sub. (1)(a) and (b)

(55) OTHER. (a) Miscellaneous.

A	B	C
Statute Sections	Old Cross References	New Cross References
15.107 (2), as created by chapter . . . (Assembly Bill 523), laws of 1977	16.75 (2)(c)	16.75 (4)(c)
15.151 (intro.), as affected by chapter . . . (Assembly Bill 523), laws of 1977	16.75 (2)(b)	16.75 (4)(b)
16.755 (4), as created by chapter . . . (Assembly Bill 523), laws of 1977	16.75 (2)(a)	16.75 (4)(a)
20.255 (2) (b)	16.71 (4)	16.71
20.285 (1) (c)	16.71 (4)	16.71
20.435 (9) (f)	16.71 (4)	16.71
20.465 (1) (f)	16.71 (4)	16.71
20.485 (1) (c)	16.71 (4)	16.71
20.505 (1) (d)	16.71 (4)	16.71
25.42, as created by chapter 107, laws of 1977	20.855 (2) (e)	20.855 (2) (b)
49.175 (4)	49.45 (6m) (a) 1	49.45 (6m) (a) 1
51.37 (5) (a)	sub. (2) or (3)	ss. 51.37 (2), 1975 stats. or sub. (3)
66.432 (1) and (2)	51.434 (1)	51.01 (5)
84.03 (9) (a)	20.395 (4) (q)	20.395 (3)
101.22 (1), (1m) (b) and (4n)	51.434 (1)	51.01 (5)
101.223 (1) and (2)	51.434 (1)	51.01 (5)
118.13	51.434 (1)	51.01 (5)
138.20 (1)	51.434 (1)	51.01 (5)
227.033 (1), as affected by chapter 83, laws of 1977	51.434 (1)	51.01 (5)
227.22 (3)	227.075	227.064
625.12 (2)	51.434 (1)	51.01 (5)
942.04 (1) (a), (c) and (d)	51.434 (1)	51.01 (5)

(b) *Organization of a housing project.*

Statute Sections	A	B	C
66.39 (8)		Old Cross References 66.40 (10) to (21) and (24)	New Cross References 66.40 (10) to (21) and (24) (a)
66.395 (5)		66.40 (5) to (26)	66.40 (5) to (24) (a), (25) and (26)

SECTION 930. Effective dates. All sections of this act take effect on the day following publication, unless another date is provided in such sections and except as further provided in this section.

(1) **ADMINISTRATION.** (a) *Civil service.* The treatment of sections 22.06 (5), 93.02, 165.055 (4), 230.08 (4) (a) (intro.) and 560.02 of the statutes by this act takes effect February 1, 1979.

(3) **AGRICULTURE, TRADE AND CONSUMER PROTECTION.** (a) *Fertilizer research.* The repeal of sections 15.137 (5) and 94.64 (8m) (b) of the statutes by this act takes effect on the July 1 three years after the effective date of this act.

(7) **BUSINESS DEVELOPMENT.** (a) *Tourism advertising and promotion.* The treatment of section 20.135 (2) (q) of the statutes by this act takes effect July 1, 1978.

(8) **CIRCUIT AND COUNTY COURTS.** (a) *General provisions.* The treatment of sections 753.18 (2) and 757.02 (5) of the statutes by this act takes effect August 1, 1978.

(b) *Aids for trials of indigents.* The treatment of section 256.65 of the statutes by SECTION 750m of this act takes effect August 1, 1978.

(c) *Economic adjustments.* The treatment of section 252.07 (2) of the statutes by SECTION 749 of this act takes effect August 1, 1978.

(d) *Retired judges.* The treatment of sections 252.075 (2), 252.076 and 253.195 of the statutes by SECTIONS 749h, 749n and 749q of this act takes effect August 1, 1978.

(8m) **COURT OF APPEALS.** (a) *Temporary vacancies.* The treatment of section 17.026 (2) of the statutes by this act takes effect August 1, 1978.

(b) *Numbering changes.* The treatment of section 974.06 (7) and Titles XLII-D and XLII-N of the statutes and SECTION 930 (8m) (a) of this act by this act takes effect August 1, 1978.

(c) *Appeals in actions to recover forfeitures.* The treatment of section 66.12 (2) of the statutes by this act shall take effect August 1, 1978.

(12) **EMPLOYEE TRUST FUNDS.** (a) *Union service leave.* The creation of section 40.195 of the statutes by this act shall take effect on the date that subchapters III to VI of chapter 40 of the statutes, as created by chapter (Assembly Bill 656), laws of 1977, take effect and if chapter (Assembly Bill 656), laws of 1977, is not enacted then that creation is void. On and after the date section 40.195 of the statutes, as created by this act, takes effect the creation of section 40.18 (4) of the statutes by this act is void.

(16) **EXECUTIVE COUNCILS.** (a) *Council on criminal justice.* The repeal of sections 14.017 (5), 14.27, 20.530 (2) and 20.923 (4) (d) 6 [3m] of the statutes by this act shall take effect June 30, 1980, or the general effective date of the 1980 budget review bill, whichever is later.

(18) **HEALTH AND SOCIAL SERVICES.** (a) *Nursing home.* The treatment of section 49.45 (6m) (a) of the statutes by this act takes effect January 1, 1979.

(b) *Youthful offenders.* The treatment of chapter 54 and sections 1.025, 46.03 (6) (i), 48.34 (3) (a), 53.055, 227.01 (11) (h), 946.42 (3) (e), 972.13 (1), (2) and (6), and 975.05 of the statutes by this act takes effect July 1, 1978.

(c) *Institution name changes.* The treatment of the following sections of the statutes by this act takes effect on July 1, 1979: 12.60 (1) (a), 13.48 (7), 20.916

(3), 36.25 (6) (d), 46.047, 46.22 (5) (am), 53.01, 53.02 (1), (2), (4) and (4n), 53.05 (intro.) and (1), 53.18 (1), 53.21, 56.02 (1), 56.07 (2) and (3), 56.18 (1) and (4), 56.19 (4), 112.05, 134.16, 139.25 (1), 155.10, 176.05 (9), 176.051, 176.405 (2), 181.69, 215.12, 220.06 (2), 221.17, 221.31 (2), 221.39, 221.40, 341.12 (2), 809.24 and 939.60.

(d) *Institution name changes.* The treatment of the section of the statutes in Column A by the section of this act in Column B takes effect on July 1, 1979:

Column A	Column B
statute Section	SECTION of this act
20.435 (3) (jm)	131
46.03 (1)	287
49.10 (12) (f) 1	332
53.01	369

(dm) *Uniform foster care rates.* The treatment of section 49.19 (12) of the statutes by this act takes effect July 1, 1978.

(e) *Institution name changes.* The treatment of the following sections of the statutes by this act takes effect on January 1, 1981: 16.51 (7), 46.10 (8m) (a) and (14), 46.22 (5) (a) 2, 51.37 (title), (2), (5) (a), (8) (b) and (9), 53.02 (4d), 66.191 (1), 102.475 (8) (b), 140.85 (3), 176.30 (3) and 230.36 (1) and (3) (c) (intro.).

(em) *Aid to families with dependent children.* The treatment of section 49.19 (1) (a), (2) (p) and (4) (a) and (g) and 49.50 (7) (d) of the statutes by this act takes effect July 1, 1978.

(f) *Institution name changes.* The treatment of the section of the statutes in Column A by the section of this act in Column B takes effect on January 1, 1981:

Column A	Column B
statute Section	SECTION of this act
20.435 (3) (jm)	924 (18)(d) 3
46.03 (1)	924 (18)(d) 3
49.10 (12) (f) 1	924 (18)(d) 3
53.01	924 (18)(d) 1

(g) *Purchase of care and services.* The treatment of section 46.036 of the statutes by this act shall take effect on January 1, 1979.

(h) *Medical assistance applied receipts.* The treatment of section 20.435 (2) (a) of the statutes by this act shall take effect on July 1, 1978.

(i) *Community-based residential facilities.* The treatment of sections 46.03 (22) (a), 48.02 (7m), 48.67 (3), 48.68 (2) and (3), 48.745 (title) and (1) to (3) and 50.03 (2) (d) and (3) (e) of the statutes by this act takes effect on the effective date of this act or on the effective date of chapter ... (Assembly Bill 383), laws of 1977, whichever is later.

(j) *Emergency fuel and utilities assistance.* The treatment of section 49.055 of the statutes by this act takes effect July 1, 1978.

(k) *Aid to 18-year-old students.* The treatment of section 49.20 of the statutes by this act shall take effect on July 1, 1978.

(23) INDUSTRY, LABOR AND HUMAN RELATIONS. (a) *Manpower council.* The repeal of section 20.530 (3) (title), (a), (m) and (n) of the statutes by this act is effective July 1, 1979.

(b) *Manpower.* The creation of section 20.445 (3) (title), (m), (n) and (p) of the statutes by this act is effective July 1, 1978.

(c) *Transcripts.* The treatment of section 102.25 (1) of the statutes by this act takes effect August 1, 1978.

(30) LEGISLATURE. (a) *Chief clerks and sergeants at arms.* The treatment of sections 13.15 (2) and 13.18 (2) of the statutes by this act takes effect on January 1, 1979.

(32) LOCAL AFFAIRS AND DEVELOPMENT. (a) *Eminent domain.* The treatment of sections 20.545 (1) (b), (2) (b) and (e) and ~~32.05 (7) (d) and 32.27 (2) (b)~~ of the statutes by this act and of chapter 29, laws of 1977, section 1626 (6) takes effect on July 1, 1978.

(37) NATURAL RESOURCES. (a) *Forest croplands*. The treatment of sections 77.02 (2) and (3), 77.04 (2) and (3), 77.05 (2) and 77.16 (2), (4) and (7) of the statutes, by this act, takes effect on January 1, 1979.

(b) *Hearing examiners*. The treatment of sections 15.101 (1m), 15.103 (2), 20.505 (8), 227.012, 227.065, 227.066, 227.07 (2) (c), (4) (b) and (5), 227.075, 227.08 (1) to (4) and (7) (a), 227.09 (1) (intro.), 227.10, 227.13 (2) and 227.22 (3) of the statutes, and SECTIONS 927 (37) (ve) and 928 (37) (a) of this act by this act takes effect on July 1, 1978.

(38) PUBLIC DEFENDER. (a) *Judicial court commissioner*. 1. The treatment of section 256.68 (3) (b) 2 of the statutes by SECTION 751 of this act takes effect July 1, 1978.

2. The treatment of section 256.68 (3) (b) 2 of the statutes by SECTION 752 of this act takes effect August 1, 1978.

(b) *Preparation of record*. The treatment of section 967.06 of the statutes by this act takes effect July 1, 1978.

(39) PUBLIC INSTRUCTION. (b) *Declining enrollment provision*. The treatment of section 121.004 (8) of the statutes by this act takes effect July 1, 1978.

(bm) *Transfer aids for citywide schools*. The treatment of section 121.85 (2) (b) of the statutes by this act takes effect on July 1, 1978.

(c) *Hearing officers*. The creation of sections 115.76 (5m) and 115.81 (4m) of the statutes, and the treatment of sections 115.81 (2) (d), (4) and (6) of the statutes by this act take effect on July 1, 1978.

(d) *Membership of transferred pupils*. The creation of section 121.78 (3) of the statutes, and the treatment of section 121.05 (1) (a) 3 of the statutes by this act take effect on July 1, 1978.

(e) *Membership of concurrently enrolled pupils*. The treatment of section 121.004 (5) (a) and (e) of the statutes by this act takes effect on July 1, 1978.

(42) REVENUE. (a) *Dates relating to property taxation*. The treatment of sections 70.995 (12) and 120.17 (8) (c) of the statutes by this act takes effect January 1, 1979.

(b) *Tax incremental finance*. The treatment of sections 66.46 (2) (f) (intro.) and (i), (4) (d) to (f), (5) (a) and (d) to (f), (6) (b), (7) (b), (9) (a) 7 and 8 and (b) 3 and (11) (a) and (b), 67.025, 79.03 (3) (e) 2. d and f, 79.10 (4) (a) and 79.17 (6) (a) and the creation of sections 66.46 (2) (f) 10 and (m), (4) (e) and (f), (5) (d) and (9) (a) 9 of the statutes by this act takes effect on July 1, 1978.

(c) *Manufacturing machinery and equipment*. The treatment of section 70.996 (1) and (1m) of the statutes by this act takes effect April 30, 1978.

(k) *Railroad taxes*. The treatment of sections 25.40 (1) (i) and 76.24 (4) of the statutes by this act takes effect on July 1, 1978.

(48) TRANSPORTATION. (a) *Miscellaneous*. The treatments of the following sections of the statutes by this act take effect July 1, 1978: 20.355, 20.395 (3) (rj), (sj), (tj), (uj), (vj) and (wj), (6) (ad) and (td), (7) and (9) (qk), 25.40 (1) (a) and (2), 84.09 (5) and 347.24 (1) and (2).

(b) *Vehicle registration*. The treatment of sections 341.05 (13m), 341.06 (1) (am), 341.25 (1) (g), (gd), (ge) and (gg) and (2), 341.26 (3) (g) and 341.30 (1) (f) of the statutes by this act takes effect the day following publication and apply immediately to the registration of any vehicle affected thereby, except that the treatment shall apply on the commencement of the first full registration period beginning after December 31, 1977, for any vehicles for which such registration period has not begun prior to the effective date of this act.

(c) *Judicial review*. The treatment of section 344.03 of the statutes by this act takes effect August 1, 1978.

(52) VETERANS AFFAIRS. (a) *Veterans tuition*. The treatment of section 21.49 (3) (d) of the statutes by this act takes effect July 1, 1978, and applies to determinations of eligibility for tuition grants made with respect to any application on or after the effective date, regardless of when the application was submitted.

(55) OTHER. (a) *Inflation and records center charges*. The repeal by this act of section 20.865 (1) (fo), (Lo) and (vo) of the statutes and the creation by this act of SECTION 926 takes effect on July 1, 1978.

~~(c) *Manager's license*. The treatment of sections 66.054 (10m) (a), (am) and (c) (intro.) and 176.05 (10m) (a) (intro.) of the statutes by this act takes effect on June 30, 1978, or on the day after publication of chapter ... (Assembly Bill 1119), laws of 1977, whichever is later.~~

Vetoed
in Part
