

1991 Assembly Bill 91

Date of enactment: August 8, 1991
Date of publication: August 14, 1991

1991 Wisconsin Act 39

(Vetoed in Part)

AN ACT relating to state finances and appropriations, constituting the executive budget act of the 1991 legislature, and making appropriations.

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

SECTION 18. 13.101 (6) (a) of the statutes is amended to read:

13.101 (6) (a) As an emergency measure necessitated by decreased state revenues and to prevent the necessity for a state tax on general property, the committee may reduce any appropriation made to any board, commission, department, the university of Wisconsin system or to any other state agency or activity by such amount as it deems feasible, not exceeding 25% of the appropriations, except appropriations made by ss. 20.255 (2) (ac), (ba), (bc), (bh), (bm), (cg) and (cr), 20.395 (1), (2) (cq), (eq) to (ex) and (gq) to (gx), (3), (4) (aq) to (ax) and (6) (aq) and (ar), 20.435 (4) (a), (d) and (e), (6) (a) and (7) (d), (da) and (e) or for forestry purposes under s. 20.370 (1), or any other moneys distributed to any county, city, village, town or school district. Appropriations of receipts and of a sum sufficient shall for the purposes of this section be regarded as equivalent to the amounts expended under such appropriations in the prior fiscal year which ended June 30. All functions of said state agencies shall be continued in an efficient manner, but because of the uncertainties of the existing situation no public funds should be expended or obligations incurred unless there shall be adequate revenues to meet the expenditures therefor. For such reason the committee may make reductions of such appropriations as in its judgment will secure sound financial operations of the administration for said state agencies and at the same time interfere least with their services and activities.

SECTION 18f. 13.106 (title) of the statutes is amended to read:

13.106 (title) Medical college of Wisconsin and UW-Madison medical school reports.

SECTION 18g. 13.106 (3) of the statutes is created to read:

13.106 (3) The medical college of Wisconsin and the university of Wisconsin-Madison medical school shall submit an annual report to the governor and to the chief clerk of each house of the legislature for distribution to the legislature under s. 13.172 (2) that provides information on all of the following:

(a) The financial status of the family practice residency sites.

(b) The number of family practice residents choosing to practice in medically underserved areas of the state upon graduation.

(c) The number of graduates entering family practice as a career.

SECTION 18gm. 13.48 (2) (b) 1m of the statutes is amended to read:

13.48 (2) (b) 1m. The university of Wisconsin system may not accept any gift, grant or bequest of real property with a value in excess of \$30,000 or any gift, grant or bequest of a building or structure that is constructed for the benefit of the system or any institution thereof without the approval of the building commission.

SECTION 18r. 13.48 (2) (b) 4 of the statutes is amended to read:

13.48 (2) (b) 4. Notwithstanding subd. 3, the building commission, upon request of the department of administration, may lease or provide space in buildings described under subd. 2 to day child care providers and, whether or not a day child care provider operates for profit, may charge it an annual rent determined by the ~~building~~ commission.

SECTION 20. 13.48 (3) of the statutes is amended to read:

13.48 (3) STATE BUILDING TRUST FUND. In the interest of the continuity of the program, the moneys appropriated to the state building trust fund under s. 20.867 (2) (f) shall be retained as a nonlapsing building depreciation reserve. Such moneys shall be deposited into the state building trust fund. At such times as the building commission directs, or in emergency situations under s. 16.855 (16) (b), the governor shall authorize releases from this fund to become available for projects and shall direct the department of administration to allocate from this fund such amounts as are approved for these projects. In issuing such directions, the building commission shall consider the cash balance in the state building trust fund, the necessity and urgency of the proposed improvement, employment conditions and availability of materials in the locality in which the improvement is to be made. The building commission may authorize any project amounting to \$250,000 or less in accordance with priorities to be established by the building commission and may adjust the priorities by deleting, substituting or adding new projects as needed to reflect changing program needs and unforeseen circumstances. The building commission may enter into contracts for the construction of buildings for any state agency and shall be responsible for accounting for all funds released to projects. The building commission may designate the department of administration or the agency for which the project is constructed to act as its representative in such accounting.

SECTION 20m. 13.48 (7) of the statutes is renumbered 13.48 (8).

SECTION 20n. 13.48 (7) of the statutes is created to read:

Vetoed in Part 13.48 (7) BIENNIAL RECOMMENDATIONS. The building commission shall prepare and formally adopt recommendations for the long-range state building program on a biennial basis and shall, prior to March 15 of each odd-numbered year, transmit those recommendations for the succeeding fiscal biennium that require legislative approval to the joint committee on finance in the form of proposed legislation prepared in proper form.

SECTION 21. 13.48 (10) of the statutes is amended to read:

13.48 (10) APPROVAL BY BUILDING COMMISSION. No state board, agency, officer, department, commission or body corporate may enter into a contract for the construction, reconstruction, remodeling of or addition to any building, structure, or facility, which involves a cost in excess of ~~\$30,000~~ \$100,000, without completion of final plans and arrangement for supervision of construction and prior approval by the building commission. The building commission may not approve a contract for the construction, reconstruction, renovation or remodeling of or an addition to a state building as defined in s. 44.51 (2) unless it

determines that s. 44.57 has been complied with or does not apply. This section applies to the department of transportation only in respect to buildings, structures and facilities to be used for administrative or operating functions. This subsection does not apply to contracts by the department of natural resources for construction work related to hazardous substance spill response under s. 144.76 or environmental repair under s. 144.442. This subsection does not apply to projects approved by the governor in response to emergency situations under s. 16.855 (16) (b) or to allocations from the appropriation made under s. 20.867 (2) for special category projects when the building commission has released funds under sub. (3) and has also approved a plan for the expenditure of those funds. "Special category projects" for the purpose of this subsection include but are not limited to projects such as special maintenance, energy conservation, handicapped access and advance property acquisition designated by the building commission.

SECTION 21h. 13.48 (14) (a) of the statutes is amended to read:

13.48 (14) (a) Subject to par. (d), the building commission shall have the authority to sell or lease all or any part of ~~buildings and sites a state-owned building or structure or state-owned land, including farm lands farmland,~~ where such authority is not otherwise provided to an agency by law, and may transfer ~~lands land~~ under its jurisdiction among state agencies.

SECTION 21j. 13.48 (14) (b) of the statutes is amended to read:

13.48 (14) (b) Subject to par. (d), the building commission shall sell or lease on the basis of either public bids, with the building commission reserving the right to reject any or all bids in the best interest of the state, or negotiated prices. ~~Land and buildings~~ Buildings, structures and land mentioned in this subsection shall be subject to general property taxes levied by those taxing bodies within whose area they lie if used for commercial purposes, and shall ~~upon resolution of the building commission~~ be subject to special assessments for public improvements in the same manner and to the same extent as privately owned buildings, structures and land, subject to approval of the building commission when required under s. 66.60 (4).

SECTION 21p. 13.48 (25) of the statutes is created to read:

13.48 (25) WISCONSIN INITIATIVE FOR STATE TECHNOLOGY AND APPLIED RESEARCH. There is created a program, to be known as the Wisconsin initiative for state technology and applied research, for the purpose of providing financial support to maintain the ability of the university of Wisconsin system and other state agencies, as defined in s. 20.001 (1), to attract federal and private research funds which enable the state to engage in high-technology endeavors, which expand the state's economy and which influence the ability of the state and nation to compete in an increasingly

Vetoed in Part complex world. To carry out the program, the building commission may authorize, in accordance with s. 20.924 (1), new construction projects and projects to repair and renovate existing research facilities and supporting systems. Projects shall be financed from the appropriation under s. 20.866 (2) (z) or as otherwise provided in the authorized state building program.

SECTION 21r. 13.48 (27) of the statutes is created to read:

Vetoed in Part 13.48 (27) LEASE OF CORRECTIONAL FACILITIES. (a) **Vetoed in Part** In lieu of construction, the building commission may lease any facility to be constructed for use of the department of corrections as a part of the authorized state building program, with an option to purchase the facility by the state. Any lease shall provide for the facility to be constructed in accordance with requirements and specifications approved by the department of administration and shall permit inspection of the site and facility by agents of the department **Vetoed in Part** during construction. The lessor shall have prior experience in public financing, criminal justice facility planning, design, construction, site development and environmental impact analysis and a demonstrated ability to construct the facility in accordance with requirements and specifications approved by the department.

(b) A lessor under par. (a) is a contractor for purposes of s. 16.754 with respect to any work performed under the lease.

(c) A lessor under par. (a) is a contracting agency for purposes of s. 16.765 (1) to (3) and (5) to (11) with respect to any contract entered into for the purpose of carrying out its functions under the lease, and shall not enter into any contract for that purpose that a state agency is prohibited from entering into under s. 16.765 (8).

(d) A lessor under par. (a) shall exercise the responsibility of the department of administration under s. 16.855 with respect to any construction work performed under the lease, except that:

1. The lessor shall adhere to the determinations of the department of administration under s. 16.855 (1).

2. The approval of the attorney general is not required to settle cases under s. 16.855 (4).

3. The lessor shall attempt to assure that 5% of the total amount expended for construction of any facility to be constructed under the lease is paid to minority businesses as defined in s. 16.75 (3m) (a), and the lessor may award a contract to such a minority business that submits a qualified responsible bid that is not more than 5% higher than the apparent low bid. The lessor shall report to the department of administration any amount of business performed under the lease for such construction work that was subcontracted to minority businesses and the department shall include any such business in its data maintained and published under s. 16.855 (10m) (c).

4. Section 16.855 (14) (b) does not apply to any construction work performed under the lease. The

state is not liable for any delay caused by any contractor for such work. A delayed contractor may bring an action for damages against any delaying contractor who is engaged to perform such work. **Vetoed in Part**

5. The lessor shall adhere to rules of the department of administration promulgated under s. 16.855 (15).

(e) Any contract for construction work entered into by the lessor pursuant to the lease is subject to s. 103.49. For purposes of such application:

1. The lessor shall be considered a state department, and the officers and employees of the lessor shall be considered state officers and employees under s. 103.49 (2) to (4).

2. The department of industry, labor and human relations shall ascertain prevailing wage rates, prevailing hours of labor and hourly basic rates of pay under s. 103.49 (3) and certify the rates to the lessor.

3. The department of industry, labor and human relations shall enforce s. 103.49 and the lessor shall furnish the documents required under s. 103.49 (5) to the department.

4. The lessor is considered to be a state agency for purposes of s. 103.49 (7).

5. The lessor shall adhere to rules promulgated by the department of industry, labor and human relations under s. 103.49.

SECTION 21s. 13.48 (28) of the statutes is created to read:

13.48 (28) LEASE OF ALCOHOL AND OTHER DRUG ABUSE FACILITY IN CITY OF MILWAUKEE. In lieu of construction, the building commission may lease a facility in a county jail or one or more other facilities to be used by the department of corrections as an alcohol and other drug abuse facility in the city of Milwaukee. If the facility is constructed by a lessor for the use of the department of corrections, the construction shall be performed in accordance with sub. (27).

SECTION 21v. 13.48 (29) of the statutes is created to read: **Vetoed in Part**

13.48 (29) ETHAN ALLEN SCHOOL CONSTRUCTION MORATORIUM. For 2 years after the completion of the 30-bed secure housing unit at Ethan Allen school authorized under 1991 Wisconsin Act ... (this act), section 9108 (1) (d), the building commission may not authorize the construction of any additional cottages at Ethan Allen school.

SECTION 22b. 13.50 (6) (a) of the statutes is amended to read:

13.50 (6) (a) No bill or amendment thereto creating or modifying any system for, or making any provision for, the retirement of or payment of pensions to public officers or employees, shall be acted upon by the legislature until it has been referred to the joint survey committee on retirement systems and such committee has submitted a written report on the proposed bill or amendment. Such report shall pertain to the probable costs involved, the effect on the actuarial soundness of the retirement system and the desirability of such proposal as a matter of public policy.

SECTION 22bm. 13.50 (6) (am) of the statutes is created to read:

13.50 (6) (am) The cochairpersons of the joint survey committee on retirement systems or the cochairpersons of the joint committee on finance, with respect to any bill or amendment specified in par. (a), or the presiding officer of either house of the legislature, with respect to any bill or amendment specified in par. (a) that is pending in his or her house, may make a determination, based on any available information, that the bill or amendment may have a significant fiscal impact on the costs, actuarial balance or goals of the Wisconsin retirement system and order the attachment of an independent actuarial opinion on such impact. The cochairpersons or presiding officer ordering such an opinion shall direct the staff under sub. (4) to obtain the opinion. The staff shall make payment for the opinion from the appropriation under s. 20.765 (2) (ab).

SECTION 22br. 13.50 (6) (b) of the statutes is amended to read:

13.50 (6) (b) No bill or amendment thereto creating or modifying any system for the retirement of public employees shall be considered by either house until the written report required by par. (a) ~~has and the actuarial opinion ordered under par. (am), if any, have been submitted to the chief clerk. Each such bill or amendment shall then be referred to a standing committee of the house in which introduced. The report of the joint survey committee and actuarial opinion, if any, shall be printed as an appendix to the bill and attached thereto as are amendments.~~

Vetoed in Part SECTION 23m. 13.62 (11n) of the statutes is created to read:

13.62 (11n) "Nonprofit organization" has the meaning given in s. 108.02 (19).

SECTION 23p. 13.625 (3) of the statutes is amended to read:

13.625 (3) No candidate for an elective state office, elective state official, agency official or legislative employe of the state may solicit or accept anything of pecuniary value from a lobbyist or principal, except as permitted under subs. (1) (b) 3 and (c), (2), (5), (6) and (7), (8) and (9). No personal campaign committee of a candidate for state office may accept anything of pecuniary value from a lobbyist or principal, except as permitted for such a candidate under subs. (1) (b) 3 and (c), (2) and (6).

SECTION 24. 13.625 (8) of the statutes is created to read:

13.625 (8) Subsection (3) does not apply to the solicitation of anything of pecuniary value for the benefit of the endangered resources program, as defined in s. 71.10 (5) (a) 2, by an agency official who administers the program.

SECTION 24e. 13.625 (9) of the statutes is created to read:

13.625 (9) This section does not apply to the solicitation, acceptance, or furnishing of anything of pecuniary value by the department of development, or to a principal furnishing anything of pecuniary value to the department of development, under s. 19.56 (3) (e) or (f) for the activities specified in s. 19.56 (3) (e).

SECTION 24k. 13.75 (1) of the statutes is amended to read:

13.75 (1) Obtaining a license under s. 13.63 (1), \$50 \$200.

~~SECTION 24kk. 13.75 (1) of the statutes, as affected by 1991 Wisconsin Act ... (this act), section 24k, is repealed and recreated to read:~~

~~13.75 (1) For a lobbyist representing a nonprofit organization obtaining a license under s. 13.63 (1), \$50, and for any other lobbyist obtaining a license under s. 13.63 (1), \$200.~~

~~SECTION 24kkk. 13.75 (1) of the statutes, as affected by 1991 Wisconsin Act ... (this act), sections 24k and 24kk, is repealed and recreated to read:~~

~~13.75 (1) Obtaining a license under s. 13.63 (1), \$50.~~

SECTION 24m. 13.75 (2) of the statutes is amended to read:

13.75 (2) Filing the principal registration form under s. 13.64, \$100 \$300.

~~SECTION 24mm. 13.75 (2) of the statutes, as affected by 1991 Wisconsin Act ... (this act), section 24m, is repealed and recreated to read:~~

~~13.75 (2) For a nonprofit organization filing a principal registration form under s. 13.64, \$100, and for any other principal filing a principal registration form under s. 13.64, \$300.~~

~~SECTION 24mmm. 13.75 (2) of the statutes, as affected by 1991 Wisconsin Act ... (this act), sections 24m and 24mm, is repealed and recreated to read:~~

~~13.75 (2) Filing a principal registration form under s. 13.64, \$100.~~

SECTION 24n. 13.75 (4) of the statutes is amended to read:

13.75 (4) Filing an authorization statement under s. 13.65, \$10 \$100.

~~SECTION 24nn. 13.75 (4) of the statutes, as affected by 1991 Wisconsin Act ... (this act), section 24n, is repealed and recreated to read:~~

~~13.75 (4) Filing an authorization statement on behalf of a nonprofit organization under s. 13.65, \$10, and filing an authorization statement under s. 13.65 on behalf of any other organization, \$100.~~

~~SECTION 24nnn. 13.75 (4) of the statutes, as affected by 1991 Wisconsin Act ... (this act), sections 24n and 24nn, is repealed and recreated to read:~~

~~13.75 (4) Filing an authorization statement under s. 13.65, \$10.~~

~~SECTION 24s. 13.92 (1) (b) 1 of the statutes is renumbered 13.92 (1) (b) 1. (intro.) and amended to read:~~

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~~13.92 (1) (b) 1. (Intro.) Prepare in the proper form all legislation to be introduced in the legislature. Only the following may utilize the legal services of the bureau for this purpose.~~

~~SECTION 24i. 13.92 (1) (b) 1. a. to c. of the statutes are created to read:~~

~~13.92 (1) (b) 1. a. Any member or member-elect of the legislature and, on behalf of each committee thereof, the chairperson.~~

~~b. Any agency, as defined in s. 16.70 (1).~~

~~c. The chief clerk of either house of the legislature for requests pertaining to the legislature.~~

SECTION 25. 13.92 (1) (b) 3. d. to f. of the statutes are consolidated, renumbered 13.92 (1) (b) 4 and amended to read:

13.92 (1) (b) 4. No later than the next working day following the deposit of the act in the secretary of state's office, the secretary of state shall inform the bureau of the act number, date of enactment and the date of publication under s. 35.095. The Publish each act on its date of publication. Upon receipt of notice from the secretary of state under s. 14.38 (10) (a), the bureau shall enter the act number, date of enactment and date of publication of each act on the camera-ready copy and deliver it to the contract printer for reproduction. The copy shall identify material deleted from existing law by stricken type, and material inserted into existing law by underscored type. In any act published "vetoed in part", the material subject to the veto shall be displayed in full but shall be identified by distinguishing marks. e. Printed The bureau shall make copies shall be available on or before the date of publication of the act. f. The number of copies printed, and the quality of paper used, shall be as provided in the joint rules and as further determined by the joint committee on legislative organization.

SECTION 26. 13.92 (1) (b) 4 of the statutes is renumbered 13.92 (1) (b) 5.

SECTION 27. 13.92 (1) (b) 6 of the statutes is created to read:

13.92 (1) (b) 6. Publish the "Laws of Wisconsin" under s. 35.15.

SECTION 27m. 13.92 (1) (d) 2 of the statutes is amended to read:

13.92 (1) (d) 2. Subject to review by the department of administration under s. 46.97 16.971, and approval by the joint committee on legislative organization, provide and maintain a data system to meet legislative needs for text searching, text processing and records keeping.

SECTION 28. 13.92 (1) (e) 3 of the statutes is amended to read:

13.92 (1) (e) 3. Printing Publication of session laws the Laws of Wisconsin under s. 35.15 and publication of acts under s. 35.095.

SECTION 29. 13.92 (1) (e) 5 of the statutes is amended to read:

13.92 (1) (e) 5. Microfilming or optical imaging of reference materials and legislative drafting records under par. (a) 1 and 3.

SECTION 30. 13.93 (2) (h) of the statutes is amended to read:

13.93 (2) (h) Approve specifications and scheduling for computer data bases containing the Wisconsin statutes and for the printing of the Wisconsin statutes as prescribed in ss. 46.97 16.971 (6) and 35.56 (5).

~~SECTION 30m. 13.94 (1) (bm) of the statutes is amended to read:~~

~~13.94 (1) (bm). In the 1987-88 and 1991-92 fiscal years, audit, under par. (b), the soil and water resource management program in the department of agriculture, food and trade and consumer protection and the nonpoint source water pollution abatement program under the department of natural resources. The audit of the nonpoint source water pollution abatement program shall include a review of the priority watershed and priority lakes planning methods, priority watershed and priority lakes selection, program and budget management of priority watershed and priority lakes projects and project and program evaluation methods.~~

SECTION 30p. 13.94 (1) (dg) of the statutes is created to read:

13.94 (1) (dg) Annually, by October 1, perform a financial audit of expenditures made under the grant for dental services under s. 140.87.

SECTION 31. 13.94 (7) of the statutes is created to read:

13.94 (7) DEMONSTRATION PROJECT AUDIT. On December 1, 1995, the legislative audit bureau is requested to complete a performance evaluation audit of the demonstration projects that are developed and administered under grants awarded under s. 46.935 (5) and to file a report as provided under sub. (1) (b). For each project the audit, if performed, shall evaluate the number and characteristics of adolescents and parents of adolescents educated and served, the educational programs and services provided and the results achieved. In particular, for each project the audit shall report on the number of adolescents who participated in the educational programs for pregnancy prevention, what educational programs for pregnancy prevention were provided, the outcome of known pregnancies, any change in the pregnancy rate in the adolescent population served by the project and any other relevant information, as determined by the legislative audit bureau.

~~SECTION 31m. 14.017 (3) of the statutes is created to read:~~

~~14.017 (3) TRIBAL AND COMMUNITY RELATIONS COUNCILS. (a) Definitions. In this subsection,~~

~~1. "Council" means a tribal and community relations council.~~

~~2. "Indian band" means any band in this state of a federally recognized tribe of American Indians.~~

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3. "Indian tribe" means any federally recognized American Indian tribe in this state that does not have one or more bands in this state.

4. "Surrounding municipality" means a city, village or town that is at least partially located within a 75-mile radius of a reservation of an Indian tribe or an Indian band that has a member representing the tribe or band on a council.

(b) *Creation.* There is created in the office of the governor 5 tribal and community relations councils. Each council consists of the following 12 members, appointed for 3-year terms:

1. Six members of Indian tribes or bands, appointed by the governor from recommendations received from the governing bodies of Indian tribes or bands.

2. Six members, each of whom is a resident of a surrounding municipality that corresponds with a member appointed under subd. 1.

(c) *Cochairpersons.* The governor shall designate 2 cochairpersons of each council, one cochairperson from members appointed under par. (b) 1 and one cochairperson from members appointed under par. (b) 2.

SECTION 31p. 14.066 of the statutes is created to read:

14.066 Expenditure of federal anti-drug abuse law enforcement funds. (1) In this section:

(a) "Anti-drug abuse law enforcement funds" means any anti-drug abuse law enforcement funds that the federal government disburses to this state under any act of congress, court order or administrative action.

(b) "Federal fiscal year 1992" means the federal fiscal year beginning October 1, 1991, and ending September 30, 1992.

(2) Notwithstanding s. 16.54, the governor may not authorize the expenditure of any anti-drug abuse law enforcement funds disbursed for federal fiscal year 1992 unless a proposal for that expenditure under sub. (3) has been approved by the joint committee on finance.

(3) By January 1, 1992, the governor shall submit to the joint committee on finance and to the chief clerk of each house of the legislature, for distribution under s. 13.172 (3) to the appropriate legislative standing committees generally responsible for legislation related to law enforcement issues, a proposal for the expenditure of anti-drug abuse law enforcement funds. The proposal shall describe how the anti-drug abuse law enforcement funding will be coordinated with other state programs for state and local activities. Within 30 days after receipt of the proposal, each such standing committee may submit in writing recommendations on the proposal to the joint committee on finance.

(4) Thirty days after receipt of the proposal under sub. (3) or upon receipt of the recommendations of the standing committees under sub. (3), whichever is

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sooner, the joint committee on finance shall schedule a meeting under s. 13.10 to approve, modify or disapprove the proposal.

(5) The governor may not make any amendment to any proposal for the expenditure of anti-drug abuse law enforcement funds that has been approved by the joint committee on finance unless that amendment is approved or modified and approved by the joint committee on finance.

SECTION 33m. 14.25 of the statutes is created to read:

14.25 Tribal and community relations councils. (1) DEFINITIONS. In this section:

(a) "Council" has the meaning given in s. 14.017 (3) (a) 1.

(b) "Indian band" has the meaning given in s. 14.017 (3) (a) 2.

(c) "Indian tribe" has the meaning given in s. 14.017 (3) (a) 3.

(d) "Surrounding municipality" has the meaning given in s. 14.017 (3) (a) 4.

(2) *Duties.* Each tribal and community relations council shall do all of the following:

(a) Recommend to local governing bodies, this state and other persons methods to improve relations between American Indians and non-Indians and to foster economic development.

(b) Recommend to local governing bodies, this state and other persons methods to improve relations between American Indians and non-Indians who reside in a surrounding municipality to, or on a reservation of, an Indian tribe or Indian band that has a member representing the tribe or band on the council.

(c) Provide the department of development with recommendations on the expenditure of up to \$75,000 annually from the tourism marketing appropriation under s. 20.143 (2) (b).

SECTION 35. 14.38 (6) of the statutes is amended to read:

14.38 (6) (title) COMPILE ORIGINAL LAWS AND RESOLUTIONS. Cause the original ~~enrolled~~ laws ~~enacted~~ and joint resolutions ~~passed~~ adopted at each session of the legislature, together with the index containing the titles of the same, to be bound in suitable volumes in a substantial manner, and in the order in which they are ~~received from the governor, and enacted or adopted,~~ with the title thereof, with and the session at which the same were passed, they are enacted or adopted to be written or printed on the back spine of such the volumes; and no other or further record of the official acts of the legislature, so far as relates to acts and joint resolutions, shall be required of said secretary.

SECTION 36. 14.38 (10) (title) of the statutes is amended to read:

14.38 (10) (title) NOTICES OF PROPOSED CONSTITUTIONAL AMENDMENTS AND ENACTMENTS.

SECTION 37. 14.38 (10) (a) of the statutes is repealed and recreated to read:

Vetoed
in Part

14.38 (10) (a) No later than the next working day following the deposit of an act in his or her office, provide written notice to the legislative reference bureau of the act number and date of enactment, and the designated date of publication of the act under s. 35.095.

SECTION 37m. 14.38 (12) of the statutes is amended to read:

Vetoed
in Part

14.38 (12) DISCRIMINATION BY CORPORATIONS. If a complaint is made to the secretary of state that any corporation authorized to do business in this state is guilty of discrimination under s. 190.22, refer the matter to the department of agriculture, food and trade and consumer protection, which shall, if the facts justify it in its judgment, cause appropriate administrative or judicial proceedings to be commenced against the corporation and its officers and members.

SECTION 37p. 14.58 (10) of the statutes is amended to read:

14.58 (10) REPORT CERTAIN PAYMENTS. Whenever the state treasurer or any state department shall remit to any county, city, town or village any sum in payment of a state aid, ~~locally shared tax~~ or other item, he shall transmit a statement of the amount and purpose thereof to the clerk of such municipality. After the receipt thereof, the clerk of such municipality shall present such statement at the next regular meeting of the governing body and shall thereafter file and keep such statement for 6 years.

SECTION 38. 14.58 (21) of the statutes is amended to read:

14.58 (21) CREDIT CARD USE CHARGES. From monies received under ss. 59.20 (8) and (8m) and 85.14 (1) (b), pay the charges under ss. 23.49 and 85.14 (1) (b) and (2) from the appropriation under s. 20.585 (1) (km).

SECTION 38m. 14.82 (1) (intro.) of the statutes is amended to read:

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14.82 (1) MINNESOTA-WISCONSIN. (Intro.) There is created a commission of 5 citizens nominated by the governor, and with the advice and consent of the senate appointed, for staggered 5-year terms, to represent this state on the joint Minnesota-Wisconsin boundary area commission. Any vacancy shall be filled for the balance of the unexpired term. To assist the commission, there is created a legislative advisory committee comprising 4 senators and 6 representatives to the assembly appointed as are the members of standing committees in their respective houses, and a technical advisory committee of 2 members appointed by the governor and one member each appointed by the governing board or head of the following agencies, to represent such agencies: the department of justice, the department of administration, the department of agriculture, food and trade and consumer protection, the department of natural resources, the department of health and social services, the public service commission and the department of development. The members of the commission and the members of its advisory committees shall serve without compensa-

tion but shall be reimbursed for actual and necessary expenses incurred in the performance of their duties from the appropriation made by s. 20.315 (1), on vouchers approved by the Wisconsin member of the commission selected to serve as its chairperson or vice chairperson. All other expenses incurred by the commission in the course of exercising its powers and duties, unless met in some other manner specifically provided by statute, shall be paid by the commission out of its own funds. Vetoed in Part

SECTION 39. 14.85 (1) (intro.) of the statutes is repealed.

SECTION 40. 14.85 (1) (a) and (b) of the statutes are renumbered 14.85 (4) (a) and (b) and amended to read:

14.85 (4) (a) Be the sole voting representative of this state at meetings of the national Mississippi river parkway commission.

(b) Report to the commission on interstate cooperation regarding the activities of the national Mississippi river parkway commission.

SECTION 41c. 14.85 (1) of the statutes is created to read:

14.85 (1) There is created a Mississippi river parkway commission consisting of the following members:

(a) One member from each of the counties of Buffalo, Crawford, Grant, La Crosse, Pepin, Pierce, Trempealeau and Vernon.

(b) Two senators and 2 representatives to the assembly appointed as are the members of standing committees in their respective houses. The 2 major political parties shall be represented in the membership from each house. Vetoed in Part

SECTION 42. 14.85 (2) of the statutes is repealed and recreated to read:

14.85 (2) The secretaries of development, natural resources and transportation, and the director of the historical society, or their designees shall serve as non-voting members of the commission.

SECTION 43. 14.85 (3) (intro.) and (a) of the statutes are renumbered 14.85 (5) (intro.) and (a) and amended to read:

14.85 (5) (intro.) The commission shall select its own chairman and shall:

(a) Assist in coordinating a program for the development and preservation of the great river road in Wisconsin and the necessary its embellishments of it, by such items as, but not limited to, scenic easements, roadside parks, and scenic overlooks, off-road parks and forests, and water oriented facilities.

SECTION 44. 14.85 (3) (b) to (d) of the statutes are renumbered 14.85 (5) (b) to (d).

SECTION 45c. 14.85 (3) of the statutes is created to read:

14.85 (3) Each member under sub. (1) (a) shall be appointed by the governor for a 4-year term from a list of at least 2 nominees submitted by each respective county board to the governor no later than December 15 of the year in which the term of the Vetoed in Part

Vetoed in Part member representing that county expires. Any vacancy shall be filled for the balance of the unexpired term by the governor from a list of at least 2 nominees submitted by the appropriate county board to the governor as soon as practicable.

Vetoed in Part SECTION 46. 14.85 (4) (intro.) of the statutes is created to read:

14.85 (4) (intro.) The commission shall elect its own chairperson and officers other than a chairperson from among its members as its work requires. The commission chairperson shall:

SECTION 47. 14.85 (4) (a) of the statutes is renumbered 14.85 (8) (a) and amended to read:

14.85 (8) (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 (4) (aq).

SECTION 48. 14.85 (4) (b) of the statutes is repealed.

SECTION 49. 14.85 (4) (c) and (d) of the statutes are created to read:

14.85 (4) (c) Serve as commission secretary, designate a member of the commission to serve as commission secretary or require an election by the commission of a commission secretary.

(d) Notify the members of meetings of the commission and keep a record of its proceedings, or delegate these responsibilities to the commission secretary.

SECTION 50. 14.85 (5) (e) of the statutes is created to read:

14.85 (5) (e) Assist in promoting as an attractive travel destination the great river road in Wisconsin and the unique historical, cultural, aesthetic and recreational features along the route of the great river road, such as local communities, off-road parks and forests, and water-oriented facilities.

SECTION 51. 14.85 (6) and (7) of the statutes are created to read:

14.85 (6) The commission shall meet quarterly and may meet at other times on the call of the chairperson.

(7) The departments and agencies of this state shall, within existing appropriations and to the best of their respective abilities, cooperate with the commission in the execution of its functions.

SECTION 52. 14.85 (8) (b) to (d), (9) and (10) of the statutes are created to read:

14.85 (8) (b) The members of the commission shall serve without compensation but, except as provided in par. (c), shall be reimbursed from the appropriation under s. 20.395 (4) (aq) for 75% of actual and necessary expenses incurred in performing their duties under guidelines for reimbursement established by the department of transportation.

(c) The chairperson of the commission shall be reimbursed from the appropriation under s. 20.395 (4) (aq) for all actual and necessary expenses incurred in performing his or her duties under guidelines for reim-

bursement established by the department of transportation.

(d) If permitted by law, any state agency or local public body, board, commission or agency may allocate funds under its control to fund programs recommended by the commission. If the department of development determines that a program recommended by the commission to undertake activities relating to the promotion of tourism and economic development is consistent with the department's state-wide tourism marketing and economic development plans, priorities and resources, the department shall have primary responsibility to support the activities of the program.

(9) The commission may establish a technical committee to advise the commission. The members of the committee shall include at least one employee each from the departments of transportation and development. The commission shall request the departments of transportation and development to designate employees to serve on the committee and may request any other state agency to designate an employee to serve on the committee.

(10) Unless specifically provided otherwise by the commission with respect to committees or other similar bodies, a majority of the voting members constitute a quorum to do business.

~~SECTION 52. 15.01 (2) of the statutes is amended to read:~~

~~15.01 (2) "Commission" means a 3-member governing body in charge of a department or independent agency or of a division or other subunit within a department, except for the tax appeals commission which shall consist of 5 members, the sentencing commission which shall consist of 17 members, the Wisconsin waterways commission which shall consist of 5 members, the parole commission which shall consist of 5 members and the Fox river management commission which shall consist of 7 members. A Wisconsin group created for participation in a continuing interstate body shall be known as a "commission", but is not a commission for purposes of s. 15.06. The parole commission created under s. 15.145 (1) shall be known as a "commission" but is not a commission for purposes of s. 15.06.~~

SECTION 53. 15.01 (2) of the statutes, as affected by 1991 Wisconsin Act ... (this act), is amended to read:

15.01 (2) "Commission" means a 3-member governing body in charge of a department or independent agency or of a division or other subunit within a department, except for the tax appeals commission which shall consist of 5 members, the sentencing commission which shall consist of 17 members, the Wisconsin waterways commission which shall consist of 5 members, the parole commission which shall consist of 6 members and the Fox river management commission which shall consist of 7 members. A Wisconsin

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group created for participation in a continuing interstate body shall be known as a "commission", but is not a commission for purposes of s. 15.06. The parole commission created under s. 15.145 (1) shall be known as a "commission", but is not a commission for purposes of s. 15.06.

Vetoed in Part SECTION 53m. 15.02 (4) of the statutes is renumbered 15.02 (4) (a).

Vetoed in Part SECTION 53n. 15.02 (4) (b) of the statutes is created to read:

15.02 (4) (b). The governor shall not approve or delegate the authority to approve an internal reorganization of a department or independent agency under par. (a) unless the head of the department or agency submits a letter to the governor and the secretary of administration, signed by the head or in the case of a body by the chairperson thereof, identifying the estimated costs of the proposed reorganization and certifying whether the salary, fringe benefits or other supporting expenses for any existing position will be increased as a result of the proposed reorganization and whether the continuing costs of the proposed reorganization will be funded within the existing base level of funding provided to the department or agency. If the head of the department or independent agency indicates that position-related expenses will be increased and that those continuing costs of the proposed reorganization will not be funded within the existing base level of funding provided to the department or agency, the secretary of administration shall transmit a copy of the letter to the cochairpersons of the joint committee on finance, and the governor shall not approve or delegate the authority to approve an internal reorganization of the department or agency before additional funding in an amount sufficient to fund all position-related expenses and other costs of the proposed reorganization is provided by an act of the legislature or by action of the joint committee on finance in accordance with the authority granted to the committee by law.

SECTION 54c. 15.04 (1) (m) of the statutes is amended to read:

15.04 (1) (m) *Notice on forms.* See that each form used by the department or independent agency to seek information from municipalities, counties or the public contains on the first page of the form, or in the instructions for completing the form, a conspicuous notice of the authorization for the form, whether or not completing the form is voluntary and, if it is not voluntary, the penalty for failure to respond and whether or not any personally identifiable information, as defined under s. 19.62, (5), requested in the form is likely to be used for purposes other than for which it is originally being collected. This paragraph does not apply to state tax forms.

SECTION 55. 15.06 (3) (a) 2 of the statutes is repealed.

SECTION 56c. 15.07 (1) (a) 5 of the statutes is amended to read:

15.07 (1) (a) 5. The ~~member~~ members of the educational communications board appointed under s. 15.57 (5) and (7) shall be appointed as provided in that section.

~~SECTION 56g. 15.07 (1) (a) 6 of the statutes is created to read:~~

~~15.07 (1) (a) 6. a. Members of the health care access board shall be appointed as provided in s. 15.64.~~

~~b. This subdivision does not apply after June 30, 1994.~~

SECTION 59. 15.07 (1) (cs) of the statutes is amended to read:

15.07 (1) (cs) No member of the real estate appraisers board or real estate board may be an officer, director or employe of a private organization that promotes or furthers any profession or occupation regulated by that board.

SECTION 65m. 15.07 (2) (j) of the statutes is created to read:

15.07 (2) (j) At its first meeting in each even-numbered year, the state capitol and executive residence board shall elect officers for 2-year terms.

SECTION 66. 15.07 (3) (b) of the statutes is amended to read:

15.07 (3) (b) Except as provided in par. (bm) or (c), each board not covered under par. (a) shall meet annually, and may meet at other times on the call of the chairperson or a majority of its members. The real estate board and the real estate appraisers board shall also meet on the call of the secretary of the department of regulation and licensing or his or her designee within the department.

~~SECTION 72m. 15.07 (5) (d) of the statutes is amended to read:~~

~~15.07 (5) (d) Members of the board of agriculture, food and trade and consumer protection, not exceeding \$35 per day as fixed by the board with the approval of the governor, but not to exceed \$1,000 per year.~~

SECTION 76. 15.07 (5m) (a) of the statutes is repealed.

SECTION 77. 15.08 (1) of the statutes is amended to read:

15.08 (1) **SELECTION OF MEMBERS.** All members of examining boards shall be residents of this state and shall, unless otherwise provided by law, be nominated by the governor, and with the advice and consent of the senate appointed. Appointments shall be for the terms provided by law. Terms shall expire on July 1. No member may serve more than 2 consecutive terms. No member of an examining board or of the real estate board may be an officer, director or employe of a private organization which promotes or furthers the profession or occupation regulated by that board.

SECTION 77d. 15.09 (2) of the statutes is amended to read:

15.09 (2) **SELECTION OF OFFICERS.** Unless otherwise provided by law, at its first meeting in each year every

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council shall elect a ~~chairman chairperson~~, vice ~~chairman chairperson~~ and secretary from among its members, ~~except that the interagency coordinating council under s. 15.197 (13) may not elect as chairperson the secretary of health and social services or his or her designee.~~ Any officer may be reelected to succeed himself. For any council created under the general authority of s. 15.04 (1) (c), the constitutional officer or secretary heading the department or the chief executive officer of the independent agency in which such council is created shall designate an employee of the department or independent agency to serve as secretary of the council and to be a voting member thereof.

SECTION 77g. 15.103 (3) of the statutes is created to read:

15.103 (3) DIVISION OF INFORMATION TECHNOLOGY SERVICES. There is created in the department of administration a division of information technology services.

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SECTION 77p. 15.105 (12) (a) 1 of the statutes is amended to read:

15.105 (12) (a) 1. The secretaries of the departments of industry, labor and human relations, of transportation, of agriculture, food and trade and consumer protection and of development or their formally appointed designees

SECTION 77r. 15.105 (16) (b) 1 of the statutes is amended to read:

15.105 (16) (b) 1. The secretary of administration, the secretary of agriculture, food and trade and consumer protection, the secretary of natural resources and the secretary of transportation, or their designees.

SECTION 77s. 15.105 (18) (c) of the statutes is amended to read:

15.105 (18) (c) *Liaison representatives.* The secretary of agriculture, food and trade and consumer protection, the secretary of health and social services, the secretary of industry, labor and human relations, the secretary of natural resources and the chancellor of the university of Wisconsin extension, or a designee of such a secretary or the chancellor, shall serve as liaison representatives to the Wisconsin conservation corps board, and provide information to and assist the board. The liaison representatives are not board members and may not vote on any board decision or action.

SECTION 79. 15.107 (3) of the statutes is repealed.

SECTION 79m. 15.107 (13) of the statutes is created to read:

15.107 (13) PRIVACY COUNCIL. There is created a privacy council attached to the department of administration under s. 15.03 consisting of 7 public members appointed to staggered 3-year terms as follows:

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(a) One member of the board on information technology designated by the governor.

(b) One member appointed by the attorney general.

(c) One member appointed by the chief justice of the supreme court.

(d) One member appointed by the president of the senate.

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(e) One member appointed by the senate minority leader.

(f) One member appointed by the speaker of the assembly.

(g) One member appointed by the assembly minority leader.

SECTION 79n. 15.107 (14) of the statutes is created to read:

15.107 (14) COUNCIL ON STATE-LOCAL RELATIONS. There is created in the department of administration a council on state-local relations. The members ~~other than legislative members~~ shall be nominated by the governor, and with the advice and consent of the senate appointed, to serve at the pleasure of the governor. The council shall consist of:

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(a) One representative of the department of public instruction.

(b) One representative of the department of revenue.

(c) One representative of the department of development.

(d) One representative of the league of Wisconsin municipalities.

(e) One representative of the Wisconsin counties association.

(f) One representative of the Wisconsin towns association.

(g) One member of the majority party in each house of the legislature and one member of the minority party in each house of the legislature, appointed in the same manner as members of standing committees in their respective houses.

SECTION 83m. 15.107 (15) of the statutes is created to read:

15.107 (15) COUNCIL ON INFORMATION TECHNOLOGY. There is created in the department of administration a council on information technology. The council shall consist of the following members:

(a) One member of the majority party and one member of the minority party in each house of the legislature, appointed in the same manner as members of standing committees.

(b) One head of an agency, as defined in s. 16.70 (1), that is a client of the division of information technology services in the department of administration who is nominated by the governor and with the advice and consent of the senate appointed, and one head of another agency, as defined in s. 16.70 (1), that is a client of the division of information technology services in the department of administration, each of whom shall be appointed by the governor to serve at his or her pleasure.

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(c) Two persons appointed by the governor having senior level expertise in the management of large computer services centers in the private sector.

Vetoed in Part (d) Two persons having senior level expertise in the management of information technology services in the private sector, one of whom shall be appointed by the speaker of the assembly and one of whom shall be appointed by the president of the senate, to serve at the pleasure of those officers.

Vetoed in Part SECTION 83r. 15.13 of the statutes is amended to read:

15.13 (title) Department of agriculture, food and trade; creation. There is created a department of agriculture, food and trade and consumer protection under the direction and supervision of the board of agriculture, food and trade and consumer protection. The board shall consist of 6 members with an agricultural background and one member who is a consumer representative, appointed for staggered 6-year terms. Appointments to the board shall be made without regard to party affiliation, residence or interest in any special organized group.

SECTION 84. 15.135 (2) of the statutes is repealed.

Vetoed in Part SECTION 84e. 15.135 (3) of the statutes is amended to read:

15.135 (3) ANIMAL HEALTH AND DISEASE RESEARCH BOARD. There is created an animal health and disease research board attached to the department of agriculture, food and trade and consumer protection under s. 15.03. The board shall consist of the dean of the school of veterinary medicine, the director of the agricultural experiment station at the university of Wisconsin-Madison and the chief veterinarian of the department of agriculture, food and trade and consumer protection or their designees, and one public member appointed for a 3-year term.

SECTION 84m. 15.135 (4) (a) of the statutes is amended to read:

15.135 (4) (a) Creation. There is created a land conservation board which is attached to the department of agriculture, food and trade and consumer protection under s. 15.03.

SECTION 84c. 15.135 (4) (b) 1 of the statutes is amended to read:

15.135 (4) (b) 1. The secretaries of administration, of natural resources and of agriculture, food and trade and consumer protection or their designees.

SECTION 85. 15.135 (5) of the statutes is amended to read:

15.135 (5) FARM MEDIATION AND ARBITRATION BOARD. There is created a farm mediation and arbitration board which is attached to the department of agriculture, trade and consumer protection under s. 15.03. The board shall consist of the secretary of agriculture, trade and consumer protection or the secretary's designee, the commissioner of banking or the commissioner's designee and a member appointed by the governor to serve at the pleasure of the governor. This subsection does not apply after June 30, 1991.

Vetoed in Part SECTION 85c. 15.135 (5) of the statutes, as affected by 1991 Wisconsin Act ... (this act), is amended to read:

~~15.135 (5) FARM MEDIATION AND ARBITRATION BOARD. There is created a farm mediation and arbitration board which is attached to the department of agriculture, food and trade and consumer protection under s. 15.03. The board shall consist of the secretary of agriculture, food and trade and consumer protection or the secretary's designee, the commissioner of banking or the commissioner's designee and a member appointed by the governor to serve at the pleasure of the governor.~~

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SECTION 85g. 15.137 (1) of the statutes is amended to read:

15.137 (1) COUNCIL ON LOCAL RABIES CONTROL PROGRAMS. There is created in the department of agriculture, food and trade and consumer protection a council on local rabies control programs consisting of 8 members appointed by the secretary of agriculture, food and trade and consumer protection. One member shall be a representative of the state laboratory of hygiene, one shall be a representative of the department of health and social services and one shall be a representative of the department of agriculture, food and trade and consumer protection. Five of the members shall be appointed for 3-year terms and shall include 2 representatives from municipal rabies control programs, 2 representatives from county rabies control programs and one representative of the veterinary medical society. This subsection does not apply after June 30, 1991.

SECTION 85k. 15.137 (2) of the statutes is amended to read:

15.137 (2) ANIMAL HEALTH AND DISEASE RESEARCH COUNCIL. There is created in the department of agriculture, food and trade and consumer protection an animal health and disease research council consisting of the chief veterinarian of the department of agriculture, food and trade and consumer protection and the director of the agricultural experiment station at the university of Wisconsin-Madison, or their designees, and 7 public members, of whom at least one shall be a veterinarian who practices primarily on large animals in this state, at least one shall be a dairy farmer in this state, at least one shall represent a family farm located in this state and at least one shall be a meat animal producer in this state. Public members shall be appointed for 3-year terms. No public member may serve more than 2 consecutive terms.

SECTION 85p. 15.137 (5) (intro.) of the statutes is amended to read:

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

SECTION 85q. 15.137 (5) (a) of the statutes is amended to read:

15.137 (5) (a) Nonvoting members. The secretary of the department of agriculture, food and trade and consumer protection and the dean of the college of agricultural and life sciences at the university of Wis-

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SECTION 85r. 15.137 (5) (b) of the statutes is amended to read:

15.137 (5) (b) *Voting members.* Six voting members shall be appointed jointly by the secretary of the department of agriculture, food and 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.

Vetoed in Part SECTION 85s. 15.143 of the statutes is created to read:

15.143 *Same; specified divisions.* (1) Division of INTENSIVE SANCTIONS. There is created in the department of corrections a division of intensive sanctions.

Vetoed in Part SECTION 85t. 15.145 (1) of the statutes is amended to read:

15.145 (1) *PAROLE COMMISSION.* There is created in the department of corrections a parole commission consisting of 6 members. Members shall have knowledge of or experience in corrections or criminal justice. The members shall include a chairperson who is nominated by the governor, and with the advice and consent of the senate appointed, for a 2-year term expiring March 1 of the odd-numbered years, subject to removal under s. 17.07 (3m), and 4-5 members in the classified service appointed by the chairperson.

Vetoed in Part SECTION 85x. 15.147 of the statutes is created to read:

15.147 *Same; councils.* (1) COUNCIL ON EDUCATIONAL PROGRAMS. There is created in the department of corrections a council on educational programs consisting of 15 members appointed for 3-year terms. The council shall be composed of teachers, vocational, technical and adult education instructors, instructional staff or faculty or academic staff from institutions of higher education, correctional institution instructors and inmates or former inmates of correctional institutions.

SECTION 86. 15.155 (2) of the statutes is repealed.

Vetoed in Part SECTION 86g. 15.155 (4) (a) 1 of the statutes is amended to read:

15.155 (4) (a) 1. The secretary of agriculture, food and trade and consumer protection or the secretary's designee.

Vetoed in Part SECTION 86n. 15.155 (6) of the statutes is created to read:

15.155 (6) *SEED CAPITAL PROGRAM BOARD.* (a) There is created a seed capital program board attached to the department of development under s. 15.03 consisting of the following members:

1. The secretary of development or his or her designee.

2. The executive director of the Wisconsin housing and economic development authority or his or her designee.

3. Seven other members, who are not public officers or employees, appointed by the governor for 4-year terms.

(b) Of the members of the board appointed under par. (a) 3, 4 shall have experience in developing their own entrepreneurial businesses.

SECTION 87. 15.157 (1) of the statutes is repealed.

SECTION 87c. 15.157 (2) of the statutes is amended to read:

15.157 (2) *COUNCIL ON TOURISM.* There is created in the department of development a council on tourism consisting of 14 members serving 3-year terms, and the secretary of development or the secretary's designee, one member of the majority party in each house and one member of the minority party in each house appointed as are members of standing committees in their respective houses, the executive secretary of the arts board and the director of the historical society. Nominations for appointments to the council of members, other than ex officio members, shall be sought from but not limited to multicounty regional associations engaged in promoting tourism, statewide associations of businesses related to tourism, area visitor and convention bureaus, arts organizations, chambers of commerce, the Great Lakes inter-tribal council and other agencies or organizations with knowledge of American Indian tourism activities, and persons engaged in the lodging, restaurant, campground, amusement establishment, recreation establishment or retail liquor or fermented malt beverages business. Nominations shall be sought from throughout this state, to ensure that council members live in different geographical areas of the state and that they reflect the tourism industry's diversity and its distribution throughout both urban and rural areas of the state. Each council member, other than ex officio members, shall have experience in marketing and promotion strategy, and at least one council member, other than ex officio members, shall be a resident of a 1st class city.

SECTION 87e. 15.157 (9) of the statutes is created to read:

15.157 (9) *CAPITAL ACCESS PROGRAM COUNCIL.* There is created in the department of development a capital access program council consisting of the secretary of development or his or her designee, the president of the Milwaukee economic development corporation or his or her designee and a representative of the financial services community, appointed for a 2-year term by the secretary of development from a list of nominees submitted by the Milwaukee economic development corporation.

SECTION 87g. 15.195 (1) of the statutes is amended to read:

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~~15.195 (1) PESTICIDE REVIEW BOARD. There is created in the department of health and social services a pesticide review board. The review board shall consist of the secretary of agriculture, food and trade and consumer protection, the secretary of natural resources and the secretary of health and social services or their designated representatives.~~

~~SECTION 87j. 15.195 (2) of the statutes is amended to read:~~

~~15.195 (2) CONTROLLED SUBSTANCES BOARD. There is created in the department of health and social services a controlled substances board consisting of the attorney general, the secretary of health and social services and the secretary of agriculture, food and trade and consumer protection, or their designees, the chairman of the pharmacy examining board or a designee, and one psychiatrist and one pharmacologist appointed for 3-year terms.~~

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~~SECTION 87mb. 15.197 (13) of the statutes is created to read:~~

~~15.197 (13) INTERAGENCY COORDINATING COUNCIL. There is created in the department of health and social services an interagency coordinating council. The council shall consist of all of the following members appointed for 2-year terms:~~

~~(a) Five individuals who are parents of disabled children aged 12 or younger and who have knowledge of or experience with programs for infants and toddlers with disabilities, at least 3 of which individuals are the parent of a disabled child aged 3 to 6~~

~~(b) Five public or private providers of early intervention services, at least 3 of whom are selected from nominees of the state superintendent of public instruction, and at least one of whom is a provider from the lead agency designated under s. 51.44 (4).~~

~~(c) One representative to the assembly or one senator.~~

~~(d) The state superintendent of public instruction or his or her designee.~~

~~(e) An individual who is a member of the council on developmental disabilities.~~

~~(f) An individual who prepares personnel for work with children who have developmental disabilities.~~

~~SECTION 87p. 15.197 (18) of the statutes is repealed.~~

~~SECTION 87v. 15.197 (21) of the statutes is created to read:~~

~~15.197 (21) COUNCIL ON FOOD PROTECTION PRACTICES. There is created in the department of health and social services a council on food protection practices. The council shall consist of all of the following members appointed for 3-year terms by the secretary of health and social services:~~

~~(a) A representative of the Wisconsin restaurant association, inc.~~

~~(b) A representative of the Wisconsin innkeepers association, inc.~~

~~(c) A representative of the tavern league of Wisconsin, inc.~~

(d) A representative of a corporate chain of restaurants doing business in this state.

(e) A representative of an organization of registered sanitarians in this state who is employed by a city with agent status under s. 50.535.

(f) A representative of an organization of registered sanitarians in this state who is employed by a county with agent status under s. 50.535.

(g) A representative of the Wisconsin conference of local public health officials, inc., who has expertise in environmental health.

(h) A registered sanitarian who is employed in a regional office of a subunit of the department of health and social services.

(i) A member of the staff of the state board of vocational, technical and adult education.

(j) An employe of the university of Wisconsin system who has demonstrated interest and experience in food service sanitation.

(k) A member who has none of the qualifications required for other members.

~~SECTION 88g. 15.197 (23) of the statutes is created to read:~~

~~15.197 (23) EMERGENCY MEDICAL SERVICES COUNCIL. There is created in the department of health and social services an emergency medical services council. The council shall consist of 11 members appointed for 3-year terms. Persons appointed shall have extensive experience or interest in the provision of emergency medical services.~~

~~SECTION 88m. 15.197 (24) of the statutes is created to read:~~

~~15.197 (24) MEDICAL CARE COUNCIL. There is created in the department of health and social services a medical care council. The council shall consist of the following members appointed for 3-year terms:~~

~~(a) A regional medical director from each of 6 regional health care areas in this state that are established by the department of health and social services.~~

~~(b) A physician who is licensed under ch. 448 and whose specialty of practice is general surgery.~~

~~(c) A physician who is licensed under ch. 448 and whose specialty of practice is family practice.~~

~~(d) A member who has none of the qualifications specified in pars. (a) to (c).~~

~~SECTION 88p. 15.197 (25) of the statutes is created to read:~~

~~15.197 (25) COUNCIL ON ALCOHOL AND OTHER DRUG ABUSE TREATMENT. There is created in the department of health and social services a council on alcohol and drug abuse treatment consisting of the secretary of health and social services or his or her designee and the following members appointed by the secretary of health and social services for 3-year terms:~~

~~(a) One representative of the county department under s. 46.21.~~

~~(b) One member of the combined community services board of Milwaukee county.~~

Vetoed
in Part

Vetoed
in Part

Vetoed in Part (c) Two members of the board of the planning council for health and human services, inc.

(d) Two members of the board of the Milwaukee innercity congregations allied for hope, inc.

(e) Two individuals who are recovering from addiction to alcohol or other drugs.

SECTION 89d. 15.227 (22) of the statutes is created to read:

15.227 (22) YOUTH APPRENTICESHIP COUNCIL. There is created in the department of industry, labor and human relations a youth apprenticeship council consisting of the following members appointed for 3-year terms:

Vetoed in Part (a) Three members who are vocational education instructors, appointed by the state board of vocational, technical and adult education.

Vetoed in Part (b) Three members who are high school teachers, appointed by the state superintendent of public instruction.

Vetoed in Part (c) Two members who are representatives of the business community, appointed by the department of industry, labor and human relations.

Vetoed in Part (d) Two members who are representatives of the labor community, one of whom shall be appointed by the state director of vocational, technical and adult education, from recommendations made by the labor community, and one of whom shall be appointed by the superintendent of public instruction, from recommendations submitted by the labor community.

Vetoed in Part (e) One member who is an administrator of a vocational, technical and adult education school, appointed by the state director of vocational, technical and adult education.

Vetoed in Part (f) One member who is a high school administrator, appointed by the superintendent of public instruction.

Vetoed in Part SECTION 89g. 15.253 (1) of the statutes is created to read:

15.253 (1) DIVISION OF CONSUMER PROTECTION. There is created in the department of justice a division of consumer protection. The administrator of the division shall be appointed by the attorney general in the unclassified service, to serve at the pleasure of the attorney general.

SECTION 89r. 15.315 (1) of the statutes is amended to read:

15.315 (1) STATE EMERGENCY RESPONSE BOARD. There is created a state emergency response board, which is attached to the department of military affairs under s. 15.03. The state emergency response board shall consist of one representative of the department of military affairs, division of emergency government, one representative of the subunit of the department of health and social services that administers health-related programs, one representative of the department of transportation, one representative of the department of natural resources, one representative of the department of agriculture, food and trade and consumer protection, one representative each from

fire fighting, law enforcement and public or community health services, 2 representatives of industry, one representative of small business, as defined in s. 15.227 (3), 2 representatives who are elected officials of employees of county and municipal government, one representative of a farm or agricultural organization, one representative of a labor organization and one representative of an environmental organization. The members of the board shall serve at the pleasure of the governor.

SECTION 90ap. 15.347 (6) of the statutes is repealed.

SECTION 90b. 15.347 (8) (d) 2 of the statutes is amended to read:

15.347 (8) (d) 2. The department of agriculture, food and trade and consumer protection, appointed by the secretary thereof; and

SECTION 90d. 15.347 (13) (b) 3 of the statutes is amended to read:

15.347 (13) (b) 3. The secretary of agriculture, food and trade and consumer protection.

SECTION 90g. 15.347 (15) (a) 4 of the statutes is created to read:

15.347 (15) (a) 4. At least one council member shall represent each of the priority watersheds, as identified under s. 144.25 (4) (cm), that are located in the Milwaukee river basin.

SECTION 90j. 15.347 (15) (b) of the statutes is amended to read:

15.347 (15) (b). The council shall elect its officers under s. 15.09 (2) except that the secretary of natural resources shall appoint the chairperson.

SECTION 90m. 15.347 (15) (c) of the statutes is created to read:

15.347 (15) (c). When a position on the council becomes vacant, the governor shall appoint a member to that position within 3 months of the vacancy.

SECTION 90p. 15.347 (15) (d) of the statutes is created to read:

15.347 (15) (d). Any member designated under par. (a) 1 or 2 or any member appointed under par. (a) 3 who is absent from 4 consecutive meetings vacates his or her position.

SECTION 91g. 15.375 (3) (b) 6. a. of the statutes is amended to read:

15.375 (3) (b) 6. a. Environmental Elementary and secondary school environmental educators.

SECTION 91n. 15.375 (3) (b) 6. g. of the statutes is created to read:

15.375 (3) (b) 6. g. Nature centers, zoos, museums and other nonformal environmental educational organizations.

SECTION 92e. 15.405 (10r) (a) 2 of the statutes is amended to read:

15.405 (10r) (a) 2. One assessor, as defined in s. 458.06 (8) (a) 458.09 (1).

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part ~~SECTION 94d. 15.49 of the statutes is amended to read:~~

~~15.49 Department of veterans affairs; creation. There is created a department of veterans affairs under the direction and supervision of the board of veterans affairs. The board shall consist of 7 members who shall be veterans, including at least 2 members who shall be are Vietnam era veterans, one member who is a minority group member, as defined in s. 560.036 (1) (f) and one member who is visually identifiable as disabled, appointed for staggered 6-year terms.~~

Vetoed in Part ~~SECTION 94h. 15.497 (2) of the statutes is amended to read:~~

~~15.497 (2) COUNCIL ON VETERANS PROGRAMS. There is created in the department of veterans affairs a council on veterans programs consisting of one representative each of the state departments of the American Legion, the Disabled American Veterans the Veterans of Foreign Wars, the Marine Corps League, the Navy Club of the U.S.A., the Veterans of World War II (AMVETS), the Veterans of World War I of the U.S.A. Inc., the American Ex-prisoners of War, the Vietnam Veterans Against the War, Inc., the Vietnam Veterans of America, Inc., the Catholic War Veterans of the U.S.A., the Jewish War Veterans of the U.S.A., the Polish Legion of American Veterans, the National Association for Black Veterans, Inc., the Army and Navy Union of the United States of America, the Wisconsin Association of Concerned Veteran Organizations, the United Women Veterans, Inc., the U.S. Submarine Veterans of World War II, the Federation of Minority Veterans, Inc., the AFL-CIO Veterans Committee, the Wisconsin Vietnam Veterans, Inc., and the Military Order of the Purple Heart, one representative of the American Red Cross and one representative of the Wisconsin county veterans service officers, appointed for one-year terms by the organization that each represents.~~

~~SECTION 95m. 15.57 (6) of the statutes is amended to read:~~

~~15.57 (6) The chairpersons of the council on instructional telecommunications, the council on public radio and the council on public television.~~

~~SECTION 96. 15.57 (7) of the statutes is created to read:~~

~~15.57 (7) One member appointed by the board of vocational, technical and adult education for a 4-year term.~~

Vetoed in Part ~~SECTION 96m. 15.577 (2) of the statutes is amended to read:~~

~~15.577 (2) COUNCIL ON PUBLIC TELEVISION. There is created in the educational communications board a council on public television consisting of 5-6 members appointed for 4-year terms. The members shall be appointed from recommendations made by local television support groups. The council shall include a member representing the local television support group of WHA-TV.~~

~~SECTION 97g. 15.64 of the statutes is created to read:~~

~~15.64 Health care access board; creation. (1) There is created a health care access board consisting of persons who shall be appointed by the governor for 3-year terms as follows: 7 members selected by the governor; 2 members designated by the speaker of the assembly; and 2 members designated by the president of the senate.~~

~~(2) This section does not apply after June 30, 1994.~~

~~SECTION 97r. 15.647 of the statutes is created to read:~~

~~15.647 Same; councils. (1) REGIONAL COUNCILS ON HEALTH CARE. There is created in the health care access board 6 regional councils on health care, each regional council consisting of 9 members appointed for 3-year terms. The members of each regional council on health care shall be appointed by the health care access board, from nominations made by the county executives or administrators or, if none, county boards of supervisors of counties that are within each of the 6 health care regions established by the health care access board. The members of each regional council on health care shall, to the extent possible, reflect the racial, ethnic and gender characteristics, in their respective health care regions, of persons eligible for health care services from participating programs under s. 54.15 or the members shall represent the entities that provide health care services in their respective health care regions.~~

~~(2) APPLICABILITY. This section does not apply after June 30, 1994.~~

~~SECTION 97w. 15.707 (1) of the statutes is amended to read:~~

~~15.707 (1) HISTORICAL MARKERS COUNCIL. There is created in the historical society a historical markers council. The council shall consist of the director of the historical society, the state superintendent of public instruction, the secretary of transportation, the secretary of natural resources and, the secretary of the department of development, the secretary of veterans affairs, the chairperson of the historic preservation review board, the president of the Wisconsin trust for historic preservation and the president of the Wisconsin council for local history, or their designees. The director of the historical society or a designee shall serve as secretary of the council.~~

~~SECTION 97x. 15.707 (2) of the statutes is created to read:~~

~~15.707 (2) SUBMERGED CULTURAL RESOURCES COUNCIL. (a) There is created in the historical society a submerged cultural resources council, consisting of the following members:~~

- ~~1. The director of the historical society.~~
- ~~2. The secretary of natural resources.~~
- ~~3. The administrator of the state's coastal zone management program.~~
- ~~4. The director of the sea grant institute at the university of Wisconsin-Madison.~~

Vetoed in Part

Vetoed in Part

Vetoed in Part 5. The administrator of the division of tourism in the department of development.

6. A representative of the national park service, appointed by the director of the historical society from a list of nominees recommended by the national park service.

7. Six other members, including an archaeologist, a maritime historian and a representative of a maritime museum, appointed by the director of the historical society after consultation with the secretary of natural resources.

8. Four legislative members appointed as follows:

a. One member who is appointed as are members of standing committees in the senate.

b. One member who is appointed by the senate minority leader.

c. One member who is appointed as are members of standing committees in the assembly.

d. One member who is appointed by the assembly minority leader.

(b) The members appointed under par. (a) 6 and 7 shall serve 3-year terms and shall include at least 2 scuba divers certified by a nationally recognized aquatic safety program or a nationally recognized diver's organization.

(c) The members under par. (a) 1 to 5 may appoint designees to serve on the council.

Vetoed in Part SECTION 98g. 15.87 of the statutes is amended to read:

15.87 State fair park board. There is created a state fair park board, consisting of 7 members, 5 of whom shall be appointed for 5-year terms. The secretary of agriculture, food and trade and consumer protection, or his or her designee, and the secretary of development, or his or her designee, shall also serve as voting members of the state fair park board.

SECTION 98h. 15.915 (2) (a) of the statutes is amended to read:

15.915 (2) (a) The president of the university of Wisconsin system, the chancellor of the university of Wisconsin-Madison, the secretary of health and social services, the secretary of natural resources and the secretary of agriculture, food and trade and consumer protection, or their designees.

SECTION 99. 16.003 (2) of the statutes is amended to read:

16.003 (2) STAFF. Except as provided in ss. 16.548, 16.57, 978.03 (1), (1m) and (2), 978.04 and 978.05 (8) (b), the secretary shall appoint the staff necessary for performing the duties of the department. All staff shall be appointed under the classified service except as otherwise provided by law.

SECTION 101. 16.004 (8) (a) of the statutes is renumbered 16.004 (8) (am) and amended to read:

16.004 (8) (am) The secretary shall ~~establish and~~ maintain a system of rental rates and policies for state-owned housing administered by all agencies and shall

periodically review the system for possible changes ~~every 2 years and~~. Whenever the secretary proposes to change rental policies other than rental rates, the secretary shall submit a report relating to the system to the joint committee on finance ~~in March of each even-numbered year~~. The report relating to the system shall include any changes in rental rates or policies recommended by the secretary.

SECTION 102. 16.004 (8) (a) of the statutes is created to read:

16.004 (8) (a) In this subsection, "agency" has the meaning given in s. 16.52 (7).

SECTION 103. 16.004 (8) (b) to (d) of the statutes are amended to read:

16.004 (8) (b) The joint committee on finance, following its review, ~~shall~~ may approve or disapprove rental rates and policies for state-owned housing submitted under par. (am). Any changes in rental rates or policies shall be effective ~~for the 2-year period beginning on July 1 of the even-numbered year following their submittal under par. (a)~~ upon approval or at such time following approval as may be specified in the secretary's submittal.

(c) Notwithstanding par. (b), if the cochairpersons of the joint committee on finance do not notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the recommended changes in rental rates or policies contained in the report submitted under par. (a) ~~(am)~~ within 14 working days after the date of the secretary's submittal, the secretary may implement any recommended changes in rental rates or policies contained in the report. If, within 14 working days after the date of the secretary's submittal, the cochairpersons of the committee notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the recommended changes in rental rates or policies contained in the report, the secretary may implement the recommended changes only with the approval of the committee.

(d) The system established under par. (a) ~~(am)~~ shall include a procedure for review of the need to retain state-owned housing units and possible disposition of such units. The secretary shall submit recommendations regarding the disposition of any housing units to the building commission.

SECTION 104. 16.004 (8) (e) of the statutes is created to read:

16.004 (8) (e) 1. In this paragraph, "consumer price index" means the average of the consumer price index over each 12-month period, all items, U.S. city average, as determined by the bureau of labor statistics of the U.S. department of labor.

2. No later than July 1 of the 2nd year following each federal decennial census, the secretary shall obtain appraisals of the fair market value of all state-owned housing rental units administered by agencies. The secretary shall determine and fix rental rates for

such units based on the appraisals, which shall take effect on the following August 15.

3. If the secretary determines that a state-owned housing rental unit has been affected by a major renovation, the secretary may order a reappraisal of the fair market value of the unit. Whenever a reappraisal of the fair market value of a unit is obtained, the secretary shall determine and fix a new rental rate for that unit based on the reappraisal. If the reappraisal is obtained prior to July 1 of any year, the rate shall take effect on August 15 of that year; otherwise it shall take effect on August 15 of the following year.

4. If no appraisal of a state-owned housing rental unit is made during the 24-month period ending on July 1 of any even-numbered year, the current rental rate for the unit shall be subject to a biennial cost-of-living adjustment. To determine the adjustment, the secretary shall calculate the percentage difference between the consumer price index for the 12-month period ending on December 31 of the preceding year and the consumer price index for the base period, calendar year 1991. The secretary shall increase the rental rate by that percentage, rounded to the nearest whole dollar, which amount shall take effect on August 15.

5. The secretary shall charge the cost of the appraisal of each state-owned housing rental unit to the appropriation specified in s. 16.40 (19) or, if there is no such appropriation, to the appropriation or appropriations which fund the program in connection with which the housing is utilized.

SECTION 105. 16.004 (11) of the statutes is created to read:

16.004 (11) **RISK MANAGEMENT PROGRAM SUPPLEMENTATION.** Prior to transferring moneys from the appropriation under s. 20.505 (2) (a) to the appropriation under s. 20.505 (2) (k), the secretary shall notify in writing the cochairpersons of the joint committee on finance of his or her proposed action.

SECTION 106. 16.005 of the statutes is amended to read:

16.005 Bradley center sports and entertainment corporation. ~~Except as provided in s. 16.765, this~~ This chapter does not apply to the Bradley center sports and entertainment corporation ~~created under ch. 232 except where expressly otherwise provided.~~

SECTION 107. 16.009 (2) (b) of the statutes is renumbered 16.009 (2) (b) 1 and amended to read:

16.009 (2) (b) 1. Investigate complaints from any person concerning improper conditions or treatment of aged or disabled persons who receive long-term care or concerning noncompliance with or improper administration of federal or state laws, rules statutes or regulations or state statutes or rules related to long-term care for the aged or disabled.

SECTION 108. 16.009 (2) (b) (intro.) of the statutes is created to read:

16.009 (2) (b) (intro.) Implement a long-term care ombudsman program, to do all of the following:

SECTION 109. 16.009 (2) (c) of the statutes is renumbered 16.009 (2) (b) 2.

SECTION 109m. 16.025 of the statutes is created to read:

16.025 Council on state-local relations. (1) In this section, "agency" has the meaning given in s. 16.52 (7).

(2) The council on state-local relations shall do all of the following:

(a) Review and comment on proposed legislation and agency proposals that affect local governments.

(b) Develop policy recommendations on other issues of importance to local governments and state and local relations.

SECTION 111m. 16.20 (1) (e) of the statutes is amended to read:

16.20 (1) (e) "Local unit of government" means the governing body of any city, town, village, county, county utility district, town sanitary district, public inland lake protection and rehabilitation district, metropolitan sewerage district or school district, the Fox-Winnebago regional management commission or the elected tribal governing body of a federally recognized American Indian tribe or band.

SECTION 112. 16.20 (1) (fm) of the statutes is amended to read:

16.20 (1) (fm) "Public assistance" means general relief under s. 49.02, relief of needy Indian persons under s. 49.046, aid to families with dependent children under s. 49.19, medical assistance under ss. 49.45 to 49.47, low-income energy assistance under s. 49.80, weatherization assistance under s. 16.39 and the food stamp program under 7 USC 2011 to 2029.

SECTION 112c. 16.20 (10) (f) of the statutes is amended to read:

16.20 (10) (f) *Health care and other benefits.* A Except as provided in par. (fm), a corps enrollee is not an eligible employee for health care benefits or other benefits under ch. 40.

SECTION 112f. 16.20 (10) (fm) of the statutes is created to read:

16.20 (10) (fm) *Group health care coverage.* The board may provide group health care coverage offered by the state under s. 40.51 to any of the following:

1. Corps enrollees who have been crew leaders for at least 2 years.

2. Crew leaders who are discharging special responsibilities, as determined by the board.

SECTION 112j. 16.20 (10) (g) 1 of the statutes is amended to read:

16.20 (10) (g) 1. A person who is employed as a corps enrollee for a one-year period of continuous employment, as determined by standards adopted by the board, and who receives a satisfactory employment evaluation upon termination of employment is entitled to an incentive payment of \$500 or an education voucher that is worth at least \$1,000 but not more than ~~\$1,800~~ \$1,850.

SECTION 112jj. 16.20 (10) (g) 1 of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

16.20 (10) (g) 1. A person who is employed as a corps enrollee for a one-year period of continuous employment, as determined by standards adopted by the board, and who receives a satisfactory employment evaluation upon termination of employment is entitled to an incentive payment of \$500 or an education voucher that is worth at least \$1,000 but not more than \$1,950.

SECTION 113. 16.20 (11) (e) of the statutes is amended to read:

16.20 (11) (e) *Physical examination.* No physical examination is required in order to apply for employment as a corps enrollee but the board ~~shall~~ may require a physical examination prior to employment. The board may accept evidence of a physical examination conducted within one year prior to employment if the examining physician signs a form containing the information required by the board.

SECTION 114. 16.30 (intro.) of the statutes is amended to read:

16.30 Definitions. (intro.) In this ~~section~~ subchapter:

SECTION 115. 16.31 of the statutes is created to read:

16.31 State housing strategy plan. (1) (a) The department shall prepare a comprehensive 5-year state housing strategy plan. The department shall submit the plan to the federal department of housing and urban development.

(b) The department shall develop the plan in consultation with the housing advisory council. In preparing the plan, the department may obtain input from housing authorities, community-based organizations, the private housing industry and others interested in housing assistance and development.

(2) The state housing strategy plan shall include all of the following:

(a) A statement of housing policies and recommendations.

(b) An evaluation and summary of housing conditions and trends in this state, including housing stock and housing cost analyses, general population and household composition demographic analyses and housing and demographic forecasts.

(c) An evaluation of housing assistance needs, based in part on the evaluation under par. (b).

(d) A discussion of major housing issues, including housing production, housing and neighborhood conservation, housing for persons with special needs, fair housing and accessibility and housing affordability.

(e) Housing policies that set the general framework for this state's housing efforts.

(f) Strategies for utilizing federal funding and for coordinating federal and state housing efforts.

(g) Specific recommendations for public and private action that contribute to the attainment of housing policies under the plan.

(3) The department shall annually update the state housing strategy plan.

(4) Before October 1 of each year, the department shall submit the state housing strategy plan to the governor and to the chief clerk of each house of the legislature for distribution to the legislature under s. 13.172 (2).

SECTION 116m. 16.32 of the statutes is created to read:

16.32 Homesite demonstration grant program. (1) The division of housing in the department shall provide a grant of not more than \$350,000 in fiscal year 1991-92 to a community-based organization, as defined in s. 16.30 (1), to be used, in a joint venture with a private developer or builder, to reduce the purchase price of newly constructed, single-family detached homes.

(2) The division of housing shall use moneys from the appropriation under s. 20.505 (7) (b) for the grant under this section after first using any available federal funds and any moneys available from the Wisconsin housing and economic development authority surplus fund under s. 234.165.

(3) The community-based organization receiving a grant under this section may use the grant moneys to purchase land, make infrastructure and site improvements, obtain utility laterals, provide landscaping and other finishing work, make forgivable 2nd-mortgage loans, buy down the interest rates on mortgage loans and reduce the principal or downpayment on mortgage loans or mortgage underwriting costs.

(4) The division of housing may make a grant under this section to a community-based organization that submits an application that includes all of the following:

(a) A development plan calling for a minimum of 25 homes that are energy efficient, based on the one- and 2-family dwelling code, have floorplans of at least 1,000 square feet with a minimum of 2 bedrooms and are sold for not more than \$70,000 each.

(b) The identity of the site or sites of the proposed development.

(c) A joint venture agreement between the community-based organization and a private developer or builder.

(5) The community-based organization may not use more than \$20,000 of the grant under this section to reduce the selling price of an individual home.

(6) The gross annual income of a purchaser of an individual home reduced in price under this section may not exceed 80% of the county median income.

SECTION 117. 16.33 (1) (a) of the statutes is amended to read:

16.33 (1) (a) Subject to sub. (2), make grants or loans, directly or through agents designated under s.

~~16.34~~ 16.334, from the appropriation under s. 20.505 (7) (b) to persons or families of low or moderate income to defray housing costs of the person or family.

SECTION 118. 16.33 (3) of the statutes is renumbered 16.33 (3) (a) and amended to read:

16.33 (3) (a) The department may make grants or loans under sub. (1) (a) directly or through agents designated under s. ~~16.34~~ 16.334.

SECTION 119. 16.33 (3) (b) of the statutes is created to read:

16.33 (3) (b) The department may administer and disburse funds from a grant or loan under sub. (1) (a) on behalf of the recipient of the grant or loan.

SECTION 120. 16.334 (1) (c) of the statutes is created to read:

16.334 (1) (c) On terms approved by the department, administer and disburse funds from a grant or loan under s. 16.33 on behalf of the recipient of the grant or loan.

SECTION 120m. 16.339 of the statutes is created to read:

16.339 Transitional housing grants. (1) DEFINITIONS. In this section:

(a) "Eligible applicant" means any of the following:

1. A county or municipal governing body.
2. A county or municipal governmental agency.
3. A community action agency under s. 46.30.

Vetoed in Part ~~4. A private, nonprofit organization, as defined in s. 108.02 (1).~~

(b) "Transitional housing" means housing and supportive services for homeless persons that is designed to facilitate the movement of homeless persons to independent living.

(2) GRANTS. (a) From the appropriation under s. 20.505 (7) (dm), the department may award a grant to an eligible applicant for the purpose of providing transitional housing and associated supportive services to homeless individuals and families if the conditions under par. (b) are satisfied.

(b) A recipient of a grant under par. (a) shall agree to use the grant to support a transitional housing program that does all of the following:

Vetoed in Part

1. Utilizes only existing buildings.
2. Utilizes buildings at scattered sites, with a maximum of 16 dwelling units in each building.

3. Facilitates the utilization, by residents, of appropriate social services available in the community.

4. Provides, or facilitates the provision of, training in self-sufficiency to residents.

5. Requires that at least 25% of the income of residents be spent for rent.

6. Permits persons to reside in transitional housing facilities for a period not to exceed 24 months.

(3) REPORTING. Each recipient of a grant under this section shall annually provide all of the following information to the department:

(a) The total number of persons served.

(b) The length of stay in transitional housing of each person served.

(c) The housing and employment status of each person served, at the time that the person leaves the transitional housing program.

(d) Any other information that the department determines to be necessary to evaluate the effectiveness of the transitional housing program operated by the recipient.

(4) STUDY. Before July 1, 1993, the department shall submit a report to the chief clerk of each house of the legislature for distribution to the legislature under s. 13.172 (2). The report shall evaluate the effectiveness of the transitional housing programs that are funded by grants under this section in facilitating the movement of homeless persons to independent living and shall include a recommendation on the continuation of funding to those programs.

SECTION 121. 16.34 of the statutes is renumbered 16.334.

SECTION 122. 16.35 of the statutes is created to read:

16.35 Federal housing assistance programs. Notwithstanding s. 16.54 (2) (a), the department shall administer federal funds made available to this state under the Stewart B. McKinney homeless assistance act housing assistance programs, 42 USC 11361 to 11402.

SECTION 123. 16.358 of the statutes is created to read:

16.358 Community development block grant housing programs. (1) The department may administer housing programs, including the housing improvement grant program and the initial rehabilitation grant program, that are funded by a community development block grant, 42 USC 5301 to 5320, under a contract entered into with the department of development under s. 560.045.

(2) The department may promulgate rules to administer this section.

SECTION 124. 16.36 of the statutes is renumbered 16.336, and 16.336 (1) (intro.) and (3), as renumbered, are amended to read:

16.336 (1) (intro.) The department may make grants to a community-based organization or housing authority to improve the ability of the community-based organization or housing authority to provide housing opportunities, including housing-related counseling services, for persons or families of low or moderate income. The grants may be used to partially defray any of the following:

~~(3) A community-based organization or housing authority may not receive more than 2 grants under sub. (1) (a) or more than one grant under sub. (1) (b).~~ A community-based organization or housing authority may receive grants under both sub. (1) (a) and (b).

SECTION 124jf. 16.366 of the statutes is created to read:

16.366 Mobile home park regulation. (1) The department shall license and regulate mobile home parks. The department may investigate mobile home parks and, with notice, may enter and inspect private property.

(2) (a) The department or a village, city or county granted agent status under par. (e) shall issue permits to and regulate mobile home parks. No person, state or local government who has not been issued a permit under this subsection may conduct, maintain, manage or operate a mobile home park.

(b) The department may, after a hearing under ch. 227, refuse to issue a permit or suspend or revoke a permit for violation of this section or any regulation or order that the department issues to implement this section.

(c) 1. Permits issued under this subsection expire on June 30. The annual nonreturnable and nonprorated permit fee is as follows:

- a. For a mobile home park with 1 to 25 sites, \$70.
- b. For a mobile home park with 26 to 50 sites, \$90.
- c. For a mobile home park with 51 to 100 sites, \$110.
- d. For a mobile home park with more than 100 sites, \$125.

2. An additional penalty fee of \$10 is required for each permit if the annual renewal fee is not paid before the permit expires.

(d) A permit may not be issued under this subsection until all applicable fees have been paid. If the payment is by check or other draft drawn upon an account containing insufficient funds, the permit applicant shall, within 15 days after receipt of notice from the department of the insufficiency, pay by cashier's check or other certified draft, money order or cash the fees from the department, late fees and processing charges that are specified by rules promulgated by the department. If the permit applicant fails to pay all applicable fees, late fees and the processing charges within 15 days after the applicant receives notice of the insufficiency, the permit is void. In an appeal concerning voiding of a permit under this paragraph, the burden is on the permit applicant to show that the entire applicable fees, late fees and processing charges have been paid. During any appeal process concerning a payment dispute, operation of the mobile home park in question is considered to be operation without a permit.

(e) Section 50.535 (2), as it applies to an agent for the department of health and social services in the administration of s. 140.05 (17), applies to an agent for the department of administration in the administration of this section.

(3) The department may promulgate rules and issue orders to administer and enforce this section. A person who violates this section or a regulation or order under this section may be required to forfeit not less than \$10 nor more than \$250 for each offense. Each

day of continued violation constitutes a separate offense.

SECTION 124ji. 16.367 of the statutes is created to read:

16.367 Mobile home dealers and salespersons. The department shall administer subch. VI of ch. 218.

SECTION 125. 16.37 of the statutes is renumbered 16.337.

SECTION 125m. 16.375 of the statutes is created to read:

16.375 Use of surplus state-owned real property for low-income housing. (1) **DEFINITIONS.** In this section **Vetoed in Part**

(a) "Eligible applicant" means a community-based organization, a housing authority or a for-profit housing developer.

(b) "Persons of low income" means individuals or families whose annual income does not exceed the county median income for the county in which real property transferred under this section is located.

(c) "State agency" means an office, commission, department, or independent agency in the executive branch of state government.

(2) **TRANSFER OF REAL PROPERTY TO THE DEPARTMENT.** (a) Upon request of an eligible applicant, the department shall petition the head of any state agency having jurisdiction over real property that the department determines to be suitable for use as a low-income housing site to declare the real property surplus.

(b) The head of the state agency having jurisdiction over the real property shall notify the department in writing whether or not the state agency considers the real property to be surplus.

(c) If the state agency considers the real property to be surplus, the department shall review the real property to determine if it is suitable for low-income housing as proposed by the eligible applicant.

(d) If the department determines that the real property is suitable for low-income housing as proposed by the eligible applicant, the department shall so notify the state agency having jurisdiction over the real property. The state agency shall transfer the real property, without payment, to the department for purposes of transfer to an eligible applicant under sub. (3).

(3) **TRANSFER OF REAL PROPERTY TO ELIGIBLE APPLICANT.** The department may transfer real property obtained under sub. (2) to an eligible applicant, without payment, pursuant to a written agreement that includes all of the following conditions:

(a) The eligible applicant agrees to construct on the real property housing that may be used only for rental to persons of low income.

(b) The rent charged by the eligible applicant may not exceed the maximum permissible rent established by the department under sub. (7) (b).

(c) The eligible applicant agrees to maintain low-income housing on the real property for a minimum of 20 years.

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Vetoed in Part

Vetoed in Part (d) The eligible applicant agrees to pay the department an amount equal to the fair market value of the real property determined under sub. (3), plus simple interest at the rate of 1% per month, if the eligible applicant fails to utilize the real property in conformance with the agreement.

Vetoed in Part (e) All successors to the eligible applicant shall be bound by the agreement.

(f) Any other conditions considered necessary by the department to ensure that real property transferred to an eligible applicant under this section is properly utilized.

(4) RECORDING. The department shall record the agreement under sub. (3) in the office of the register of deeds for the county in which the real property subject to the agreement is located.

Vetoed in Part (5) APPRAISAL OF REAL PROPERTY. Before transfer under sub. (3), the department shall obtain an independent appraisal to determine the fair market value of the real property to be transferred.

(6) REMEDY FOR MISUSE OF REAL PROPERTY. If the eligible applicant or a successor of the eligible applicant fails to utilize the real property in conformance with the agreement between the eligible applicant and the department, the eligible applicant or the successor to the eligible applicant shall be liable to the department for an amount equal to the fair market value of the real property at the time of the transfer of the real property to the eligible applicant, plus simple interest at the rate of 1% per month.

(7) RULE MAKING REQUIRED. The department shall promulgate rules to administer this section, including rules establishing all of the following:

(a) Application procedures to be followed by eligible applicants.

(b) The maximum permissible rent that may be charged as rent for dwelling units that are located on real property transferred under sub. (3). The maximum permissible rent shall be based on the number of bedrooms in a dwelling unit and any other factor considered appropriate by the department and shall be affordable by persons of low income.

(c) Criteria to determine whether surplus state real property may be suitable as a site for low-income housing.

SECTION 126. 16.38 (3) of the statutes is amended to read:

16.38 (3) The implementation of the programs under ss. 16.33 and ~~16.36~~ 16.336 and other programs related to housing.

SECTION 127. 16.38 (4) of the statutes is created to read:

16.38 (4) The state housing strategy plan under s. 16.31.

SECTION 128. 16.39 of the statutes is created to read:

16.39 Weatherization assistance. (1) DEFINITIONS. In this section:

(a) "County department" means a county department under s. 46.215 or 46.22.

(b) "Household" means any individual or group of individuals who are living together as one economic unit for whom residential energy is customarily purchased in common or who make undesignated payments for energy in the form of rent.

(c) "Utility allowance" means the amount of utility costs paid by those individuals in subsidized housing who pay their own utility bills, as averaged from total utility costs for the housing unit by the housing authority.

(d) "Weatherization" means an improvement of housing primarily designed to minimize the loss of an energy resource and includes the provision or installation of caulking, weather stripping or insulation.

(2) ADMINISTRATION. Notwithstanding s. 16.54 (2) (a), the department shall administer the weatherization assistance program.

(3) APPLICATION PROCEDURE. A household may apply after September 30 and before May 16 of any year for weatherization assistance from the county department under s. 46.215 (1) (n) or 46.22 (1) (b) 10 and shall have the opportunity to do so on a form prescribed by the department for that purpose.

(4) ELIGIBILITY. The following may receive weatherization assistance under this section:

(a) A household with income which is not more than 150% of the income poverty guidelines for the nonfarm population of the United States as prescribed by the federal office of management and budget under 42 USC 9902 (2).

(b) A household entirely composed of persons receiving aid to families with dependent children under s. 49.19, food stamps under 7 USC 2011 to 2029, or supplemental security income or state supplemental payments under 42 USC 1381 to 1383c or s. 49.177.

(c) A household with income within the limits specified under par. (a) that resides in housing that is subsidized or administered by a municipality, a county, the state or the federal government in which a utility allowance is applied to determine the amount of rent or the amount of the subsidy.

(5) WEATHERIZATION PROGRAM. A household eligible under sub. (4) may receive weatherization from an entity with which the department contracts for provision of weatherization.

SECTION 128m. 16.40 (15) of the statutes is created to read:

16.40 (15) BADGER STATE GAMES ASSISTANCE. Provide, from the appropriation under s. 20.505 (1) (f), financial assistance for the operation of the badger state games.

SECTION 128mg. 16.40 (15) of the statutes, as created by 1991 Wisconsin Act (this act), is repealed.

SECTION 128r. 16.40 (20) of the statutes is created to read:

Vetoed
in Part

16.40 (20) SUPPLEMENTAL STATE AID. Pay to each school district the amount determined under s. 121.085 from the appropriation under s. 20.835 (7) (a).

~~SECTION 130m. 16.42 (3) of the statutes is created to read:~~

~~16.42 (3) In addition to the information required under sub. (1), the department of corrections shall provide an estimate of disbursements on the date and in the form applicable under sub. (1) for all of the following:~~

~~(a) Correctional institution educational staff salaries and benefits.~~

~~(b) Contracted educational services.~~

~~(c) Educational supplies and materials.~~

~~(d) Capital equipment used for educational programs.~~

SECTION 131. 16.425 (3) of the statutes is amended to read:

16.425 (3) REPORT ON TAX EXEMPTION DEVICES. The department of revenue shall, in each even-numbered year on the date prescribed for it by the secretary, furnish to the secretary a report detailing the approximate costs in lost revenue, the policy purposes and to the extent possible, indicators of effectiveness in achieving such purposes, for all state tax exemption devices, including those based on the federal internal revenue code, in effect at the time of the report. The report need relate only to chs. 71, 72, 76 and 77 tax exemption devices and to property tax exemptions for which reports are required under s. 70.337. The report shall be prepared in such a manner as to facilitate the making of comparisons with the information reported in s. 16.46 (1) to (6).

Vetoed
in Part

~~SECTION 131m. 16.46 (9) of the statutes is created to read:~~

~~16.46 (9) The recommendations of the governor for the succeeding biennium for disbursements by the department of corrections for all of the following:~~

~~(a) Correctional institution educational staff salaries and benefits.~~

~~(b) Contracted educational services.~~

~~(c) Educational supplies and materials.~~

~~(d) Capital equipment used for educational programs.~~

SECTION 132m. 16.505 (4) (b) of the statutes is amended to read:

16.505 (4) (b) No Except as provided in par. (c), no agency may change the funding source for a position authorized under this section unless the position is authorized to be created under a different funding source in accordance with this section.

SECTION 132n. 16.505 (4) (c) of the statutes is created to read:

16.505 (4) (c) The department shall fund from general purpose revenue under s. 20.865 (1) (cj) positions in the university of Wisconsin system that are other-

wise funded from revenues specified in s. 20.001 (2) (e), to the extent authorized under s. 20.865 (1) (cj).

~~SECTION 132p. 16.505 (4) (d) of the statutes is created to read:~~

~~16.505 (4) (d) No agency may change a permanent position authorized under this section to a project position as defined in s. 230.27 (1) unless the change is authorized in the same manner as provided in this section for creation of a full-time equivalent position from the funding source that is utilized to fund the position.~~

SECTION 133. 16.517 of the statutes is amended to read:

16.517 Adjustments of program revenue positions and funding levels. No later than 30 days after the effective date of each biennial budget act, the department shall provide to the joint committee on finance a report indicating any initial modifications that are necessary to the appropriation levels established under that act for program revenue and program revenue-service appropriations as defined in s. 20.001 (2) (b) and (c) or to the number of full-time equivalent positions funded from program revenue and program revenue-service appropriations authorized by that act to account for any additional funding or positions authorized under ss. 16.505 (2) or (2m) and 16.515 in the fiscal year immediately preceding the fiscal biennium of the budget and that have not been included in authorizations under the biennial budget act but which should be included as continued budget authorizations in the fiscal biennium of the budget. Such modifications shall be limited to adjustment of the appropriation or position levels to the extent required to account for higher base levels for the fiscal year immediately preceding the fiscal biennium of the budget due to appropriation or position increases authorized under ss. 16.505 (2) or (2m) and 16.515 subsequent to October 1 of during the fiscal year immediately preceding the fiscal biennium of the budget and prior to June 30 of that fiscal year. If the cochairpersons of the committee do not notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the proposed modifications within 14 working days after the date of the department's report, the modifications may be made. If, within 14 working days after the date of the department's report, the cochairpersons of the committee notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the proposed modifications, the department may not make the modifications until the committee approves the report.

SECTION 135. 16.52 (12) of the statutes is created to read:

16.52 (12) DATE FOR INTERFUND TRANSFERS. Whenever it is provided by law for a transfer of moneys to be made from one fund to another fund during a fiscal year and no date is specified for the transfer to be made, determine a date during the fiscal year on which

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Vetoed in Part the transfer shall be made or provide for partial transfers to be made on different dates during the fiscal year, and transfer the moneys in accordance with its determination.

Vetoed in Part SECTION 135L. 16.528 (2) (a) of the statutes is amended to read:

16.528 (2) (a) Except as provided in sub. (3) or as otherwise specifically provided, an agency which does not pay timely the amount due on an order or contract shall pay interest on the balance due from the 31st day after receipt of a properly completed invoice or receipt and acceptance of the property or service under the order or contract, whichever is later, or, if the agency does not comply with s. 16.53 (2), from the 31st day after receipt of an improperly completed invoice or receipt and acceptance of the property or service under the order or contract, whichever is later, at the rate specified in s. 71.82 (1) (a) of 9% per year compounded monthly.

SECTION 135m. 16.528 (2m) (b) of the statutes is amended to read:

16.528 (2m) (b) If a subcontractor is not paid in a timely fashion, the principal contractor shall pay interest on the balance due from the 8th day after the principal contractor's receipt of any payment from the agency, at the rate specified in s. 71.82 (1) (a) of 9% per year compounded monthly.

SECTION 135n. 16.528 (5) of the statutes is amended to read:

16.528 (5) REPORTS OF INTEREST PAID. Annually before October 1, each agency shall report to the department the number of times in the previous fiscal year the agency paid interest under this section, the total amount of interest paid and the reasons why interest payments were not avoided by making timely payment. Annually before January 1, the department shall report that information to the joint committee on finance, together with an analysis of the progress made in reducing from previous years the interest paid under this section by each agency.

SECTION 135zg. 16.53 (1) (d) 1 of the statutes is amended to read:

16.53 (1) (d) 1. The secretary, with the approval of the joint committee on employment relations, shall fix the time, except as provided in s. 16.20 (10) (c) and 101.38 (9) (c), and frequency for payment of salaries due elective and appointive officers and employees of the state. As determined under this subdivision, the salaries shall be paid either monthly, semimonthly or for each 2-week period.

SECTION 136. 16.53 (13) of the statutes is created to read:

16.53 (13) FINANCIAL SERVICES. (a) In this subsection, "agency" has the meaning given in s. 16.70 (1).

(b) The department may charge any agency for accounting, auditing, payroll and other financial services provided to the agency, whether the services are required by law or performed at the agency's request.

Vetoed in Part SECTION 136d. 16.53 (14) of the statutes is created to read:

16.53 (14) WITNESS FEES. The department shall pay the witness fees under ss. 814.67 (1) (b) 1 and (c), 907.06 and 979.06 (2) and (6) for witnesses called by or subpoenaed at the request of district attorneys or assistant district attorneys from the appropriation under s. 20.505 (8) (b).

SECTION 137. 16.54 (2) (b) of the statutes is amended to read:

16.54 (2) (b) Upon presentation by the department of health and social services to the joint committee on finance of alternatives to the provisions under s. 49.80, the joint committee on finance may revise the eligibility criteria under s. 49.80 (5), benefit payments under s. 49.80 (6) or the amount allocated for crises under s. 49.80 (3) (e) 2 and the department shall implement those revisions. Benefits or eligibility criteria so revised shall take into account and be consistent with the requirements of federal regulations promulgated under 42 USC 8621 to 8629. If funds received under 42 USC 8621 to 8629 in a federal fiscal year total less than 90% of the amount received in the previous federal fiscal year 1989, in federal fiscal year 1990 or in federal fiscal year 1991, the department of health and social services shall submit to the joint committee on finance a plan for expenditure of the funds. The department of health and social services may not use the funds unless the committee approves the plan.

SECTION 143c. 16.61 (2) (an) and (ao) of the statutes are created to read:

16.61 (2) (an) "Personally identifiable information" has the meaning specified in s. 19.62 (5).

(ao) "Privacy advocate" means the person designated under s. 19.625 (1).

SECTION 144. 16.61 (2) (b) of the statutes is amended to read:

16.61 (2) (b) "Public records" means all books, papers, maps, photographs, films, recordings, optical disks or other documentary materials or any copy thereof, regardless of physical form or characteristics, made; or received by any state agency of the state or its officers or employees in connection with the transaction of public business, except the records and correspondence of any member of the state legislature. "Public records" includes all records subject to disposal under s. 645.76.

SECTION 144m. 16.61 (2) (b) of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

16.61 (2) (b) "Public records" means all books, papers, maps, photographs, films, recordings, optical disks or other documentary materials, regardless of physical form or characteristics, made, or received by any state agency or its officers or employees in connection with the transaction of public business, and documents of any insurer that is liquidated or in the process of liquidation under ch. 645. "Public records" does not include:

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1. Records and correspondence of any member of the legislature.

2. Duplicate copies of materials the original copies of which are in the custody of the same state agency and which are maintained only for convenience or reference and for no other substantive purpose.

3. Materials in the possession of a library or museum made or acquired solely for reference or exhibition purposes.

4. Notices or invitations received by a state agency that were not solicited by the agency and that are not related to any official action taken, proposed or considered by the agency.

5. Drafts, notes, preliminary computations and like materials prepared for the originator's personal use or prepared by the originator in the name of a person for whom the originator is working.

6. Routing slips and envelopes.

SECTION 144p. 16.61 (2) (bm) and (c) of the statutes are amended to read:

16.61 (2) (bm) "Records and forms officer" means a person designated by a state agency to design, review, analyze, consolidate, simplify and file all public records and forms under s. 15.04 (1) (j) and to act as a liaison between that state agency and the board.

(c) "Records series" means public records that are arranged under a manual or automated 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 145m. 16.61 (3) (s) of the statutes is created to read:

16.61 (3) (s) Shall recommend to the department procedures for the transfer of public records to optical disk format, including procedures to ensure the authenticity, accuracy and reliability of public records so transferred and procedures to ensure that such public records are protected from unauthorized destruction. The board shall also recommend to the department qualitative standards for optical disks and copies of documents generated from optical disks used to store public records.

SECTION 145t. 16.61 (3) (t) of the statutes is created to read:

16.61 (3) (t) Shall recommend to the department qualitative standards for optical disks and for copies of documents generated from optical disks used to store materials filed with counties.

Vetoed in Part SECTION 146c. 16.61 (3) (u) ~~and (v) and (4) (bm)~~ of the statutes are created to read:

Vetoed in Part 16.61 (3) (u) Shall, ~~with the assistance of the privacy advocate,~~ create a registry of records series maintained by state agencies that contain personally identifiable information ~~using the information submitted to the board under sub. (4) (bm).~~

Vetoed in Part The registry shall not include any records series that contains the results of a matching program, as defined in s. 19.62

Vetoed in Part (3). ~~If the state agency using the records series destroys~~

~~the records series within 180 days after the records series was created. The registry shall be designed to:~~

Vetoed in Part

~~1. Ensure that state agencies are not maintaining any secret records series containing personally identifiable information; and~~

Vetoed in Part

~~2. Assist any individual in identifying records series maintained by state agencies that may contain personally identifiable information about the individual and how the information in these records series is collected, used, accessed, shared and disposed of or archived.~~

~~(v) Shall assist the privacy advocate, including providing the privacy advocate direct access via a computer terminal to the registry created under par. (u).~~

~~(4) (bm) The board shall specify any additional information necessary for the creation of the registry under sub. (3) (u) that a state agency shall submit under par. (b) for a records series that contains personally identifiable information. The board may specify that the additional information shall be submitted as part of the records retention schedule or as a supplement to this schedule.~~

SECTION 148m. 16.61 (5) of the statutes is created to read:

16.61 (5) TRANSFER OF PUBLIC RECORDS TO OPTICAL DISK FORMAT. (a) Subject to rules promulgated by the department under s. 16.611, any state agency may transfer any public record in its custody to optical disk format and retain the public record in that format only.

(b) Subject to rules promulgated by the department under s. 16.611, state agencies shall maintain procedures to ensure the authenticity, accuracy, reliability and accessibility of public records transferred to optical disk format under par. (a).

(c) Subject to rules promulgated by the department under s. 16.611, state agencies that transfer public records in their custody to optical disk format shall ensure that the public records stored in that format are protected from unauthorized destruction.

SECTION 149. 16.61 (7) (title) of the statutes is amended to read:

16.61 (7) (title) WHEN COPY DEEMED ORIGINAL RECORD.

SECTION 150. 16.61 (7) (a) (intro.) of the statutes is amended to read:

16.61 (7) (a) (intro.) Any microfilm reproduction of an original record, or, in the case of a record of a state agency, a copy generated from an original record stored in optical disk format, is deemed an original public record if all of the following conditions are met:

SECTION 151. 16.61 (7) (a) 1 of the statutes is amended to read:

16.61 (7) (a) 1. ~~The~~ Any device used to reproduce the record on film ~~is one which~~ or to transfer the record to optical disk format and generate a copy of the record from optical disk format accurately reproduces the content of the original.

SECTION 152. 16.61 (7) (a) 2 of the statutes is amended to read:

16.61 (7) (a) 2. The reproduction is on film which complies with the minimum standards of quality for microfilm reproductions, as established by rule of the board, or the optical disk copy and the copy generated from optical disk format comply with the minimum standards of quality for such copies, as established by rule of the department under s. 16.611.

SECTION 153. 16.61 (7) (a) 4 of the statutes is amended to read:

16.61 (7) (a) 4. The record is arranged, identified and indexed so that any individual document or component of the record can be located with the use of proper equipment.

SECTION 154. 16.61 (7) (a) 5 of the statutes is amended to read:

16.61 (7) (a) 5. The state agency records and forms officer or other person designated by the head of the state agency or the custodian of any other record executes a statement of intent and purpose describing the record to be reproduced or transferred to optical disk format, the disposition of the original record, the disposal authorization number assigned by the board for state public records of state agencies, the enabling ordinance or resolution for cities, towns, villages or school districts, or the resolution which authorizes the reproduction for counties when required, and executes a certificate verifying that the record was received or created and microfilmed or transferred to optical disk format in the normal course of business, and that the statement of intent and purpose is properly recorded as directed by the board.

SECTION 155. 16.61 (8) of the statutes is amended to read:

16.61 (8) ADMISSIBLE IN EVIDENCE. (a) Any microfilm reproduction of a public record meeting the requirements of sub. (7) or copy of a public record of a state agency generated from an original record stored in optical disk format in compliance with this section shall be taken as, stand in lieu of and have all the effect of the original document and shall be admissible in evidence in all courts and all other tribunals or agencies, administrative or otherwise, in all cases where the original document is admissible.

(b) Any enlarged copy of ~~any~~ a microfilm reproduction of a public record made as provided by this section ~~and or any enlarged copy of a public record of a state agency generated from an original record stored in optical disk format in compliance with this section that is certified by the custodian as provided in s. 889.08 shall have the same force as the microfilm reproduction itself an actual-size copy.~~

SECTION 156. 16.61 (9) of the statutes is amended to read:

16.61 (9) PRESERVATION OF REPRODUCTIONS. Provision shall be made for the preservation of any microfilm reproductions of public records and of any public

records stored in optical disk format in conveniently accessible files in the agency of origin or its successor or in the state archives.

SECTION 157. 16.61 (10) of the statutes is amended to read:

16.61 (10) (title) CONTRACTS FOR COPYING. Contracts for microfilm reproduction or optical imaging of public records to be made performed as provided in this section shall be made by the secretary as provided in ss. 16.70 to 16.77 and the cost of making such ~~microfilm reproduction~~ reproductions or optical disks shall be paid out of the appropriation of the state agency having the reproduction made.

SECTION 158. 16.61 (11) of the statutes is amended to read:

16.61 (11) AUTHORITY TO REPRODUCE RECORDS. Nothing in this section shall be construed to prohibit the responsible officer of any state agency from reproducing any document by any method when it is necessary to do so in the course of carrying out duties or functions in any case other than where the original document is to be destroyed; but no original public record may be destroyed after microfilming or optical imaging without the approval of the board ~~as provided in~~ unless authorized under sub. (4) or (5).

SECTION 159. 16.61 (12) of the statutes is amended to read:

16.61 (12) (title) ACCESS TO REPRODUCTIONS AND COPIES. All persons may examine and use the microfilm reproductions of public records and copies of public records generated from optical disk storage subject to such reasonable rules as may be made by the responsible officer of the state agency having custody of the same.

SECTION 159c. 16.61 (13) (d) of the statutes is renumbered 16.61 (13) (d) 1 and amended to read:

16.61 (13) (d) 1. Records ~~Except as provided in subd. 2, records~~ which have a confidential character while in the possession of the original custodian shall retain their confidential character after transfer to the historical society unless the board of curators of the historical society, with the concurrence of the original custodian or the custodian's legal successor, determines that the records shall be made accessible to the public under such proper and reasonable rules as the historical society promulgates. If the original custodian or the custodian's legal successor is no longer in existence, confidential records formerly in that person's possession may not be released by the board of curators unless the release is first approved by the public records and forms board. For public records and other official materials transferred to the care of the university archival depository under par. (b), the chancellor of the university preserving the records shall have the power and duties assigned to the historical society under this section.

SECTION 159d. 16.61 (13) (d) 2 of the statutes is created to read:

16.61 (13) (d) 2. Notwithstanding subd. 1, a record which is transferred to an archival depository under this subsection and which has a confidential character shall be open to inspection and available for copying 75 years after creation of the record unless the custodian, pursuant to ss. 19.34 and 19.35, determines that the record shall be kept confidential.

SECTION 159g. 16.611 of the statutes is created to read:

16.611 State public records; optical disk storage. (1) In this section, "public records" has the meaning given under s. 16.61 (2) (b).

(2) (a) The department shall prescribe, by rule, procedures for the transfer of public records to optical disk format, including procedures to ensure the authenticity, accuracy, reliability and accessibility of public records so transferred and procedures to ensure that such public records are protected from unauthorized destruction.

(b) The department shall prescribe, by rule, procedures governing the operation of its optical disk storage facility under s. 16.62 (1) (bm).

(c) The department shall prescribe, by rule, qualitative standards for optical disks and for copies of documents generated from optical disks used to store public records.

(3) Prior to submitting any proposed rule prescribed under sub. (2) to the legislative council staff under s. 227.15 (1), the department shall refer the proposed rule to the public records and forms board for its recommendations.

SECTION 159m. 16.612 of the statutes is created to read:

16.612 County records; optical disk standards. The department shall prescribe, by rule, qualitative standards for optical disks and for copies of documents generated from optical disks used to store materials filed with counties. Prior to submitting any such rule to the legislative council staff under s. 227.15 (1), the department shall refer the rule to the public records and forms board for its recommendations.

SECTION 160d. 16.62 (1) (bm) of the statutes is created to read:

16.62 (1) (bm) To operate an optical disk storage facility for state agencies in accordance with rules, promulgated by the department under s. 16.611, governing operation of the facility.

SECTION 160g. 16.70 (intro.) of the statutes is amended to read:

16.70 Purchasing; definitions. (intro.) In ss. 16.70 to ~~16.77~~ 16.78:

SECTION 160i. 16.70 (2m) of the statutes is created to read:

16.70 (2m) "Computer services" means any services in which a computer is utilized other than for personal computing purposes.

SECTION 161. 16.70 (3) of the statutes is amended to read:

16.70 (3) "Contractual services" includes all services, materials to be furnished by a service provider in connection with services, and any limited trades work involving less than ~~\$10,000~~ \$20,000 to be done for or furnished to the state or any agency.

SECTION 161m. 16.70 (10m) of the statutes is created to read:

16.70 (10m) "Personal computing" means utilizing a computer that is located at the work station where the input or output of data is conducted.

SECTION 162. 16.71 (1) of the statutes is amended to read:

16.71 (1) Except as authorized in ~~ss. s.~~ s. 16.74 and ~~565.25 (2) (a)~~, the department shall purchase and may delegate to special designated agents the authority to purchase 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 agencies. In making any delegation, the department shall require the agent to adhere to all requirements imposed upon the department in making purchases under this subchapter. All materials, services and other things and expense furnished to any agency and interest paid under s. 16.528 shall be charged to the proper appropriation of the agency to which furnished.

SECTION 163. 16.71 (3) of the statutes is created to read:

16.71 (3) If the department makes or delegates to the lottery board or to any other designated purchasing agent under sub. (1) the authority to make a major procurement, as defined in s. 565.01 (4), for the lottery board, the department, lottery board or designated purchasing agent shall comply with the requirements under s. 565.25.

SECTION 164. 16.72 (2) (b) of the statutes is amended to read:

16.72 (2) (b) ~~The~~ Except as provided in s. 565.25 (2) (a) 4, 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 165. 16.72 (4) (a) of the statutes is amended to read:

16.72 (4) (a) Except as provided in ~~ss. s.~~ s. 16.74 and ~~565.25 (2) (a)~~ or as otherwise provided in this subchapter and the rules promulgated ~~pursuant thereto~~ under s. 16.74 and this subchapter, all supplies, mate-

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rials, equipment and contractual services shall be purchased for and furnished to any agency only upon requisition to the department. The department shall prescribe the form, contents, number and disposition of requisitions and shall promulgate rules as to time and manner of submitting such requisitions for processing. No agency or officer may engage any person to perform contractual services without the specific prior approval of the department for each such engagement. Purchases of supplies, materials, equipment or contractual services by the legislature, the courts or legislative service or judicial branch agencies ~~and major procurements by the lottery board, as defined in s. 565.01 (4), do not require approval under this paragraph.~~

SECTION 166. 16.72 (4m) of the statutes is created to read:

16.72 (4m) The department shall provide the lottery board with a copy of each contract for a major procurement, as defined in s. 565.01 (4), for the lottery board.

Vetoed
in Part

~~SECTION 166m. 16.75 (3n) of the statutes is created to read:~~

~~16.75 (3n) (a) In this subsection, "women's business enterprise" means a sole proprietorship, partnership, joint venture or corporation that is at least 51% owned, controlled and actively managed by one or more women.~~

~~(b) In every solicitation for bids or competitive sealed proposals, the department, each designated agent under s. 16.71 (1) and each agency making purchases under s. 16.74 shall require the respondent to disclose whether it is a women's business enterprise.~~

~~(c) Each designated agent under s. 16.71 (1) and each agency making purchases under s. 16.74 shall annually report to the department, at the time specified by the secretary, the total amount of money that it expended for contracts and orders awarded to women's business enterprises in connection with procurements made since the date of its last report.~~

~~(d) The department shall maintain and annually publish data on the total amounts expended by the state for procurements from women's business enterprises. The department shall transmit the data to the chief clerk of each house of the legislature for distribution to the appropriate standing committees under s. 13.172 (3).~~

SECTION 166s. 16.75 (6) (am) of the statutes is created to read:

16.75 (6) (am) 1. In this paragraph, "major procurement" means a procurement by the department for the use of the division of information technology services that is primarily related to the functions of the division and is not ordinarily purchased for other divisions or agencies.

Vetoed
in Part

2. Subsections (1) and (3t) do not apply to major procurements. ~~Whenever the department makes a major procurement without soliciting bids or competitive sealed proposals under sub. (1) or (2m), the secre-~~

Vetoed
in Part

~~tary shall transmit to the cochairpersons of the joint committee on finance a description of the supplies, materials, equipment, property or contractual services purchased and the amount to be expended for the purchase within 30 days of entering into a purchase order or contract.~~

Vetoed
in Part

SECTION 167m. 16.752 (12) (a) of the statutes is amended to read:

16.752 (12) (a) Except as provided in pars. (c), (d) ~~and, (h) and (i)~~ and as authorized under sub. (13), agencies shall obtain materials, supplies, equipment and services on the list maintained by the board under sub. (2) (g).

SECTION 167n. 16.752 (12) (i) of the statutes is created to read:

16.752 (12) (i) Paragraph (a) does not apply to major procurements, as defined in s. 16.75 (6) (am).

SECTION 168. 16.76 (1) of the statutes is amended to read:

16.76 (1) All contracts for materials, supplies, equipment or contractual services shall run to the state of Wisconsin. Such contracts shall be signed by the secretary or an individual authorized by the secretary, except that contracts entered into directly by the legislature, the courts or a legislative service or judicial branch agency shall be signed by an individual authorized under s. 16.74 (2) (b) ~~and contracts under s. 565.25 (2) (a) shall be signed by the executive director of the lottery board.~~

SECTION 169. 16.77 (1) of the statutes is amended to read:

16.77 (1) No bill or statement for work or labor performed under purchase orders or contracts issued by the secretary or the secretary's designated agents, and no bill or statement for supplies, materials, equipment or contractual services purchased for and delivered to any agency may be paid until the bill or statement is approved through a preaudit or postaudit process determined by the secretary. This subsection does not apply to purchases made directly by the courts, the legislature or a legislative service or judicial branch agency under s. 16.74 ~~or major procurements made directly by the executive director of the lottery board under s. 565.25 (2) (a).~~

SECTION 169m. 16.78 of the statutes is created to read:

16.78 Purchases from division of information technology services. (1) Every agency other than the board of regents of the university of Wisconsin system or an agency making purchases under s. 16.74 shall purchase all computer services from the division of information technology services in the department of administration, unless the division grants written authorization to the agency to procure the services under s. 16.75 (1), to purchase the services from another agency or to provide the services to itself. The board of regents of the university of Wisconsin system may purchase computer services from the division of information technology services.

(2) Sections 16.705 to 16.767 and 16.77 (1) do not apply to the purchase of computer services by any agency from the division of information technology services.

SECTION 169r. 16.82 (5) of the statutes is amended to read:

16.82 (5) Shall develop and implement a comprehensive group transportation program for state employees, in cooperation with all agencies, as defined in s. 16.52 (7), and shall promote and encourage participation in the group transportation program. The program may include car pooling and van pooling service. In addition, the department shall promote and encourage alternate means of transportation for state, municipal and federal employees and persons in the private sector including but not limited to mass transit and bicycle commuting. The department may provide contract group transportation of state employees from designated pickup points to work sites and return in the absence of convenient and public scheduled transportation. Any driver of a van that is utilized by the department for a van pool shall have completed a driver safety training course approved by the department. Nonstate employees may be permitted to participate in van pools as passengers when necessary in order to provide viable van pool service for state employees. ~~Van pools are limited to a maximum of one third nonstate employees for each vehicle.~~ Group transportation shall be provided for a fee which recovers the full cost of administration, maintenance, operation, insurance and depreciation of the group transportation program, plus interest for general purpose revenues utilized for the program, except as provided in s. 16.843 (2) (bm). The department shall calculate interest recoverable under this subsection by applying the average earnings rate of the state investment fund for each quarter to the average general purpose revenues utilized under s. 20.903 (2) (b) from the appropriation under s. 20.505 (1) (im) for group transportation purposes in the same quarter. No less often than annually, the department shall assess the interest payable under this subsection as of the most recently completed quarter and shall deposit the amounts collected into the general fund. No person is deemed to be in the course of employment while utilizing group transportation.

SECTION 170. 16.825 of the statutes is repealed.

SECTION 170e. 16.84 (1) of the statutes is amended to read:

16.84 (1) Have charge of, operate, maintain and keep in repair the state capitol building, the executive residence, the light, heat and power plant, the state office buildings and their power plants, the grounds connected therewith, and such other state properties as are designated by law. All costs of such operation and maintenance shall be paid from the appropriation under s. 20.505 (5) (ka), except for debt service costs paid under s. 20.866 (1) (u). The department shall transfer moneys from the appropriation under s.

20.505 (5) (ka) to the ~~appropriations~~ appropriation account under s. 20.505 (5) ~~(kb) and (kc)~~ sufficient to ~~make lease rental payments and principal and interest payments on state facilities and payments to the United States under s. 13.488 (1) (m).~~

SECTION 170g. 16.84 (2) of the statutes is amended to read:

16.84 (2) Appoint such number of security officers as is necessary to safeguard all public property placed by law in the department's charge, and ~~respond to alarms~~ provide security services at the historical society museum located at 30 N. Carroll Street in the city of Madison upon reimbursement therefor by the society. When authorized by the governor, the department shall appoint such number of security officers as is necessary to safeguard state officers or other persons. All such security officers may arrest, with or without warrant, any person violating any law within or around any of said properties or in the presence or vicinity of said state officers or other persons being safeguarded by authorization of the governor. Nothing in this subsection limits or impairs the duty of the chief and each police officer of the police force of the municipality in which the property is located to arrest and take before the proper court or magistrate persons found in a state of intoxication or engaged in any disturbance of the peace or violating any state law, except s. 16.843 (2), in or around any of said properties located in the municipality in which the property is located, as required by s. 62.09 (13).

SECTION 170m. 16.841 of the statutes is created to read:

16.841 Madison child care facilities and services. (1)

In this section, "agency" has the meaning given in s. 16.70 (1).

(2) The department shall contract with one or more child care providers, as defined in s. 46.98 (1) (a), to supplement the cost of providing suitable space for child care services to be offered to the children of employees of agencies whose work stations are located in an area designated by the department comprising the central portion of the city of Madison.

(3) The department may lease space or provide space in any state-owned or state-leased building to be used by a child care provider under a contract specified in sub. (2) or may contribute to space costs incurred by a child care provider under such a contract for the purpose of providing child care services to children specified in sub. (2). Prior to leasing space or providing space to a child care provider in any state-owned facility that is not constructed specially for the use of a particular agency, the department shall obtain concurrence of the building commission under s. 13.48 (2) (b) 4.

(4) The department shall assess the costs of providing child care facilities to agencies whose employees are eligible to place their children in a facility operated by a child care provider who contracts with the depart-

ment under sub. (2). The assessment shall be made on an equitable basis as determined by the department. The department shall deposit assessment receipts in the appropriation account under s. 20.505 (5) (ka).

(5) The department may permit children, other than children of employees specified in sub. (2), to receive child care services at a child care facility established under sub. (3) if all children who are eligible to receive services under sub. (2) are first provided an opportunity for services.

SECTION 170s. 16.85 (12) of the statutes is created to read:

16.85 (12) To review and approve plans and specifications for any building or structure that is constructed for the benefit of the university of Wisconsin system or any institution thereof, and to periodically review the progress of any such building or structure during construction to assure compliance with the approved plans and specifications.

SECTION 171. 16.855 (16) of the statutes is amended to read:

16.855 (16) (a) This section does not apply to contracts between the state and federal government or any agency thereof, or with any political subdivision of the state. Subject to the approval of the governor, the requirements of this section may be waived in emergency situations involving the public health, welfare or safety or with respect to contracting with public utilities, but only when any such waiver is deemed by the governor to be in the best interests of the state.

(b) 2. In emergency situations, the governor may approve repairs and construction in lieu of building commission approval under s. 13.48 (10), and for such purposes, may authorize the release expenditure of up to \$50,000 of \$250,000 from the state building trust funds or the use of fund or from other available program revenues, but such approvals moneys appropriated to an agency derived from any revenue source. The governor shall be reported report any such authorization to the building commission at their its next regular meeting following the authorization.

SECTION 172. 16.855 (16) (b) 1 of the statutes is created to read:

16.855 (16) (b) 1. In this paragraph, "agency" has the meaning given in s. 16.70 (1).

SECTION 173. 16.865 (4) of the statutes is amended to read:

16.865 (4) Manage the state employees' worker's compensation program and the statewide self-funded programs to protect the state from losses due to of and damage to state property and liability and damage to state property.

SECTION 174. 16.865 (8) of the statutes is amended to read:

16.865 (8) Annually in each fiscal year, allocate as a charge to agencies each agency a proportionate share of the estimated cost costs attributable to programs not funded from general purpose revenue administered by the agency to be paid from the appropriations

appropriation under s. 20.865 (1) (dm), (f) and (fm). Costs 20.505 (2) (k). The department may be charged to and collected from charge premiums to agencies on an estimated or premium basis to finance costs under this subsection and paid pay the costs from the appropriations appropriation on an actual basis. The department shall deposit all collections under this subsection in the general fund as general purpose revenue earned appropriation account under s. 20.505 (2) (k). Costs assessed under this subsection may include judgments, investigative and adjustment fees, data processing and staff support costs, program administration costs, litigation costs and the cost of insurance contracts under sub. (5). In this subsection, "agency" means an office, department, independent agency, institution of higher education, association, society or other body in state government created or authorized to be created by the constitution or any law, which is entitled to expend moneys appropriated by law, including the legislature and the courts, but not including an authority created in ch. 231, 232 or 234.

SECTION 175. 16.87 (2) of the statutes is amended to read:

16.87 (2) A contract for engineering services or architectural services or a contract involving an expenditure of \$2,500 or more for construction work, or \$10,000 \$20,000 or more for limited trades work, to be done for or furnished to the state or a department, board, commission or officer of the state is exempt from the requirements of ss. 16.705 and 16.75. The department shall attempt to ensure that 5% of the total amount expended under this section in each fiscal year is paid to minority businesses, as defined under s. 16.75 (3m) (a).

SECTION 175m. 16.957 of the statutes is created to read:

16.957 Clean energy rebate program. (1) DEFINITIONS. In this section:

(a) "Clean energy resource system" means a solar energy system or a wind energy system, but does not include any equipment which would be present as part of a conventional energy system or as part of a system primarily used to heat a swimming pool.

(b) "Solar energy system" means equipment which directly converts and then transfers or stores solar energy into usable forms of thermal or electrical energy.

(c) "Wind energy system" has the meaning given in s. 16.959 (1).

(2) REBATE. A natural person owning a clean energy resource system installed after December 31, 1991, may apply for a rebate, not to exceed \$2,000 per clean energy resource system, that is calculated at a rate of \$100 per million British thermal units of estimated annual energy produced by the clean energy resource system if all of the following apply:

(a) The installation of the clean energy resource system is completed during the year for which the rebate is claimed.

Vetoed
in Part

Vetoed
in Part

(b) The clean energy resource system is installed on the natural person's property in this state.

(c) The clean energy resource system is certified under sub. (4).

(3) APPLICATION. (a) A natural person may make an application for a rebate to the department. A natural person may make only one application per year.

(b) The department shall calculate the amount of a rebate and may require an applicant to submit additional information. If approved, a rebate may be certified by the department for payment by check, share draft or other draft drawn from the appropriation under s. 20.505 (1) (e).

(c) The department may not approve an application if any of the following applies:

1. The application is received more than 12 months after the month during which installation of the clean energy resource system is completed.

2. The department previously approved a rebate for the same clean energy resource system at the same location.

(4) CERTIFICATION. The department shall determine if a clean energy resource system may be certified for a rebate. The department shall promulgate rules establishing performance standards or other criteria that a clean energy resource system is required to meet in order to be certified for a rebate under this section.

SECTION 176. 16.96 (2) (e) of the statutes is amended to read:

16.96 (2) (e) Before August 1 of the year following the year in which a federal decennial census is taken, the department shall adjust the October 4 10 population determinations of the decennial census year to correspond to the final federal decennial census results as reported to an agency of the state by the U.S. bureau of the census under 13 USC 141 (c). The department may use preliminary results from the decennial census for any municipality or a county for which the final results are not available before August 1 of the year following the decennial census year. The department shall prorate each population determination adjustment from the decennial census date back to the reference date of the estimate for all municipalities and counties under par. (a) in the decennial census year. The department shall report the adjusted population determination to the department of revenue before August 1 of the year following the federal decennial census year. Upon receiving an adjusted population determination, the department of revenue shall correct shared revenue distributions under subch. I of ch. 79 according to s. 79.08.

SECTION 177. 16.964 (2m) (a) of the statutes is amended to read:

16.964 (2m) (a) The office shall provide grants to local law enforcement agencies from the ~~appropriations~~ appropriation under s. 20.505 (6) (b) ~~and (pd)~~ (pb) for payment of costs under par. (b). Local law enforcement agencies may submit a proposed plan for

the expenditure of funds to the office. The office shall review any proposed plans to determine if the criteria under this subsection have been met.

SECTION 178p. 16.967 (6) of the statutes is amended to read:

16.967 (6) REPORTS. By March 31, 1990, and biennially thereafter, the departments of administration, agriculture, food and trade and consumer protection, development, health and social services, industry, labor and human relations, natural resources, revenue and transportation, and the board of regents of the university of Wisconsin system, the public service commission and the board of curators of the historical society shall each submit to the board a plan to integrate land information to enable such information to be readily translatable, retrievable and geographically referenced for use by any state, local governmental unit or public utility.

Vetoed
in Part

SECTION 178pp. 16.967 (7) (b) of the statutes is amended to read:

16.967 (7) (b) Grants shall be paid from the appropriation under s. 20.505 (4) (im). A grant under this subsection may not exceed \$100,000. ~~The board shall not award a grant to a county board unless the county board matches at least 25% of the amount of the grant.~~ The board may award more than one grant to a county board.

SECTION 179. Subchapter VII (title) of chapter 16 of the statutes is amended to read:

CHAPTER 16

SUBCHAPTER VII

DATA PROCESSING

INFORMATION TECHNOLOGY

(to precede s. 16.97)

SECTION 180b. 16.97 of the statutes is renumbered 16.971, and 16.971 (title), as renumbered, is amended to read:

16.971 (title) Responsibilities of department.

SECTION 190. 16.97 of the statutes is created to read:

16.97 Definitions. In this subchapter:

- (1) "Agency" has the meaning given in s. 16.70 (1).
- (2) "Authority" has the meaning given in s. 16.70 (2).
- (3) "Computer services" means any services in which a computer is utilized other than for personal computing purposes.
- (4) "Data processing" means the delivery of information processing services.
- (5) "Division" means the division of information technology services in the department.
- (6) "Information technology" means the electronic processing, storage and transmission of information including data processing and telecommunications.
- (7) "Local governmental unit" means a political subdivision of this state, a special purpose district in this state, an instrumentality or corporation of such a political subdivision or special purpose district, a

combination or subunit of any of the foregoing or an instrumentality of the state and any of the foregoing.

(8) "Personal computing" means utilizing a computer that is located at the same work station where the input or output of data is conducted.

(9) "Supercomputer" means a special purpose computer that performs in a scientific environment and that is characterized by a very high processing speed and power.

(10) "Telecommunications" means the electronic movement of information in any form from one point to another.

SECTION 192b. 16.971 (2) (m) of the statutes is created to read:

16.971 (2) (m) Assist in coordination and integration of the plans of agencies relating to information technology to formulate a consistent statewide strategic plan for the use and application of information technology.

SECTION 194m. 16.973 of the statutes is created to read:

16.973 Powers of the division. The division may:

(1) Provide such telecommunications services to agencies as the division considers to be appropriate.

(2) Provide such computer services and telecommunications services to local governmental units as the division considers to be appropriate and as the division can efficiently and economically provide. The division may exercise this power only if in doing so it maintains the services it provides at least at the same levels that it provides prior to exercising this power and it does not increase the rates chargeable to users served prior to exercise of this power as a result of exercising this power.

(3) Provide such supercomputer services to agencies, local governmental units and entities in the private sector as the division considers to be appropriate and as the division can efficiently and economically provide. The division may exercise this power only if in doing so it maintains the services it provides at least at the same levels that it provides prior to exercising this power and it does not increase the rates chargeable to users served prior to exercise of this power as a result of exercising this power.

(4) Undertake such studies, contract for the performance of such studies, and appoint such councils and committees for advisory purposes as the division considers appropriate to ensure that the division's plans, capital investments and operating priorities meet the needs of state government and of agencies and of local governmental units and entities in the private sector served by the division. The division may compensate members of any council or committee for their services and may reimburse such members for their actual and necessary expenses incurred in the discharge of their duties.

Vetoed in Part (5) ~~To~~ provide technical services to agencies in making hardware acquisitions to be used for computer services.

SECTION 194n. 16.974 of the statutes is created to read:

16.974 Duties of the division. The division shall:

(1) Provide or contract with a public or private entity to provide computer services to agencies.

(3) ~~Engage in strategic planning for information technology development to facilitate the implementation of statewide initiatives, including development and maintenance of policies and programs to protect the privacy of individuals who are the subjects of information contained in the data bases of agencies that is addressed in the planning, and of technical standards and sharing of applications among agencies and any participating local governmental units or entities in the private sector.~~

Vetoed in Part

Vetoed in Part

(4) Ensure responsiveness to the needs of agencies for delivery of high-quality information technology processing services on an efficient and economical basis, while not unduly affecting the privacy of individuals who are the subjects of the information being processed by the division.

(5) Utilize all feasible technical means to ensure the security of all information submitted to the division for processing by agencies, local governmental units and entities in the private sector.

(6) With the advice of the ethics board, adopt and enforce standards of ethical conduct applicable to its paid consultants which are similar to the standards prescribed in subch. III of ch. 19, except that the division shall not require its paid consultants to file statements of economic interests.

SECTION 194p. 16.975 of the statutes is created to read:

16.975 Access to information. The division shall withhold from access under s. 19.35 (1) all information submitted to the division by agencies, local governmental units or entities in the private sector for the purpose of processing. The authority may not process such information without the consent of the agency, unit or other entity which submitted the information and may not withhold such information from the agency, unit or other entity or from any other person authorized by the agency, unit or entity to have access to the information. The agency, unit or other entity submitting the information remains the custodian of the information while it is in the custody of the authority and access to such information by that agency, unit or entity or any other person shall be determined by that agency, unit or other entity and in accordance with law.

SECTION 194q. 16.976 of the statutes is created to read:

16.976 Council on information technology. The council on information technology shall ~~assist the division and~~ advise the secretary on matters relating to the operation and performance of the division under this subchapter.

Vetoed in Part

SECTION 200m. 17.14 (1) (h) of the statutes is amended 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) 73.03 (45).

SECTION 200r. 17.15 (4) of the statutes is created to read:

17.15 (4) FOX-WINNEBAGO REGIONAL MANAGEMENT COMMISSION. Any member of the Fox-Winnebago regional management commission appointed under s. 30.94 (3) (a) may be removed by the appointing authority for cause.

SECTION 200t. 17.27 (1r) of the statutes is created to read:

17.27 (1r) FOX-WINNEBAGO REGIONAL MANAGEMENT COMMISSION. If a vacancy occurs in the position of any appointed member of the Fox-Winnebago regional management commission, the appointing authority shall fill the position with a person who meets the applicable requirements under s. 30.94 (3).

SECTION 201d. 18.01 (4) (intro.) of the statutes is amended to read:

18.01 (4) (intro.) "Public debt" or "debt" means every voluntary, unconditional undertaking by the state, other than an operating note or an interest exchange agreement, to repay a sum certain:

SECTION 201j. 18.06 (8) (title) and (a) of the statutes are amended to read:

18.06 (8) (title) PUBLIC DEBT, AGREEMENTS. (a) ~~With regard to public debt that bears variable rates of interest or that is issued in the form of commercial paper, the~~ The commission may enter into agreements and ancillary arrangements for the public debt, including liquidity facilities, remarketing or dealer agreements, letter of credit agreements, insurance policies, interest rate guaranty agreements, reimbursement agreements and, indexing agreements or interest exchange agreements.

SECTION 201k. 18.06 (8) (c) of the statutes is amended to read:

18.06 (8) (c) Any public debt ~~contracted under this subchapter that bears variable rates of interest or that is issued in the form of commercial paper~~ may include public debt contracted to fund interest, accrued or to accrue, on the public debt.

Vetoed
in Part

~~SECTION 201L. 18.06 (8) (d) of the statutes is created to read:~~

~~18.06 (8) (d) The commission shall not enter into any interest exchange agreement except pursuant to written policies adopted by the commission specifying all of the following:~~

~~1. The degree to which the state is willing to accept additional risk in order to possibly benefit from interest cost reductions due to the use of interest exchange agreements.~~

~~2. The structure and conditions of interest rate exchange agreements that are required for any such~~

~~agreements to be considered for approval by the commission.~~

~~SECTION 201m. 18.06 (8) (e) of the statutes is created to read:~~

~~18.06 (8) (e) The department of administration shall report annually to the commission and the joint committee on finance on the use by the state of interest exchange agreements, the current amount of the obligations of the state under these agreements, and the amount of savings to the state due to the use of interest rate exchanges since the date of the previous report.~~

SECTION 201r. 18.51 of the statutes is amended to read:

18.51 Provisions applicable. The following sections apply to this subchapter, except that all references to "public debt" or "debt" are deemed to refer to a "revenue obligation": ss. 18.02, 18.03, 18.06 (8), 18.07, 18.10 (1), (2), (4) to (9) and (11) and 18.17.

SECTION 201v. 18.70 of the statutes is amended to read:

18.70 Provisions applicable. The following sections apply to this subchapter, except that all references to "public debt", "debt" or "revenue obligation" are deemed to refer to "operating notes", all references to "evidence of indebtedness" are deemed to refer to "evidence of operating note", and all references to "evidences of indebtedness" are deemed to refer to "evidences of operating notes": ss. 18.03, 18.06 (8), 18.07, 18.10 (1), (2), (4) to (9) and (11), 18.17, 18.52 (1), 18.58 (2), 18.61 (1), 18.62 and 18.63.

SECTION 205. 19.01 (4) (bn) of the statutes is created to read:

19.01 (4) (bn) With the secretary of administration: district attorneys.

SECTION 206. 19.10 of the statutes is amended to read:

19.10 Oaths. Each of the officers enumerated in s. 8.25 (4) (a) or (5) shall take and subscribe the oath of office prescribed by article IV, section 28, of the constitution, as follows: The governor and lieutenant governor, before entering upon the duties of office; the secretary of state, treasurer, attorney general, state superintendent and each district attorney, within 20 days after receiving notice of election and before entering upon the duties of office.

SECTION 207. 19.21 (5) (f) of the statutes is created to read:

19.21 (5) (f) District attorney records are state records and are subject to s. 978.07.

~~SECTION 207m. 19.32 (1) of the statutes is amended to read:~~

~~19.32 (1) "Authority" means any of the following having custody of a record: a state or local office, elected official, agency, board, commission, committee, council, department or public body corporate and politic created by constitution, law, ordinance, rule or order; a governmental or quasi-governmental corpo-~~

Vetoed
in Part

Vetoed
in Part

Vetoed
in Part

ration except for the Bradley center sports and entertainment corporation created under ch. 232; any public purpose corporation, as defined in s. 181.79(1); any nonprofit corporation which constructs a sports and entertainment facility for the purpose of donation to the state or an instrumentality of the state, if the state indicates by legislative or executive action that it will accept the facility; any court of law, the assembly or senate, a nonprofit corporation which receives more than 50% of its funds from a county or a municipality, as defined in s. 59.001(3), and which provides services related to public health or safety to the county or municipality; a nonprofit corporation operating an ice rink which is owned by the state; or a formally constituted subunit of any of the foregoing.

SECTION 208. 19.32 (2) of the statutes is amended to read:

19.32 (2) "Record" means any material on which written, drawn, printed, spoken, visual or electromagnetic information is recorded or preserved, regardless of physical form or characteristics, which has been created or is being kept by an authority. "Record" includes, but is not limited to, handwritten, typed or printed pages, maps, charts, photographs, films, recordings, tapes (including computer tapes), and computer printouts and optical disks. "Record" does not include drafts, notes, preliminary computations and like materials prepared for the originator's personal use or prepared by the originator in the name of a person for whom the originator is working; materials which are purely the personal property of the custodian and have no relation to his or her office; materials to which access is limited by copyright, patent or bequest; and published materials in the possession of an authority other than a public library which are available for sale, or which are available for inspection at a public library.

Vetoed
in Part

SECTION 208c. 19.32 (2) of the statutes, as affected by 1991 Wisconsin Act ... (this act), is repealed and recreated to read:

19.32 (2) "Record" means any material on which written, drawn, printed, spoken, visual, optical, electromagnetic or any other electronically recoverable information is recorded or preserved, regardless of physical form or characteristics, which has been created or is being kept by an authority. "Record" includes, but is not limited to, handwritten, typed or printed pages, maps, charts, photographs, films, recordings, tapes (including computer tapes), and computer printouts and optical disks. "Record" does not include bills, notes, preliminary computations and like materials prepared for the originator's personal use or prepared by the originator in the name of a person for whom the originator is working; materials which are purely the personal property of the custodian and have no relation to his or her office; materials to which access is limited by copyright, patent or bequest; and published materials in the possession of an authority other than a public library which are

available for sale, or which are available for inspection at a public library. Vetoed
in Part

SECTION 209. 19.35 (3) (b) of the statutes is amended to read:

19.35 (3) (b) ~~An~~ Except as otherwise provided by law or as authorized to be prescribed by law an authority may impose a fee upon the requester of a copy of a record ~~for that does not exceed~~ the actual, necessary and direct cost of photographing and photographic processing if the authority provides a photograph of a record, the form of which does not permit copying.

SECTION 211. 19.36 (4) of the statutes is amended to read:

19.36 (4) COMPUTER PROGRAMS AND DATA. A computer program, as defined in s. 46.97 ~~16.971~~ (4) (c), is not subject to examination or copying under s. 19.35 (1), but the material used as input for a computer program or the material produced as a product of the computer program is subject to the right of examination and copying, except as otherwise provided in s. 19.35 or this section.

SECTION 211e. 19.42 (7u) of the statutes is created to read:

19.42 (7u) "Local governmental unit" means a political subdivision of this state, a special purpose district in this state, an instrumentality or corporation of such a political subdivision or special purpose district, a combination or subunit of any of the foregoing or an instrumentality of the state and any of the foregoing.

SECTION 211f. 19.42 (7w) of the statutes is created to read:

19.42 (7w) "Local public office" means any of the following offices, except an office specified in sub. (13):

- (a) An elective office of a local government.
- (b) A county administrator or administrative coordinator or a city or village manager.
- (c) An appointive office or position of a local government in which an individual serves for a specified term, except a position limited to the exercise of ministerial action or a position filled by an independent contractor.
- (d) An appointive office or position of a local government which is filled by the governing body of the local government or the executive or administrative head of the local government and in which the incumbent serves at the pleasure of the appointing authority, except a clerical position, a position limited to the exercise of ministerial action or a position filled by an independent contractor.

SECTION 211g. 19.42 (7x) of the statutes is created to read:

19.42 (7x) "Local public official" means an individual holding a local public office.

SECTION 211r. 19.44 (1) (e) of the statutes is amended to read:

19.44 (1) (e) The identity of each payer from which the individual who is required to file or a member of his or her immediate family received \$1,000 or more of his or her income for the preceding taxable year, except that if the individual who is required to file identifies the general nature of the business in which he or she or his or her immediate family is engaged, then no identification need be made of a decedent's estate or an individual, not acting as a representative of an organization, unless the individual is a lobbyist as defined in s. 13.62. In addition, no identification need be made of payers from which only dividends or interest, anything of pecuniary value reported under s. 19.56 or reportable under s. 19.57, or political contributions reported under ch. 11 were received.

SECTION 211s. 19.44 (1) (g) of the statutes is amended to read:

19.44 (1) (g) The identity of each person from which the individual who is required to file received, directly or indirectly, any gift or gifts having an aggregate value of more than \$50 within the taxable year preceding the time of filing, except that the source of a gift need not be identified if the donation is permitted under s. 19.56 (3) (e) or (f) or if the donor is the donee's parent, grandparent, child, grandchild, brother, sister, parent-in-law, grandparent-in-law, brother-in-law, sister-in-law, uncle, aunt, niece, nephew, spouse, finance or fiancée.

SECTION 211t. 19.45 (title) of the statutes is amended to read:

19.45 (title) Standards of conduct; state public officials.

SECTION 211v. 19.47 (1) of the statutes is amended to read:

19.47 (1) The office of the board shall be in Madison, but the board may, after proper notice and in compliance with subch. IV V, meet or exercise any or all of its powers at any other place in this state.

SECTION 212. 19.48 (4) (intro.) of the statutes is amended to read:

19.48 (4) (intro.) Preserve the statements of economic interests filed with it for a period of 6 years from the date of receipt in such form, including micro-filming or optical imaging, as will facilitate document retention, except that:

SECTION 212m. 19.50 (5) of the statutes is amended to read:

19.50 (5) To request and obtain from the department of revenue copies of state income or franchise tax returns and access to other appropriate information under s. 71.78 (4) regarding all persons who are the subject of such investigation.

SECTION 212pd. 19.56 (2) (b) 4 of the statutes is amended to read:

19.56 (2) (b) 4. The official has previously reported to the board as a matter of public record; or

SECTION 212pe. 19.56 (2) (b) 5 of the statutes is amended to read:

19.56 (2) (b) 5. Is paid by the department or municipality of which the official's state public office is a part, or, in the case of a district attorney, is paid by that department or a county which the district attorney serves, or, in the case of a justice or judge of a court of record, is paid from the appropriations for operation of the state court system; or

SECTION 212pg. 19.56 (2) (b) 6 of the statutes is created to read:

19.56 (2) (b) 6. Is made available to the official by the department of development in accordance with sub. (3) (e) or (f).

SECTION 212pj. 19.56 (3) (e) of the statutes is created to read:

19.56 (3) (e) A state public official who is an officer or employe of the department of development may solicit, receive and retain on behalf of the state anything of value for the purpose of any of the following:

1. The sponsorship by the department of development of a trip to a foreign country primarily to promote trade between that country and this state that the department of development can demonstrate through clear and convincing evidence is primarily for the benefit of this state.

2. Hosting individuals in order to promote business, economic development, tourism or conferences sponsored by multistate, national or international associations of governments or governmental officials.

SECTION 212pk. 19.56 (3) (f) of the statutes is created to read:

19.56 (3) (f) A state public official may receive and retain from the department of development anything of value which the department of development is authorized to provide under par. (e).

SECTION 212qc. 19.57 of the statutes is created to read:

19.57 Conferences, visits and economic development activities. The department of development shall file a report with the board no later than April 30 annually, specifying the source and amount of anything of value received by the department of development during the preceding calendar year for a purpose specified in s. 19.56 (3) (e), and the program or activity in connection with which the thing is received, together with the location and date of that program or activity.

SECTION 212qd. 19.59 (1) of the statutes is renumbered 19.59 (1m) and amended to read:

19.59 (1m) ~~Any~~ In addition to the requirements of sub. (1), any county, city, village or town may ~~adopt~~ enact an ordinance establishing a code of ethics for public officials and employes of the county or municipality and candidates for county or municipal elective offices.

SECTION 212qf. 19.59 (1) of the statutes is created to read:

19.59 (1) (a) No local public official may use his or her public position or office to obtain financial gain or

anything of substantial value for the private benefit of himself or herself or his or her immediate family, or for an organization with which he or she is associated. This paragraph does not prohibit a local public official from using the title or prestige of his or her office to obtain campaign contributions that are permitted and reported as required by ch. 11.

(b) No person may offer or give to a local public official, directly or indirectly, and no local public official may solicit or accept from any person, directly or indirectly, anything of value if it could reasonably be expected to influence the local public official's vote, official actions or judgment, or could reasonably be considered as a reward for any official action or inaction on the part of the local public official. This paragraph does not prohibit a local public official from engaging in outside employment.

(c) Except as otherwise provided in par. (d), no local public official may:

1. Take any official action substantially affecting a matter in which the official, a member of his or her immediate family, or an organization with which the official is associated has a substantial financial interest.

2. Use his or her office or position in a way that produces or assists in the production of a substantial benefit, direct or indirect, for the official, one or more members of the official's immediate family either separately or together, or an organization with which the official is associated.

(d) Paragraph (c) does not prohibit a local public official from taking any action concerning the lawful payment of salaries or employee benefits or reimbursement of actual and necessary expenses, or prohibit a local public official from taking official action with respect to any proposal to modify a county or municipal ordinance.

SECTION 212qh. 19.59 (2) of the statutes is amended to read:

19.59 (2) An ordinance ~~adopted enacted~~ under this section shall specify the positions to which it applies. The ordinance may apply to members of the immediate family of individuals who hold positions or who are candidates for positions ~~covered by~~ to which the ordinance applies.

SECTION 212qj. 19.59 (3) (intro.) of the statutes is amended to read:

19.59 (3) (intro.) An ordinance ~~adopted enacted~~ under this section may contain any of the following provisions:

SECTION 212qk. 19.59 (3) (a) of the statutes is amended to read:

19.59 (3) (a) A requirement for local public officials, other employees of the county or municipality and candidates for local public office to identify any of the economic interests specified in s. 19.44, ~~but to no greater extent than is required under that section.~~

SECTION 212qm. 19.59 (3) (b) of the statutes is amended to read:

19.59 (3) (b) A provision directing the county or municipal clerk or board of election commissioners to omit the name of any candidate from an election ballot who fails to disclose his or her economic interests in accordance with the requirements of the ordinance.

SECTION 212qn. 19.59 (3) (c) of the statutes is amended to read:

19.59 (3) (c) A provision directing the county or municipal treasurer to withhold the payment of salaries or expenses from any local public official or other employee of the county or municipality who fails to disclose his or her economic interests in accordance with the requirements of the ordinance.

SECTION 212qp. 19.59 (3) (d) of the statutes is amended to read:

19.59 (3) (d) A provision vesting administration and civil enforcement of the ordinance with an ethics board appointed in a manner specified in the ordinance. A board created under this paragraph may issue subpoenas, administer oaths and investigate any violation of the ordinance on its own motion or upon complaint by any person. The ordinance may empower the board to issue opinions upon request. ~~Notwithstanding s. 19.35, records~~ Records of the board's opinions, opinion requests and investigations of violations of the ordinance may be closed in whole or in part to public inspection if the ordinance so provides.

SECTION 212qr. 19.59 (3) (e) of the statutes is amended to read:

19.59 (3) (e) Provisions prescribing ethical standards of conduct and prohibiting conflicts of interest on the part of ~~public officials and local public officials and other employees of the county or municipality or on the part of former local public officials and or former employees of the county or municipality, similar in scope to the provisions of s. 19.45, where applicable, but not more restrictive than the requirements of that section.~~

SECTION 212qt. 19.59 (5) of the statutes is created to read:

19.59 (5) (a) Any individual, either personally or on behalf of an organization or governmental body, may request of a county or municipal ethics board, or, in the absence of a county or municipal ethics board, a county corporation counsel or attorney for a local governmental unit, an advisory opinion regarding the propriety of any matter to which the person is or may become a party. Any appointing officer, with the consent of a prospective appointee, may request of a county or municipal ethics board, or, in the absence of a county or municipal ethics board, a county corporation counsel or attorney for a local governmental unit an advisory opinion regarding the propriety of any matter to which the prospective appointee is or may become a party. The county or municipal ethics board or the county corporation counsel or attorney shall review a request for an advisory opinion and may advise the person making the request. Advisory opin-

ions and requests therefor shall be in writing. It is prima facie evidence of intent to comply with this section or any ordinance enacted under this section when a person refers a matter to a county or municipal ethics board or a county corporation counsel or attorney for a local governmental unit and abides by the advisory opinion, if the material facts are as stated in the opinion request. A county or municipal ethics board may authorize a county corporation counsel or attorney to act in its stead in instances where delay is of substantial inconvenience or detriment to the requesting party. Except as provided in par. (b), neither a county corporation counsel or attorney for a local governmental unit nor a member or agent of a county or municipal ethics board may make public the identity of an individual requesting an advisory opinion or of individuals or organizations mentioned in the opinion.

(b) A county or municipal ethics board, county corporation counsel or attorney for a local governmental unit replying to a request for an advisory opinion may make the opinion public with the consent of the individual requesting the advisory opinion or the organization or governmental body on whose behalf it is requested and may make public a summary of an advisory opinion issued under this subsection after making sufficient alterations in the summary to prevent disclosing the identities of individuals involved in the opinion. A person who makes or purports to make public the substance of or any portion of an advisory opinion requested by or on behalf of the person waives the confidentiality of the request for an advisory opinion and of any records obtained or prepared by the county or municipal ethics board, the county corporation counsel or the attorney for the local governmental unit in connection with the request for an advisory opinion.

SECTION 212qu. 19.59 (6) of the statutes is created to read:

19.59 (6) Any county corporation counsel, attorney for a local governmental unit or statewide association of local governmental units may request the board to issue an opinion concerning the interpretation of this section. The board shall review such a request and may advise the person making the request.

SECTION 212qv. 19.59 (7) of the statutes is created to read:

19.59 (7) Any person who violates sub. (1) may be required to forfeit not more than \$1,000 for each violation.

SECTION 212qw. 19.59 (8) of the statutes is created to read:

19.59 (8) (a) Subsection (1) shall be enforced in the name and on behalf of the state by action of the district attorney of any county wherein a violation may occur, upon the verified complaint of any person.

(b) In addition and supplementary to the remedy provided in sub. (7), the district attorney may com-

mence an action, separately or in conjunction with an action brought to obtain the remedy provided in sub. (7), to obtain such other legal or equitable relief, including but not limited to mandamus, injunction or declaratory judgment, as may be appropriate under the circumstances.

(c) If the district attorney fails to commence an action to enforce sub. (1) within 20 days after receiving a verified complaint or if the district attorney refuses to commence such an action, the person making the complaint may petition the attorney general to act upon the complaint. The attorney general may then bring an action under par. (a) or (b), or both.

(d) If the district attorney prevails in such an action, the court shall award any forfeiture recovered together with reasonable costs to the county wherein the violation occurs. If the attorney general prevails in such an action, the court shall award any forfeiture recovered together with reasonable costs to the state.

SECTION 212qy. Subchapter IV of chapter 19 of the statutes is renumbered subchapter V.

SECTION 212qz. Subchapter IV of chapter 19 of the statutes is created to read:

CHAPTER 19

SUBCHAPTER IV

PERSONAL INFORMATION PRACTICES

~~19.61 Applicability. The provisions of this subchapter that apply to an authority apply to any contractor providing goods or services to the authority with regard to the activities of, and personally identifiable information provided to or collected, maintained, used, shared or archived by the contractor in providing those goods or services.~~

Vetoed
in Part

19.62 Definitions. In this subchapter:

(1) "Authority" has the meaning specified in s. 19.32 (1).

~~(2) "Contractor" means a person under a contract or agreement to provide goods or services to an authority if, pursuant to the contract or agreement, the governmental body provides personally identifiable information to the person or the person collects, maintains, shares, provides access to or archives personally identifiable information on behalf or in lieu of the governmental body.~~

Vetoed
in Part

(3) "Matching program" means the computerized comparison of information in one records series to information in another records series for use by an authority or a federal agency to establish or verify an individual's eligibility for any right, privilege or benefit or to recoup payments or delinquent debts under programs of an authority or federal agency.

(4) "Privacy advocate" means the person designated under s. 19.625.

(5) "Personally identifiable information" means information that can be associated with a particular individual through one or more identifiers or other information or circumstances.

(6) "Record" has the meaning specified in s. 19.32 (2).

(7) "Records series" means records that are arranged under a manual or automated 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.

(8) "State authority" means an authority that is a state elected official, agency, board, commission, committee, council, department or public body corporate and politic created by constitution, statute, rule or order; a state governmental or quasi-governmental corporation; a public purpose corporation, as defined in s. 181.79 (1); the supreme court or court of appeals; the assembly or senate; or a nonprofit corporation operating an ice rink which is owned by the state.

19.625 Powers and duties of privacy council. (1) The privacy council shall appoint the privacy advocate outside the classified service.

Vetoed in Part (2) The council shall advise the privacy advocate on the implementation of this subchapter and review and approve or deny applications under s. 19.69 (3).

(3) The council may recommend to the governor or legislature legislation concerning personal privacy protection policies relating to personally identifiable information.

19.63 Powers and duties of the privacy advocate. (1) The privacy advocate shall:

(a) Be an advocate for the development and implementation of state and local government policies that protect personal privacy relating to personally identifiable information collected or maintained by authorities.

(b) Provide information on an individual's rights under this subchapter to any individual requesting the information.

(c) Assist, as the advocate deems appropriate, an individual in the exercise of his or her rights under this subchapter. This assistance may include:

1. Obtaining information on an authority's policies, procedures or practices for collecting and managing personally identifiable information and providing access to the information to the individual.

2. Arranging a meeting between the individual and the staff of an authority to obtain information on the authority's policies, procedures or practices for managing personally identifiable information or to discuss a complaint that the individual has regarding these policies, procedures or practices.

Vetoed in Part (d) Assist the public records and forms board in creating the registry of records series under s. 19.61 (3). (e) The advocate shall publicize the registry and assist any person requesting information from the registry or additional information on a records series in the registry.

(e) Inform authorities and the public of the availability of the summary of case law and attorney general opinions prepared under s. 19.77.

(f) Review the adequacy of state and local government policies that protect personal privacy relating to personally identifiable information collected or maintained by authorities and recommend, as appropriate, statutory changes to the governor, the legislature and local units of government.

(2) The privacy advocate may:

(a) Advocate on behalf of an individual before any authority any matter relating to the exercise of the individual's rights under this subchapter.

(b) ~~May~~ review an authority's policies, procedures or practices for collecting and managing personally identifiable information and providing access to the information and ~~may request the joint legislative audit committee to direct the state auditor to undertake an audit of these policies, procedures or practices.~~

(c) Inspect and copy any record in the custody of an authority pursuant to s. 19.75.

19.65 Rules of conduct; employee training; and security. An authority shall do all of the following:

(1) Develop rules of conduct for its employees, ~~contractors and employees of its contractors~~ who are involved in collecting, maintaining, using, providing access to, sharing or archiving personally identifiable information.

(2) Ensure that the persons identified in sub. (1) know their duties and responsibilities relating to protecting personal privacy, including applicable state and federal laws.

~~(3) Establish administrative, technical and physical safeguards to ensure the security and confidentiality of personally identifiable information maintained by the authority that is not subject to inspection and copying under s. 19.35 and to protect against anticipated threats or hazards to the information's security or integrity which could result in substantial harm, embarrassment, inconvenience or unfairness to any individual on whom such information is maintained.~~

19.67 Data collection. (1) ~~LIMIT ON INFORMATION COLLECTED.~~ An authority may not collect personally identifiable information about any individual or create or maintain a records series containing such information, unless the authority determines that the information is necessary for the performance of the duties of the authority.

~~(2) COLLECTION FROM DATA SUBJECT OR VERIFICATION.~~ An authority that maintains personally identifiable information that may result in an adverse determination about any individual's rights, benefits or privileges shall, to the greatest extent practicable, do at least one of the following:

(a) Collect the information directly from the individual.

(b) Verify the information, if collected from another person.

~~(c) Collect the information from another person only if the individual is also provided a copy of the information.~~

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part

19.69 Computer matching. (1) **MATCHING AGREEMENT.** No state authority may use or allow the use of personally identifiable information maintained by the state authority in a matching program, or provide personally identifiable information for use in a matching program, unless the state authority ~~and the person maintaining or using information being compared enter into a written agreement which specifies all of the following:~~

(a) The purpose and legal authority for the matching program.

(b) The justification for the program and the anticipated results, including an estimate of any savings.

(c) A description of the information that will be matched.

Vetoed in Part (d) Procedures for notifying individuals that information provided by them may be subject to verification through matching.

(e) Procedures for the retention and timely destruction of information created by the matching program.

(f) Procedures for ensuring the security of the information matched and the results of the matching program.

(g) Prohibitions on duplication and redisclosure of information provided by the state authority for the matching program, unless authorized by the state authority releasing the information, required by law or essential to the conduct of the matching program.

(h) Requirements that a record be kept of each match conducted under the agreement that includes the date of the match, the number of individuals in each of the records series used in the matching attempt and the number of individuals for whom matching information was found as a result of the match.

(i) Procedures governing the use of the information provided for the matching program, including return of the information to its provider or destruction of the information.

(j) Information on assessments that have been made of the matching technique and the accuracy of the information that will be used in the matching program.

(k) Requirements that the recipient of information provided by a state authority for a matching program, or obtained as a result of a matching program using information provided by a state authority, do all of the following:

1. Maintain adequate information to allow the state authority to audit the uses made of the information and the persons who have access to it.
2. Allow the state authority to conduct audits of the recipient's uses of the information.

(2) **COPY TO PRIVACY ADVOCATE.** A state authority that has entered into a written agreement under sub. (1) or 5 USC 552a (c), shall provide to the privacy advocate a copy of the agreement and any subsequent amendment to the agreement within 30 days after the

~~state authority has approved the agreement or amendment.~~ **Vetoed in Part**

(3) **NOTICE OF ADVERSE ACTION.** (a) Except as provided under par. (b), a state authority may not take an adverse action against an individual as a result of information produced by a matching program until after the state authority has notified the individual, in writing, of the proposed action ~~and the source of the information and provided the individual an opportunity to contest the information.~~ **Vetoed in Part**

(b) A state authority may request that the privacy council grant the authority an exception to par. (a) for specific types of adverse actions identified in the request resulting from the use of information produced by a matching program which compares records series identified in the request. The council may grant, approve or deny the request. The council may grant the request if it finds that the information in the records series is sufficiently reliable to protect the individual's interests in an accurate action being taken. **Vetoed in Part**

19.71 Sale of names or addresses. An authority may not sell or rent a record containing an individual's name or address of residence, unless specifically authorized by state law. The collection of fees under s. 19.35 (3) is not a sale or rental under this section.

19.73 Rights of data subject to inspect, copy, challenge and correct. (1) In this section, "person authorized by the individual" means the parent, guardian, as defined in s. 48.02 (8), or legal custodian, as defined in s. 48.02 (11), of a child, as defined in s. 48.02 (2), the guardian, as defined in s. 880.01 (3), of an individual adjudged incompetent, as defined in s. 880.01 (4), the personal representative or spouse of an individual who is deceased or any person authorized, in writing, by the individual to exercise the rights granted under this section. **Vetoed in Part**

(2) Upon request, any individual or person authorized by the individual, may inspect any record containing personally identifiable information pertaining to the individual that is maintained by an authority and make or receive a copy of any such information in a form which is comprehensible to the individual or person authorized by the individual. The authority may impose a fee not to exceed the fees under s. 19.35 (3) for providing a copy of the information.

(3) An individual or person authorized by the individual may challenge the accuracy, completeness, timeliness or relevance of a record containing personally identifiable information pertaining to the individual that is maintained by an authority by notifying the authority, in writing, of the challenge. **Vetoed in Part** Within 10 days after receiving the notice, the authority shall do one of the following:

(a) Correct the information, as requested by the individual or person authorized by the individual, and if requested by the individual or person authorized by the individual, notify known past recipients of inaccu- **Vetoed in Part**

Vetoed in Part rate, incomplete, untimely or irrelevant information of the correction.

(b) Notify the individual or person authorized by the individual that it has denied the challenge, the reasons for the denial and the procedures that the individual or person authorized by the individual may use to request a review of the denial. If the individual's challenge is denied, the authority shall allow the individual or person authorized by the individual to file a concise statement setting forth the reasons for the individual's disagreement with the denial. Thereafter, any disclosure of the disputed portion of the record shall include a copy of that statement.

Vetoed in Part (4) This subsection does not apply to any of the following:

(a) Records transferred to an archival depository under s. 16.61 (13).

Vetoed in Part (b) Personally identifiable information that is at issue in a pending contested case under ch. 227 or a pending court action.

(c) Any record pertaining to an individual if a specific statute prohibits the disclosure of the record to the individual.

(d) Any record that is not part of a records series that is indexed, arranged or automated in a way that the record can be retrieved by the authority maintaining the records series by use of an individual's name, address or other identifier.

(e) Personally identifiable information which relates to the investigation, prosecution or other enforcement action of possible violations of law unless:

Vetoed in Part 1. The information has been maintained for a period longer than reasonably necessary to conclude the investigation, prosecution or other enforcement action; and

Vetoed in Part 2. Disclosure of the information would not reveal confidential investigatory methods, strategies or practices.

Vetoed in Part 19.75 Access to confidential records. Notwithstanding any other law, the privacy advocate may inspect and copy any record in the custody of an authority that is not open to inspection under ss. 19.35 and 19.36 if all of the following apply:

Vetoed in Part (1) The joint committee on legislative organization determines that the disclosure is necessary for the privacy advocate to discharge his or her duties prescribed by law, and the joint committee on legislative organization approves the disclosure by an affirmative vote of at least 5 members of the committee.

Vetoed in Part (2) The record is disclosed only in a meeting closed to the public.

(3) The privacy advocate has entered into an agreement with the authority that specifies the content of the record to be disclosed and the terms of the disclosure, including any reasonable requirements placed on the privacy advocate to maintain the confidentiality of the disclosed record.

19.77 Summary of case law and attorney general opinions. Annually, the attorney general shall summarize case law and attorney general opinions relating to due process and other legal issues involving the collection, maintenance, use, provision of access to, sharing or archiving of personally identifiable information by authorities. The attorney general shall provide the summary, at no charge, to interested persons.

19.80 Civil remedies and penalties. (1) CIVIL REMEDIES. (a) Any individual may bring an action to compel an authority to do any of the following:

~~XX~~ Allow the individual or person authorized by the individual to inspect or copy personally identifiable information pertaining to the individual, as provided under s. 19.73 (2).

2. Correct personally identifiable information pertaining to the individual, as requested by the individual under s. 19.73 (3).

(b) In an action under par. (a) 1, the court shall determine the matter de novo. The authority shall have the burden of justifying its decision to refuse inspection or copying of the personally identifiable information.

(c) An individual may bring an action to compel an authority to amend any record containing personally identifiable information pertaining to the individual maintained by the authority or to comply with this subchapter if the authority does either of the following:

1. Fails to maintain personally identifiable information about the individual with such accuracy, relevance, timeliness and completeness as is necessary to assure fairness in any determination relating to the rights, privileges or benefits provided to the individual if, as a consequence of the failure, a determination adverse to the individual is made.

2. Fails to comply with any other provision of this subchapter in such a way as to have an adverse effect on the individual.

(d) Notwithstanding s. 814.04, in an action under par. (a) or (b) in which the individual substantially prevails, the court may assess reasonable costs and reasonable attorney fees against the authority.

(e) Notwithstanding s. 814.04, in an action under par. (b), if the court finds that the authority acted in a wilful or intentional manner, the individual shall be awarded actual damages sustained by the individual as a consequence of the failure, but not less than \$1,000, reasonable costs and reasonable attorney fees.

(2) EMPLOYEE DISCIPLINE. Any person employed by an authority or a contractor who violates this subchapter may be discharged or suspended without pay.

(3) PENALTIES. (a) Any person who wilfully collects, discloses or maintains personally identifiable information in violation of federal or state law may be required to forfeit not more than \$500 for each violation.

(b) Any person who wilfully requests or obtains personally identifiable information from an authority

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part

under false pretenses may be required to forfeit not more than \$500 for each violation.

SECTION 212r. 19.82 (1) of the statutes is amended to read:

Vetoed
in Part

19.82 (1). "Governmental body" means a state or local agency, board, commission, committee, council, department or public body corporate and politic created by constitution, statute, ordinance, rule or order; a governmental or quasi-governmental corporation except for the Bradley center sports and entertainment corporation created under ch. 232; any public purpose corporation, as defined in s. 181.79 (1); ~~any nonprofit corporation which constructs a sports and entertainment facility for the purpose of donation to the state or an instrumentality of the state, if the state indicates by legislative or executive action that it will accept the facility; a nonprofit corporation operating an ice rink which is owned by the state, or a formally constituted subunit of any of the foregoing, but excludes any such body or committee or subunit of such body which is formed for or meeting for the purpose of collective bargaining under subch. IV or V of ch. 111.~~

SECTION 212w. 19.85 (1) (h) of the statutes is amended to read:

19.85 (1) (h) Consideration of requests for confidential written advice from the ethics board under s.

SECTION 214. 20.005 (1) of the statutes is repealed and recreated to read:

20.005 (1) SUMMARY OF ALL FUNDS. The budget governing fiscal operations for the state of Wisconsin for all funds beginning on July 1, 1991, and ending on June 30, 1993, is summarized as follows: [See Figure 20.005 (1) following]

Figure: 20.005 (1)*

GENERAL FUND SUMMARY

	Estimated 1991-92	Estimated 1992-93
<hr/>		
REVENUES		
Opening Balance, July 1	\$ 112,913,700	\$ 164,713,300
Estimated Taxes	6,559,600,000	6,948,900,000
Estimated Departmental Revenues	139,628,400	139,025,200
<hr/>		
Total Available	\$ 6,812,142,100	\$ 7,252,638,500
<hr/>		
APPROPRIATIONS AND RESERVES		
Gross Appropriations	\$ 6,681,968,100	\$ 6,986,231,000
Transfer from general fund	0	183,161,300
Compensation Reserves	26,500,000	70,600,000
Less Estimated Lapses	-61,039,300	-62,852,100
<hr/>		
Net Appropriations and Reserves	\$ 6,647,428,800	\$ 7,177,140,200
<hr/>		
BALANCES		
Gross Balance	\$ 164,713,300	\$ 75,498,300
Required Statutory Balance	-66,819,700	-69,862,300
<hr/>		
Net Balance, June 30	\$ 97,893,600	\$ 5,636,000

* The amounts shown do not reflect the impact of the Governor's partial vetoes.

SUMMARY OF APPROPRIATIONS - ALL FUNDS

	1991-92	1992-93
General Purpose Revenue	\$ 6,681,968,100	\$ 6,986,231,000
Federal Revenue	(2,888,249,000)	(3,004,687,700)
Program	2,604,827,900	2,707,791,500
Segregated	283,421,100	296,896,200
Program Revenue	(1,724,197,000)	(1,790,351,100)
State	1,474,522,400	1,522,655,500
Service	249,674,600	267,695,600
Segregated Revenue	(1,657,771,600)	(1,724,923,100)
State	1,612,256,700	1,676,932,700
Local	34,761,100	36,701,200
Service	10,753,800	11,289,200
GRAND TOTAL	\$12,952,185,700	\$13,506,192,900

SUMMARY OF COMPENSATION RESERVES - ALL FUNDS

	1991-92	1992-93
General Purpose Revenue	\$ 26,500,000	\$ 70,600,000
Federal Revenue	7,969,000	21,260,800
Program Revenue	20,102,400	53,627,300
Segregated Revenue	5,380,800	14,354,200
TOTAL	\$ 59,952,200	\$ 159,842,300

LOTTERY FUND SUMMARY

	Estimated 1991-92	Estimated 1992-93
GROSS REVENUE	\$ 445,071,000	\$ 478,071,000
PROGRAM EXPENDITURES		
Prizes	\$ 235,850,000	\$ 253,340,000
General Program Operations	55,620,100	59,751,400
	\$ 291,470,100	\$ 313,091,400
NET PROCEEDS	\$ 153,600,900	\$ 164,979,600
TOTAL AVAILABLE FOR PROPERTY TAX RELIEF		
Opening Balance	\$ 157,877,800	\$ 22,778,700
Net Proceeds	153,600,900	164,979,600
Interest Earnings	9,300,000	(1,300,000)
Transfer From General Fund	0	183,161,300
	\$ 320,778,700	\$ 369,619,600
APPROPRIATIONS	\$ 298,000,000	\$ 352,400,000
RESERVE	\$ 15,577,500	\$ 16,732,500
NET CLOSING BALANCE	\$ 7,201,200	\$ 487,100
GROSS CLOSING BALANCE	\$ 22,778,700	\$ 17,219,600

SECTION 215am. 20.005 (2) of the statutes is repealed and recreated to read:

20.005 (2) STATE BORROWING PROGRAM SUMMARY. The following tabulation sets forth the state borrowing program summary: [See Figures 20.005 (2) (a) and (b) following]

Figure: 20.005 (2) (a)*

SUMMARY OF BONDING AUTHORITY MODIFICATIONS, 1991-93 FISCAL BIENNIUM
SOURCE AND PURPOSE 1991-93 BIENNIUM

GENERAL OBLIGATIONS

Building commission		
Housing state departments and agencies	\$ 25,601,800	
Capital equipment acquisition	5,022,900	
Project contingency reserve	5,619,600	
Other public purposes, including		
Wisconsin initiative for state technology and applied research	185,023,000	
Refunding corporation tax supported debt	- 26,770,000	
Refunding corporation debt - self-amortizing	- 2,899,500	
Corrections		
Correctional facilities	145,383,400	
Educational communications board		
Educational communications facilities	750,000	
Health and social services		
Mental health facilities	- 1,291,800	
Juvenile correctional facilities	2,471,400	
Military affairs		
Armories and military facilities	- 538,000	
Natural resources		
Recreation development	2,627,000	
Segregated revenue supported facilities	1,694,700	
Clean water fund	88,290,000	
Nonpoint source grants	11,500,000	
Environmental repair	15,000,000	
Urban rivers grants	750,000	Vetoed in Part
Lake Winnebago Comprehensive Project	81,500	Vetoed in Part
Dam maintenance, repair, modification, abandonment and removal	3,000,000	
State fair park board		
Self-amortizing facilities	8,000,000	
Transportation		
Harbor improvements	2,000,000	
University of Wisconsin system		
Academic facilities	- 4,089,200	
Self-amortizing facilities	44,024,500	
Veterans affairs		
Veterans home	- 779,400	
Mortgage loans	110,000,000	
TOTAL General Obligation Bonds	\$ 620,471,900	

STATE-ISSUED REVENUE OBLIGATIONS

Transportation	\$ 188,900,000
Clean water fund [Corrected, incl. totals]	568,400,000
TOTAL State-issued Revenue Obligation Bonds	\$ 757,300,000
GRAND TOTAL Bonding Authority Modifications	\$1,377,771,900

* The amounts shown do not reflect the impact of the Governor's partial vetoes.

Figure: 20.005 (2) (b)*

GENERAL OBLIGATION AND BUILDING CORPORATION DEBT SERVICE FISCAL YEARS 1991-92 AND 1992-93				
STATUTE, AGENCY AND PURPOSE	SOURCE	1991-92	1992-93	
<i>20.225 Educational communications board</i>				
(1) (c) Educational communications facilities	GPR \$	549,700	\$ 584,100	
<i>20.245 Historical society</i>				
(2) (e) Historic sites	GPR	324,100	396,500	
(4) (e) Administrative facilities	GPR	-0-	-0-	
(5) (e) Museum facility	GPR	326,400	431,800	
<i>20.250 Medical college of Wisconsin</i>				
(1) (e) Medical college of Wisconsin	GPR	512,900	491,600	
<i>20.255 Public instruction, department of</i>				
(1) (d) State schools and library facilities	GPR	948,400	1,054,400	
<i>20.285 University of Wisconsin system</i>				
(1) (d) University academic facilities	GPR	57,102,500	60,814,100	
(1) (da) University academic facilities, building corp.	GPR	-0-	-0-	
(1) (db) Self-amortizing facilities	GPR	-0-	-0-	
<i>20.320 Clean water fund program</i>				
(1) (c) Clean water fund	GPR	12,602,700	29,720,000	
<i>20.370 Natural resources, department of</i>				
(1) (kc) Resource acquisition and development	GPR	10,906,400	14,027,800	
(2) (jc) Environmental repair	GPR	695,500	717,100	
(4) (ja) Urban rivers grants	GPR	-0-	-0-	Vetoed in Part
(4) (jb) Recreational boating	GPR	-0-	-0-	
(4) (jc) Point source pollution abatement	GPR	86,984,800	87,745,700	
(4) (jd) Combined sewer overflow facilities	GPR	15,962,700	17,727,300	
(4) (je) Municipal clean drinking water grants	GPR	183,200	687,200	
(8) (Lb) Administrative facilities	GPR	435,800	497,300	
<i>20.410 Corrections, department of</i>				
(1) (e) Correctional facilities	GPR	21,397,200	24,514,100	
(1) (ef) Correctional facilities, building corporation	GPR	-0-	-0-	
<i>20.435 Health and social services, department of</i>				
(2) (ee) Mental health facilities	GPR	5,530,200	5,846,600	
(2) (ef) Mental health facilities, building corporation	GPR	-0-	-0-	
(3) (e) Juvenile correctional facilities	GPR	177,800	343,600	
(5) (e) Workshop for the blind	GPR	24,300	23,400	
<i>20.465 Military affairs, department of</i>				
(1) (d) National guard facilities	GPR	938,200	1,226,000	
<i>20.485 Veterans affairs, department of</i>				
(1) (e) Veterans home, building corp.	GPR	-0-	-0-	
(1) (f) Veterans home	GPR	374,400	480,600	

* The amounts shown do not reflect the impact of the Governor's partial vetoes.

20.867 Building commission				
(1) (a)	Housing state agencies	GPR	-0-	-0-
(1) (b)	Capitol and executive residence	GPR	1,306,400	1,265,400
(3) (a)	Unallocated debt service	GPR	5,799,800	15,782,400
(3) (b)	Other public purpose	GPR	54,400	47,800
(3) (c)	Lease rental payments	GPR	-0-	-0-
			-----	-----
TOTAL General Purpose Revenue Debt Service			\$223,137,800	\$264,424,800
20.190 State fair park board				
(1) (j)	State fair park	PR	\$ 620,000	\$ 612,300
20.245 Historical Society				
(2) (j)	Self-amortizing facilities	PR	97,300	119,300
20.285 University of Wisconsin system				
(1) (gb)	University self-amortizing facilities	PR	10,262,000	11,503,000
(1) (gc)	University self-amortizing facilities, building corp.	PR	-0-	-0-
20.410 Corrections, department of				
(1) (ko)	Prison industries equipment, self-amortizing	PR	-0-	-0-
20.505 Administration, department of				
(5) (kc)	State office buildings	PR	7,139,700	10,438,000
20.867 Building Commission				
(3) (g)	Unallocated debt service	PR	138,800	2,333,900
(3) (h)	Self-amortizing facilities	PR	-0-	-0-
(3) (i)	Capital equipment	PR	1,969,100	3,123,400
			-----	-----
TOTAL Program Revenue Debt Service			\$ 20,226,900	\$ 28,129,900
20.370 Natural resources, department of [CORRECTED: (1) (jq) and totals]				
(1) (jq)	Dam repair and removal	SEG	\$ -0-	\$ 373,200
(1) (kw)	Resource acquisition and development	SEG	221,500	221,300
(8) (ls)	Administrative facilities	SEG	447,600	448,800
20.395 Transportation, department of				
(6) (aq)	Highways program	SEG	16,859,900	14,123,800
(6) (ar)	Administrative facilities	SEG	785,800	756,500
20.485 Veterans affairs, department of				
(3) (t)	Veterans home mortgage loans	SEG	102,721,100	96,471,000
20.867 Building commission				
(3) (q)	Unallocated debt service, self-amortizing facilities	SEG	26,200	112,200
			-----	-----
TOTAL Segregated Revenue Debt Service			\$121,062,100	\$112,506,800
GRAND TOTAL All Debt Service			\$364,426,800	\$405,061,500

SECTION 216. 20.005 (3) of the statutes is repealed and recreated to read:

20.005 (3) APPROPRIATIONS. Except as otherwise provided in 1991 Wisconsin Act (this act), section 9160 (1xg), the following tabulation lists all annual, biennial and sum certain continuing appropriations and anticipated expenditures from other appropriations for the programs and other purposes indicated. All appropriations are made from the general fund unless otherwise indicated. The letter abbreviations shown designating the type of appropriation apply to both fiscal years in the schedule unless otherwise indicated. [See Figure 20.005 (3) following]

Figure: 20.005 (3)*

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1991-92	1992-93
Commerce				
20.115 Agriculture, trade and consumer protection, department of				
(1) FOOD SAFETY AND CONSUMER PROTECTION				
(a) General program operations	GPR	A	-0-	-0-
Food inspection	GPR	A	2,771,500	2,833,500
Meat and poultry inspection	GPR	A	2,048,800	2,048,400
Trade and consumer protection	GPR	A	1,216,800	926,700
NET APPROPRIATION			6,037,100	5,808,600
(g) Related services	PR	A	25,200	25,200
(gb) Food regulation	PR	A	2,534,100	2,571,900
(gh) Public warehouse regulation	PR	A	33,000	33,000
(gm) Dairy trade regulation; dairy and farm product producer security	PR	A	446,100	449,400
(hm) Mobile air conditioner fees	PR	A	46,900	-0-
(i) Sale of supplies	PR	A	15,000	15,000
(im) Unfair sales act enforcement	PR	A	88,500	88,500
(j) Weights and measures inspection	PR	A	311,500	292,800
(jm) Warehouse keeper and grain dealer regulation	PR	A	125,100	135,900
(m) Federal funds	PR-F	C	2,498,800	2,520,400
(q) Automobile repair regulation	SEG	A	98,500	-0-
(u) Recyclable and nonrecyclable products regulation	SEG	A	57,600	-0-
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			6,037,100	5,808,600
PROGRAM REVENUE			6,124,200	6,132,100
FEDERAL	(		2,498,800)	(2,520,400)
OTHER	(		3,625,400)	(3,611,700)
SEGREGATED FUNDS			156,100	-0-
OTHER	(		156,100)	(-0-)
TOTAL-ALL SOURCES			12,317,400	11,940,700
(2) ANIMAL HEALTH SERVICES				
(a) General program operations	GPR	A	-0-	-0-
Animal health services	GPR	A	2,747,100	2,747,100
NET APPROPRIATION			2,747,100	2,747,100
(b) Animal disease indemnities	GPR	S	28,000	28,000
(c) Pseudorabies control program; administration	GPR	A	155,700	155,700
(d) Animal health and disease research; Lyme disease	GPR	B	125,000	125,000
(g) Related services	PR	A	1,992,200	2,302,500
(gb) Animal health and disease research; gifts and grants	PR	C	-0-	-0-
(h) Sale of supplies	PR	A	62,800	62,800
(i) Mink research assessments	PR	A	6,000	6,000
(j) Dog licenses, rabies control and related services	PR	A	122,500	122,600
(m) Federal funds	PR-F	C	93,200	93,200
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			3,055,800	3,055,800
PROGRAM REVENUE			2,276,700	2,587,100
FEDERAL	(		93,200)	(93,200)

* The program totals, department totals and functional area totals do not reflect the impact of the Governor's partial vetoes.

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STATUTE, AGENCY AND PURPOSE

SOURCE TYPE

1991-92

1992-93

OTHER (2,183,500) (2,493,900)
TOTAL-ALL SOURCES 5,332,500 5,642,900

(3) MARKETING SERVICES

(a) General program operations GPR A -0- -0-
Agricultural services GPR A 1,385,000 1,387,200

NET APPROPRIATION

1,385,000 1,387,200

(b) Farm product grading; inspection GPR A 20,000 20,000

~~(c) Export trading company grant GPR A 50,000 0~~

Vetoed
in Part

(d) Marketing agency in common grant GPR A 50,000 -0-

(g) Related services PR A 1,101,600 1,102,800

(ga) Gifts and grants PR C 206,200 207,500

(h) Grain inspection and certification; Milwaukee PR C 768,000 792,600

(i) Marketing orders and agreements PR C 61,600 61,600

~~(lm) Milk price compensatory payments PR C -0- -0-~~

Vetoed
in Part

(j) Grain inspection and certification; Superior PR C 2,435,500 2,436,100

(L) Something special from Wisconsin promotion PR A -0- 10,000

(m) Federal funds PR-F C 7,500 7,500

(3) PROGRAM TOTALS

GENERAL PURPOSE REVENUES 1,505,000 1,407,200

PROGRAM REVENUE 4,580,400 4,618,100

FEDERAL (7,500) (7,500)

OTHER (4,572,900) (4,610,600)

TOTAL-ALL SOURCES 6,085,400 6,025,300

(4) AGRICULTURAL ASSISTANCE

(a) Aid to Wisconsin livestock breeders association GPR A 27,200 27,200

(b) Aids to county and district fairs GPR A 368,500 368,500

(c) Research and development grants GPR B 200,000 200,000

(e) Aids to world dairy expo, inc. GPR A 86,500 86,500

~~(fg) Fairground improvements GPR A 30,000 0~~

Vetoed
in Part

(g) Pari-mutuel racing supplemental aid PR C 650,000 650,000

(h) Pari-mutuel racing supplemental aid to Wisconsin livestock breeders assn. PR C 50,000 50,000

(4) PROGRAM TOTALS

GENERAL PURPOSE REVENUES 712,200 682,200

PROGRAM REVENUE 700,000 700,000

OTHER (700,000) (700,000)

TOTAL-ALL SOURCES 1,412,200 1,382,200

(7) AGRICULTURAL RESOURCE MANAGEMENT

(a) General program operations GPR A 1,975,100 1,975,400

(c) Soil and water resource management program GPR C 2,654,500 2,704,500

(dm) Wind erosion control aids GPR C 100,000 100,000

(g) Agricultural impact statements PR C 89,300 89,300

(ga) Related services PR C 64,600 64,900

(gm) Seed testing and labeling PR ~~A~~ 83,500 83,500

Vetoed
in Part

STATUTE, AGENCY AND PURPOSE

SOURCE TYPE

1991-92

1992-93

(h) Fertilizer research assessments	PR	C	160,500	160,500
(ha) Liming material research funds	PR	C	25,000	25,000
(ig) Plat review	PR	C	250,600	223,600
(k) Agricultural resource management services	PR-S	X	180,300	176,700
(m) Federal funds	PR-F	C	477,100	478,600
(r) General program operations; agrichemical management	SEG	A	685,200	657,900
(s) Groundwater -- standards; implementation	SEG	A	516,400	510,400
(t) Fertilizer, additives and commercial feed regulation	SEG	A	665,800	665,900
(u) Pesticide certification and regulation	SEG	A	1,097,800	1,037,200
(v) Chemical and container disposal	SEG	A	567,700	560,400

Vetoed
in Part

(7) P R O G R A M T O T A L S

GENERAL PURPOSE REVENUES	4,729,600	4,779,900
PROGRAM REVENUE	1,330,900	1,302,100
FEDERAL	(477,100) (	478,600)
OTHER	(673,500) (	646,800)
SERVICE	(180,300) (	176,700)
SEGREGATED FUNDS	3,532,900	3,431,800
OTHER	(3,532,900) (	3,431,800)
TOTAL-ALL SOURCES	9,593,400	9,513,800

(8) CENTRAL ADMINISTRATIVE SERVICES

(a) General program operations	GPR	A	3,227,100	3,150,500
(g) Gifts and grants	PR	C	-0-	-0-
(ga) Milk standards program	PR	C	122,900	122,900
(gm) Enforcement cost recovery	PR	A	25,000	25,000
(h) Sale of material and supplies	PR	A	48,900	48,900
(ha) General laboratory related services	PR	A	40,000	40,000
(i) Related services	PR	A	200,000	200,000
(j) Stray voltage program	PR	A	159,100	153,600
(jb) Stray voltage research	PR	B	75,000	-0-
(k) Computer system services	PR	A	303,100	114,900
(kL) Central services	PR-S	C	713,500	723,800
(km) General laboratory services	PR-S	B	2,106,500	2,090,300
(kp) General laboratory services; other agencies	PR-S	C	40,000	40,000
(ks) State contractual services	PR-S	C	38,300	38,300
(m) Federal funds	PR-F	C	58,500	58,500
(pz) Indirect cost reimbursements	PR-F	C	442,000	227,000

Vetoed
in Part

(8) P R O G R A M T O T A L S

GENERAL PURPOSE REVENUES	3,227,100	3,150,500
PROGRAM REVENUE	4,372,800	3,883,200
FEDERAL	(500,500) (	285,500)
OTHER	(974,000) (	705,300)
SERVICE	(2,898,300) (	2,892,400)
TOTAL-ALL SOURCES	7,599,900	7,033,700

(9) FARM MEDIATION AND FARMER ASSISTANCE

(a) General program operations	GPR	A	161,900	158,600
(m) Federal funds	PR-F	C	91,700	91,700

(9) P R O G R A M T O T A L S

GENERAL PURPOSE REVENUES	161,900	158,600
PROGRAM REVENUE	91,700	91,700

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1991-92	1992-93
FEDERAL	(		91,700)	(91,700)
TOTAL-ALL SOURCES			253,600	250,300
20.115 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			19,428,700	19,042,800
PROGRAM REVENUE			19,476,700	19,314,300
FEDERAL	(		3,668,800)	(3,476,900)
OTHER	(		12,729,300)	(12,768,300)
SERVICE	(		3,078,600)	(3,069,100)
SEGREGATED FUNDS			3,689,000	3,431,800
OTHER	(		3,689,000)	(3,431,800)
TOTAL-ALL SOURCES			42,594,400	41,788,900

20.124 Banking, office of the commissioner of**(1) SUPERVISION OF BANKS AND RELATED FINANCIAL INSTITUTIONS**

(a) Losses on public deposits	GPR	S	-0-	-0-
(g) General program operations	PR	A	4,396,000	4,385,900
(u) State deposit fund	SEG	S	-0-	-0-
20.124 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			-0-	-0-
PROGRAM REVENUE			4,396,000	4,385,900
OTHER	(		4,396,000)	(4,385,900)
SEGREGATED FUNDS			-0-	-0-
OTHER	(		-0-)	(-0-)
TOTAL-ALL SOURCES			4,396,000	4,385,900

20.141 Credit unions, office of the commissioner of**(1) SUPERVISION OF CREDIT UNIONS**

(g) General program operations	PR	A	1,168,000	1,184,500
(m) Credit union examinations, federal funds	PR-F	C	-0-	-0-
20.141 DEPARTMENT TOTALS				
PROGRAM REVENUE			1,168,000	1,184,500
FEDERAL	(		-0-)	(-0-)
OTHER	(		1,168,000)	(1,184,500)
TOTAL-ALL SOURCES			1,168,000	1,184,500

20.143 Development, department of**(1) ECONOMIC AND COMMUNITY DEVELOPMENT**

(a) General program operations	GPR	A	5,048,100	4,414,700
(b) Economic development promotion	GPR	A	188,200	235,200
(bm) Aid to Forward Wisconsin, inc.	GPR	A	400,000	500,000
(c) Wisconsin development fund, grants and loans	GPR	B	10,280,300	9,602,300
(cm) Capital access program grant	GPR	B	50,000	-0-
(df) American Indian economic development; technical assistance	GPR	A	50,000	50,000
(dg) American Indian economic liaison program	GPR	A	56,900	59,800
(dh) American Indian economic liaison program; grants	GPR	A	33,500	33,500
(di) American Indian economic development; development financing -- capital	GPR	B	-0-	300,000
(dr) Main street program	GPR	A	381,600	382,800
(e) Technology-based economic development	GPR	A	265,500	267,900
(em) Hazardous pollution prevention audit grants	GPR	A	75,000	75,000

Vetoed
in PartVetoed
in Part

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SOURCE TYPE

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(en) Business development initiative	GPR	A	150,000	150,000	
(er) Rural economic development program	GPR	B	300,000	300,000	
(ez) Economic development conference grant	GPR	A	50,000	-0-	
(fe) Nurse-midwife loan assistance program; repayments	GPR	B	150,000	-0-	Vetoed in Part
(fd) Physician and nurse-midwife loan assistance programs; contract	GPR	B	30,000	30,000	
(fe) Physician loan assistance program; repayments	GPR	C	71,200	138,800	
(fg) Community-based economic development programs	GPR	A	885,600	885,600	
(fh) Economic development potential of the arts	GPR	B	75,000	-0-	Vetoed in Part
(fi) Commercial fishing compensation	GPR	A	110,000	110,000	Vetoed in Part
(fm) Minority business projects; grants and loans	GPR	B	500,000	1,500,000	Vetoed in Part
(fr) Day care financing programs	GPR	C	200,000	200,000	Vetoed in Part
(g) Gifts, grants and proceeds	PR	C	635,600	667,600	
(h) Economic development operations	PR	A	36,800	36,800	
(ie) Wisconsin development fund, repayments	PR	C	-0-	-0-	
(ig) Recycling loans; repayments	PR	C	-0-	-0-	
(im) Minority business projects; repayments	PR	C	-0-	-0-	
(ip) Minority business recycling development; repayments	PR	C	-0-	-0-	
(ir) Rural economic development loan repayments	PR	C	-0-	-0-	
(j) Nurse-midwife loan assistance program; local contributions	PR	C	-0-	-0-	Vetoed in Part
(jm) Physician loan assistance program; local contributions	PR	C	-0-	-0-	
(jr) Day care financing; loan repayments	PR	C	-0-	-0-	Vetoed in Part
(k) Sale of materials or services	PR-S	C	49,100	49,100	
(ka) Sale of materials and services--local assistance	PR-S	C	-0-	-0-	
(kb) Sale of materials and services--individuals and organizations	PR-S	C	-0-	-0-	
(m) Federal aid, state operations	PR-F	C	480,900	450,600	
(n) Federal aid, local assistance	PR-F	C	21,518,100	21,518,100	
(o) Federal aid, individuals and organizations	PR-F	C	-0-	-0-	
(q) Recycling development program	SEG	A	151,700	151,700	
(r) Recycling rebates, grants and loans -- administration	SEG	A	191,200	193,100	
(s) Wisconsin development fund; recycling loans, assistance	SEG	B	2,250,000	3,000,000	
(t) Recycling rebate program -- assistance	SEG	C	2,940,000	3,000,000	
(u) Minority business recycling development; grants and loans	SEG	B	1,000,000	1,750,000	

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(v) Mining diversification; technical assistance	SEG A	50,800	57,700
(x) Industrial building construction loan fund	SEG C	-0-	-0-

(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUES		19,350,900	19,135,600
PROGRAM REVENUE		22,720,500	22,722,200
FEDERAL	(	21,999,000)	(21,968,700)
OTHER	(	672,400)	(704,400)
SERVICE	(	49,100)	(49,100)
SEGREGATED FUNDS		6,583,700	8,152,500
OTHER	(	6,583,700)	(8,152,500)
TOTAL-ALL SOURCES		48,655,100	50,010,300

(2) TOURISM DEVELOPMENT AND PROMOTION

(a) General program operations	GPR A	1,984,200	2,132,300
(b) Tourism marketing	GPR A	7,092,400	7,092,400
(bm) Heritage tourism program	GPR B	282,200	246,200
(cm) Erie and Chautauque grants	GPR B	28,000	25,000
(d) Christopher Columbus quincentennial grants	GPR B	65,000	60,000
(g) Gifts, grants and proceeds	PR C	25,100	25,100
(k) Sale of materials or services	PR-S C	2,300	2,300
(ka) Sale of materials and services--local assistance	PR-S C	-0-	-0-
(kb) Sale of materials and services--individuals and organizations	PR-S C	-0-	-0-
(m) Federal aid, state operations	PR-F C	-0-	-0-
(n) Federal aid, local assistance	PR-F C	-0-	-0-
(o) Federal aid, individuals and organizations	PR-F C	-0-	-0-

Vetoed
in Part

(2) PROGRAM TOTALS

GENERAL PURPOSE REVENUES		9,438,800	9,545,900
PROGRAM REVENUE		27,400	27,400
FEDERAL	(	-0-)	(-0-)
OTHER	(	25,100)	(25,100)
SERVICE	(	2,300)	(2,300)
TOTAL-ALL SOURCES		9,466,200	9,573,300

(4) EXECUTIVE AND ADMINISTRATIVE SERVICES

(a) General program operations	GPR A	2,245,900	2,266,600
(g) Gifts, grants and proceeds	PR C	5,000	5,000
(k) Sale of materials or services	PR-S C	33,100	33,100
(ka) Sale of materials and services--local assistance	PR-S C	-0-	-0-
(kb) Sale of materials and services--individuals and organizations	PR-S C	-0-	-0-
(m) Federal aid, state operations	PR-F C	133,300	-0-
(n) Federal aid, local assistance	PR-F C	-0-	-0-
(o) Federal aid, individuals and organizations	PR-F C	-0-	-0-
(pz) Indirect cost reimbursements	PR-F C	238,900	238,900

(4) PROGRAM TOTALS

GENERAL PURPOSE REVENUES		2,245,900	2,266,600
PROGRAM REVENUE		410,300	277,000
FEDERAL	(372,200)	(238,900)
OTHER	(5,000)	(5,000)
SERVICE	(33,100)	(33,100)
TOTAL-ALL SOURCES		2,656,200	2,543,600

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20.143 DEPARTMENT TOTALS
GENERAL PURPOSE REVENUES 31,035,600
PROGRAM REVENUE 23,158,200
FEDERAL (22,371,200) (22,207,600)
OTHER (702,500) (734,500)
SERVICE (84,500) (84,500)
SEGREGATED FUNDS 6,583,700
OTHER (6,583,700) (8,152,500)
TOTAL-ALL SOURCES 60,777,500 62,127,200

20.145 Insurance, office of the commissioner of

(1) SUPERVISION OF THE INSURANCE INDUSTRY

(g) General program operations PR A 5,621,200 5,630,400
(gm) Gifts and grants PR C -0- -0-
(m) Federal funds PR-F C -0- -0-

(1) PROGRAM TOTALS

PROGRAM REVENUE 5,621,200 5,630,400
FEDERAL (-0-) (-0-)
OTHER (5,621,200) (5,630,400)
TOTAL-ALL SOURCES 5,621,200 5,630,400

(2) PATIENTS COMPENSATION FUND

(u) Administration SEG A 383,600 384,000
(um) Peer review council SEG A 76,900 77,300
(v) Operations and benefits SEG C 43,828,200 43,828,200

(2) PROGRAM TOTALS

SEGREGATED FUNDS 44,288,700 44,289,500
OTHER (44,288,700) (44,289,500)
TOTAL-ALL SOURCES 44,288,700 44,289,500

(3) LOCAL GOVERNMENT PROPERTY INSURANCE FUND

(u) Administration SEG A 186,300 186,300
(v) Operations and benefits SEG C 6,950,000 6,950,000

(3) PROGRAM TOTALS

SEGREGATED FUNDS 7,136,300 7,136,300
OTHER (7,136,300) (7,136,300)
TOTAL-ALL SOURCES 7,136,300 7,136,300

(4) STATE LIFE INSURANCE FUND

(u) Administration SEG A 467,200 305,400
(v) Operations and benefits SEG C 1,800,000 1,810,000

(4) PROGRAM TOTALS

SEGREGATED FUNDS 2,267,200 2,115,400
OTHER (2,267,200) (2,115,400)
TOTAL-ALL SOURCES 2,267,200 2,115,400

(7) HEALTH INSURANCE RISK SHARING PLAN ADMINISTRATION

(a) Premium and deductible reduction subsidy GPR B 937,500 937,500

(g) Premium and deductible reduction subsidy; insurer assessments and penalties PR C 1,325,400 2,749,800

(u) Administration SEG C 203,400 203,400

(7) PROGRAM TOTALS

GENERAL PURPOSE REVENUES 937,500 937,500
PROGRAM REVENUE 1,325,400 2,749,800
OTHER (1,325,400) (2,749,800)
SEGREGATED FUNDS 203,400 203,400
OTHER (203,400) (203,400)
TOTAL-ALL SOURCES 2,466,300 3,890,700

20.145 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES 937,500 937,500
PROGRAM REVENUE 6,946,600 8,380,200
FEDERAL (-0-) (-0-)

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OTHER	(6,946,600)	(8,380,200)
SEGREGATED FUNDS		53,895,600		53,744,600
OTHER	(53,895,600)	(53,744,600)
TOTAL-ALL SOURCES		61,779,700		63,062,300

20.155 Public service commission

(1) REGULATION OF PUBLIC UTILITIES

(g) Utility regulation	PR	A	9,281,900	9,323,800
(h) Holding company regulation	PR	C	382,600	382,600
(j) Intervenor financing	PR	A	500,000	200,000
(L) Stray voltage program	PR	A	169,600	151,800
(Lb) Gifts for stray voltage program	PR	C	-0-	-0-
(m) Federal funds	PR-F	C	78,200	78,200
(n) Indirect costs reimbursement	PR-F	C	11,000	11,000

20.155 DEPARTMENT	TOTALS	
PROGRAM REVENUE		10,423,300
FEDERAL	(	89,200)
OTHER	(	10,334,100)
TOTAL-ALL SOURCES		10,423,300

10,147,400

89,200

10,058,200

10,147,400

20.165 Regulation and licensing, department of

(1) PROFESSIONAL REGULATION

(g) General program operations	PR	A	5,852,400	5,858,100
(h) Technical assistance; nonstate agencies and organizations	PR	C	-0-	-0-
(i) Examinations	PR	C	473,900	473,900
(k) Technical assistance; state agencies	PR-S	C	156,200	170,100
(m) Federal funds	PR-F	C	-0-	-0-
(q) Cemetery consumer protection claims	SEG	S	-0-	-0-

20.165 DEPARTMENT	TOTALS	
PROGRAM REVENUE		6,482,500
FEDERAL	(	-0-)
OTHER	(	6,326,300)
SERVICE	(	156,200)
SEGREGATED FUNDS		-0-
OTHER	(	-0-)
TOTAL-ALL SOURCES		6,482,500

6,502,100

-0-

6,332,000

170,100

-0-

-0-

6,502,100

20.175 Savings and loan, office of the commissioner of

(1) SUPERVISION OF SAVINGS AND LOAN ASSOCIATIONS

(g) General program operations	PR	A	915,500	929,800
20.175 DEPARTMENT	TOTALS			
PROGRAM REVENUE		915,500		
OTHER	(	915,500)	
TOTAL-ALL SOURCES		915,500		

929,800

929,800

929,800

929,800

20.185 Securities, office of the commissioner of

(1) SECURITIES, CORPORATE TAKE-OVER AND FRANCHISE INVESTMENT REGULATION

(g) General program operations	PR	A	1,642,200	1,762,800
(h) Investor education fund	PR	A	100,000	100,000
20.185 DEPARTMENT	TOTALS			
PROGRAM REVENUE		1,742,200		
OTHER	(	1,742,200)	
TOTAL-ALL SOURCES		1,742,200		

1,862,800

1,862,800

1,862,800

20.190 State fair park board

(1) STATE FAIR PARK

(h) State fair operations	PR	A	8,453,200	8,798,200
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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1991-92	1992-93
(i) State fair capital expenses	PR	C	224,000	224,000
(j) State fair principal repayment, interest and rebates	PR	S	620,000	612,300
(jm) Gifts and grants	PR	C	4,000,000	-0-
20.190 DEPARTMENT TOTALS				
PROGRAM REVENUE			13,297,200	9,634,500
OTHER	(		13,297,200)	9,634,500)
TOTAL-ALL SOURCES			13,297,200	9,634,500

20.192 Racing board

(1) PARI-MUTUEL RACING

(g) General program operations	PR	A	5,369,700	5,403,500
(1) PROGRAM TOTALS				
PROGRAM REVENUE			5,369,700	5,403,500
OTHER	(		5,369,700)	5,403,500)
TOTAL-ALL SOURCES			5,369,700	5,403,500

(2) EDUCATION, RESEARCH AND DEVELOPMENT ACTIVITIES

(h) Purse supplements	PR	C	-0-	-0-
(hm) Special programs	PR	C	-0-	200,000
(i) County fair association grants	PR	C	50,000	50,000
(2) PROGRAM TOTALS				
PROGRAM REVENUE			50,000	250,000
OTHER	(		50,000)	250,000)
TOTAL-ALL SOURCES			50,000	250,000
20.192 DEPARTMENT TOTALS				
PROGRAM REVENUE			5,419,700	5,653,500
OTHER	(		5,419,700)	5,653,500)
TOTAL-ALL SOURCES			5,419,700	5,653,500

20.195 Lottery board

(1) LOTTERY OPERATION

(q) General program operations	SEG	A	24,060,100	24,971,400
(r) Retailer compensation	SEG	S	22,250,000	23,900,000
(s) Prizes	SEG	S	-0-	-0-
(v) On-line vendor fees	SEG	S	9,270,000	10,755,000
20.195 DEPARTMENT TOTALS				
SEGREGATED FUNDS			55,580,100	59,626,400
OTHER	(		55,580,100)	59,626,400)
TOTAL-ALL SOURCES			55,580,100	59,626,400

Commerce

FUNCTIONAL AREA TOTALS

GENERAL PURPOSE REVENUES			51,401,800	50,928,400
PROGRAM REVENUE			93,425,900	91,021,600
FEDERAL	(		26,129,200)	25,773,700)
OTHER	(		63,977,400)	61,924,200)
SERVICE	(		3,319,300)	3,323,700)
SEGREGATED FUNDS			119,748,400	124,955,300
FEDERAL	(		-0-)	-0-)
OTHER	(		119,748,400)	124,955,300)
SERVICE	(		-0-)	-0-)
LOCAL	(		-0-)	-0-)
TOTAL-ALL SOURCES			264,576,100	266,905,300

Education

20.215 Arts board

(1) SUPPORT OF ARTS PROJECTS

(a) General program operations	GPR	A	280,000 330,000	280,000 330,000 } Vetoed in Part
(b) State aid for the arts	GPR	A	8,039,900 1,724,900	8,039,900 1,724,900 } Vetoed in Part

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1991-92	1992-93
(c) Portraits of governors	GPR	A	-0-	-0-
(d) Challenge grant program	GPR	A	1,000,000	1,000,000
(e) Rural arts grants	GPR	A	40,000	40,000
(g) Gifts and grants; state operations	PR	C	4,000	4,000
(h) Gifts and grants; aids to individuals and organizations	PR	C	-0-	-0-
(k) Funds received from other state agencies	PR-S	C	-0-	-0-
(ka) Percent-for-art administration	PR-S	A	43,400	43,400
(m) Federal grants; state operations	PR-F	C	295,100	295,100
(o) Federal grants; aids to individuals and organizations	PR-F	C	373,000	373,000
20.215 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			3,419,900	3,419,900
PROGRAM REVENUE			715,500	715,500
FEDERAL			(668,100)	(668,100)
OTHER			(4,000)	(4,000)
SERVICE			(43,400)	(43,400)
TOTAL-ALL SOURCES			4,135,400	4,135,400

20.225 Educational communications board

(1) INSTRUCTIONAL TECHNOLOGY

(a) General program operations	GPR	A	3,810,300	3,899,200
(b) Utilities, fuel, heating and cooling	GPR	A	517,700	517,700
(c) Principal repayment and interest	GPR	S	549,700	584,100
(d) Milwaukee area technical college	GPR	A	330,000	330,000
(e) Instructional telecommunications projects	GPR	A	290,000	-0-
(eg) Transmitter construction	GPR	C	-0-	-0-
(er) Transmitter operation	GPR	A	25,000	25,000
(f) Programming	GPR	A	1,941,400	2,090,800
(g) Gifts, grants and leases	PR	C	4,705,500	4,556,700
(h) Instructional material	PR	A	323,800	464,000
(m) Federal grants	PR-F	C	465,200	465,200

**Vetoed
in Part**

20.225 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			7,464,100	7,446,300
PROGRAM REVENUE			5,494,500	5,485,900
FEDERAL			(465,200)	(465,200)
OTHER			(5,029,300)	(5,020,700)
TOTAL-ALL SOURCES			12,958,600	12,932,200

20.235 Higher educational aids board

(1) STUDENT SUPPORT ACTIVITIES

(b) Tuition grants	GPR	B	14,337,400	14,989,800
(cg) Nursing student loans	GPR	A	333,000	333,000
(cr) Minority teacher loans	GPR	S	50,000	50,000
(d) Dental education contract	GPR	A	790,500	1,265,000
(e) Minnesota-Wisconsin student reciprocity agreement	GPR	S	-0-	-0-
(em) Health care providers loan forgiveness program	GPR	B	-0-	-0-
(fb) Indian student assistance	GPR	B	1,506,800	1,566,700
(fc) Independent student grants program	GPR	B	200,000	200,000

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1991-92	1992-93
(fe) Wisconsin higher education grants and talent incentive grants	GPR	B	24,572,200	25,750,500
(fg) Minority undergraduate retention grants program; private	GPR	B	444,800	465,000
(fh) Minority undergraduate retention grants program; vocational	GPR	B	223,900	234,100
(fy) Academic excellence higher education scholarships	GPR	B	1,183,300	1,851,600
(g) Student loans	PR	A	-0-	-0-
(gg) Nursing student loan repayments	PR	C	-0-	-0-
(gn) Medical student loans	PR	A	-0-	-0-
(i) Gifts and grants	PR	C	-0-	-0-
(m) Federal aid; grants	PR-F	C	-0-	-0-
(n) Federal aid; grants overdrafts	PR-F	C	-0-	-0-
(no) Federal aid; aids to individuals and organizations	PR-F	C	1,624,100	1,624,100
(1) P R O G R A M T O T A L S			43,641,900	46,705,700
GENERAL PURPOSE REVENUES			1,624,100	1,624,100
PROGRAM REVENUE			1,624,100	1,624,100
FEDERAL			(1,624,100)	(1,624,100)
OTHER			(-0-)	(-0-)
TOTAL-ALL SOURCES			45,266,000	48,329,800
(2) ADMINISTRATION				
(aa) General program operations	GPR	A	645,400	649,000
(ba) Student loan interest	GPR	S	250,000	250,000
(bb) Student loan interest, loans sold or conveyed	GPR	S	-0-	-0-
(bc) Write-off of uncollectible student loans	GPR	A	-0-	-0-
(bd) Purchase of defective student loans	GPR	S	-0-	-0-
(ga) Student interest payments	PR	C	40,000	40,000
(gb) Student interest payments, loans sold or conveyed	PR	C	-0-	-0-
(ha) Medical loan collections, interest and principal	PR	C	-0-	-0-
(hb) Centralized lender collections; interest and principal	PR	C	-0-	-0-
(ia) Student loans; collection and administration	PR	C	-0-	-0-
(ja) Write-off of defaulted student loans	PR	A	-0-	-0-
(ma) Federal interest payments	PR-F	C	-0-	-0-
(mb) Federal interest payments, loans sold or conveyed	PR-F	C	-0-	-0-
(n) Federal aid; state operations	PR-F	C	1,065,700	1,017,900
(qa) Student loan revenue obligation repayment	SEG	C	-0-	-0-
(qb) Wisconsin health education loan revenue obligation repayment	SEG	C	320,700	324,500
(2) P R O G R A M T O T A L S			895,400	899,000
GENERAL PURPOSE REVENUES				

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PROGRAM REVENUE			1,105,700	1,057,900
FEDERAL	(1,065,700)	(1,017,900)
OTHER	(40,000)	(40,000)
SEGREGATED FUNDS			320,700	324,500
OTHER	(320,700)	(324,500)
TOTAL-ALL SOURCES			2,321,800	2,281,400
20.235 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			44,537,300	47,604,700
PROGRAM REVENUE			2,729,800	2,682,000
FEDERAL	(2,689,800)	(2,642,000)
OTHER	(40,000)	(40,000)
SEGREGATED FUNDS			320,700	324,500
OTHER	(320,700)	(324,500)
TOTAL-ALL SOURCES			47,587,800	50,611,200
20.245 Historical society				
(1) ARCHIVES, RESEARCH AND LIBRARY SERVICES				
(a) General program operations; archives and research services	GPR	A	1,083,900	1,197,100 Vetoed in Part
(am) General program operations; library services	GPR	A	1,522,400	1,550,400
(b) Distribution of the history of Wisconsin	GPR	C	-0-	-0-
(g) Admissions, sales and other receipts	PR	A	252,200	252,200
(h) Gifts and grants	PR	C	233,700	233,700
(k) Funds received from other state agencies	PR-S	C	-0-	-0-
(m) General program operations; federal funds	PR-F	C	146,000	139,500
(r) Endowment	SEG	C	106,800	93,000
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			2,606,300	2,747,500
PROGRAM REVENUE			631,900	625,400
FEDERAL	(146,000)	(139,500)
OTHER	(485,900)	(485,900)
SERVICE	(-0-)	(-0-)
SEGREGATED FUNDS			106,800	93,000
OTHER	(106,800)	(93,000)
TOTAL-ALL SOURCES			3,345,000	3,465,900
(2) HISTORIC SITES				
(a) General program operations	GPR	A	218,200 98,800	231,500 166,000
(bd) Stonefield Village	GPR	A	143,100	158,700
(be) Pendarvis	GPR	A	108,200	126,400
(bf) Villa Louis	GPR	A	116,600	153,000
(bg) Old Wade House	GPR	A	138,800	206,000
(bh) Madeline Island	GPR	A	13,000	45,000
(bi) Old World Wisconsin	GPR	A	527,800	676,000
(c) Utilities, fuel, heating and cooling	GPR	A	72,300	72,300 26,000
(e) Principal repayment and interest	GPR	S	324,100	396,500
(g) Admissions, sales and other receipts	PR	C	1,061,900	801,900
(h) Gifts and grants	PR	C	45,000	45,000
(j) Self-amortizing facilities; principal repayment, interest and rebates	PR	S	97,300	119,300
(k) Funds received from other				

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1991-92	1992-93	
state agencies	PR-S	C	-0-	-0-	
(m) General program operations;					
federal funds	PR-F	C	-0-	-0-	
(r) Endowment	SEG	C	70,500	51,500	
(2) P R O G R A M T O T A L S					
GENERAL PURPOSE REVENUES			1,662,100	2,065,400	
PROGRAM REVENUE			1,204,200	966,200	
FEDERAL	(		-0-)	-0-)	
OTHER	(		1,204,200)	966,200)	
SERVICE	(		-0-)	-0-)	
SEGREGATED FUNDS			70,500	51,500	
OTHER	(		70,500)	51,500)	
TOTAL-ALL SOURCES			2,936,800	3,083,100	
(3) HISTORIC AND BURIAL SITES PRESERVATION					
(a) General program operations	GPR	A	954,500	954,500	
(b) Historical markers council;	GPR	A	-0-	26,000	Vetoed in Part
staff support					
(c) Historical markers;	GPR	A	20,000	10,000	
cost-sharing grants					
(d) Historical markers;	GPR	A	5,000	5,000	
state-funded markers and					
plaques					
(g) Admissions, sales and other	PR	A	1,000	1,000	
receipts					
(gm) Excavation and analysis;	PR	C	-0-	-0-	
cataloged burial sites					
(h) Gifts and grants	PR	C	8,000	8,000	
(k) Funds received from other					
state agencies	PR-S	C	-0-	-0-	
(m) General program operations;					
federal funds	PR-F	C	375,600	375,600	
(n) Federal aids	PR-F	C	-0-	-0-	
(r) Endowment	SEG	C	-0-	-0-	
(3) P R O G R A M T O T A L S					
GENERAL PURPOSE REVENUES			979,500	989,500	
PROGRAM REVENUE			384,600	384,600	
FEDERAL	(		375,600)	375,600)	
OTHER	(		9,000)	9,000)	
SERVICE	(		-0-)	-0-)	
SEGREGATED FUNDS			-0-	-0-	
OTHER	(		-0-)	-0-)	
TOTAL-ALL SOURCES			1,364,100	1,374,100	
(4) EXECUTIVE AND ADMINISTRATIVE SERVICES					
(a) General program operations	GPR	A	1,428,800	1,492,300	Vetoed in Part
(c) Utilities, fuel, heating and					
cooling	GPR	A	162,100	162,100	
(e) Principal repayment and					
interest	GPR	S	-0-	-0-	Vetoed in Part
(f) Humanities grants	GPR	B	50,000	-0-	Vetoed in Part
(g) Admissions, sales and other	GPR	A	50,000	50,000	Vetoed in Part
receipts					
(h) Gifts and grants	PR	C	251,600	251,600	
(k) Funds received from other					
state agencies	PR-S	C	-0-	-0-	
(m) General program operations;					
federal funds	PR-F	C	3,000	3,000	
(pz) Indirect cost reimbursements	PR-F	C	35,000	35,000	
(q) Endowment principal	SEG	C	-0-	-0-	

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1991-92	1992-93
(r) Endowment	SEG	C	50,000	50,000
(4) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			1,700,900	1,704,400
PROGRAM REVENUE			423,500	423,500
FEDERAL	(		38,000)	(38,000)
OTHER	(		385,500)	(385,500)
SERVICE	(		-0-)	(-0-)
SEGREGATED FUNDS			50,000	50,000
OTHER	(		50,000)	(50,000)
TOTAL-ALL SOURCES			2,174,400	2,177,900
(5) MUSEUM			752,300	755,300 Vetoed in Part
(a) General program operations	GPR	A	752,300	755,300
(c) Utilities, fuel, heating and cooling	GPR	A	26,300	49,400
(e) Principal repayment and interest	GPR	S	326,400	431,800
(g) Admissions, sales and other receipts	PR	C	164,000	164,000
(h) Gifts and grants	PR	C	14,600	14,600
(k) Funds received from other state agencies	PR-S	C	578,200	578,200
(m) General program operations; federal funds	PR-F	C	15,300	15,300
(r) Endowment	SEG	C	11,600	11,600
(5) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			1,145,000	1,271,500
PROGRAM REVENUE			772,100	772,100
FEDERAL	(		15,300)	(15,300)
OTHER	(		178,600)	(178,600)
SERVICE	(		578,200)	(578,200)
SEGREGATED FUNDS			11,600	11,600
OTHER	(		11,600)	(11,600)
TOTAL-ALL SOURCES			1,928,700	2,055,200
20.245 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			8,093,800	8,778,300
PROGRAM REVENUE			3,416,300	3,171,800
FEDERAL	(		574,900)	(568,400)
OTHER	(		2,263,200)	(2,025,200)
SERVICE	(		578,200)	(578,200)
SEGREGATED FUNDS			238,900	206,100
OTHER	(		238,900)	(206,100)
TOTAL-ALL SOURCES			11,749,000	12,156,200
20.250 Medical college of Wisconsin				
(1) TRAINING OF HEALTH MANPOWER			2,087,400	2,087,400 Vetoed in Part
(a) General program operations	GPR	A	3,733,700	3,733,700
(b) Family medicine and practice	GPR	A	2,387,400	2,787,400 Vetoed in Part
(c) Area health education centers and projects	GPR	A	100,000	150,000
(e) Principal repayment and interest	GPR	S	512,900	491,600
20.250 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			6,734,000	7,485,600
TOTAL-ALL SOURCES			6,734,000	7,485,600
20.255 Public instruction, department of				
(1) EDUCATIONAL LEADERSHIP			14,334,600	14,112,000 Vetoed in Part
(a) General program operations	GPR	A	14,334,600	14,112,000
(b) General program operations; residential schools	GPR	A	9,029,000	9,039,700

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1991-92	1992-93	
(c) Utilities, fuel, heating and cooling	GPR	A	298,500	308,600	Vetoed
(cm) Environmental education board	GPR	A	29,300	29,300	in Part
(cp) Environmental education grants	GPR	X	37,300	37,300	Vetoed
(cw) Alternative school American Indian language and culture education aid	GPR	A	200,000	200,000	in Part
(d) Principal repayment and interest	GPR	S	136,900	136,900	
(e) Aid to public library systems	GPR	A	948,400	1,054,400	Vetoed
(ea) Aid to multi-type library systems	GPR	A	10,756,700	11,402,100	in Part
(ec) Wisconsin geography alliance	GPR	A	180,200	180,200	Vetoed
(fa) Very special arts	GPR	A	50,000	50,000	in Part
(fd) Advanced placement examinations; private school pupils	GPR	A	75,000	75,000	Vetoed
(ff) Fishing has no boundaries	GPR	A	17,000	17,000	in Part
(fg) Special Olympics	GPR	A	16,000	16,000	Vetoed
(fz) Minority group pupil scholarships	GPR	A	75,000	75,000	in Part
(g) Student activity therapy	PR	A	1,000,000	1,000,000	
(gt) Residential schools; pupil transportation	PR	A	6,000	6,000	
(hf) Administrative leadership academy	PR	A	620,000	620,000	
(hg) Personnel cert., teacher supply, information & analysis & teacher improvement	PR	A	22,500	22,500	
(hm) Services for drivers	PR	A	1,757,000	1,757,000	
(hr) Alcohol and other drug abuse program	PR	C	225,000	225,000	
(i) Publications	PR	A	524,400	524,400	
(jg) School lunch handling charges	PR	A	750,800	750,800	
(jm) Professional services center charges	PR	A	1,511,800	1,511,800	
(jr) Gifts, grants and trust funds	PR	C	74,000	76,000	
(js) State-owned housing maintenance	PR	A	326,000	326,000	
(jz) School district boundary appeal proceedings	PR	C	7,000	7,000	
(ke) Funds transferred from other state agencies; program operations	PR-S	C	7,600	7,600	
(kk) Funds transferred from other state agencies; aids to ind. and organizations	PR-S	C	1,499,000	1,444,000	
(km) State agency library processing center	PR-S	A	-0-	-0-	
(ks) Data processing	PR-S	C	83,000	85,000	
(L) Gifts, grants and trust funds; aids to individuals and organizations	PR	C	1,569,900	1,569,900	
(Ls) Services for school boards	PR-S	A	-0-	-0-	
(me) Federal aids; program operations	PR-F	C	-0-	-0-	
(mm) Federal funds; local assistance	PR-F	C	9,713,700	9,722,200	
			1,412,000	1,412,000	

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1991-92	1992-93	
(ms) Federal funds; individuals and organizations	PR-F	C	16,854,100	17,831,500	
(pz) Indirect cost reimbursements	PR-F	C	612,300	612,300	
(1) P R O G R A M		T O T A L S			
GENERAL PURPOSE REVENUES			37,429,900	38,258,500	
PROGRAM REVENUE			37,576,100	38,511,000	
FEDERAL	(		28,592,100)	(29,578,000)	
OTHER	(		5,832,100)	(5,834,100)	
SERVICE	(		3,151,900)	(3,098,900)	
TOTAL-ALL SOURCES			75,006,000	76,769,500	
(2) AID FOR LOCAL EDUCATIONAL PROGRAMMING					
(ac) General equalization aids	GPR	A	1,563,269,700	1,558,537,300	Vetoed in Part
(ah) School aid hold harmless	GPR	A	38,100	-0-	Vetoed
(ap) Advanced placement examinations; public school pupils	GPR	A	108,000	108,000	Vetoed in Part
(b) Aids for handicapped education	GPR	A	253,957,200	272,049,300	Vetoed in Part
(ba) Special adjustment aids	GPR	A	1,525,000	1,500,000	
(bc) Aid for children-at-risk programs	GPR	A	3,500,000	4,100,000	Vetoed in Part
(be) Science, mathematics and technology education grants	GPR	A	350,000	500,000	
(bh) Aid to county handicapped children's education boards	GPR	A	1,250,000	2,800,300	Vetoed in Part
(bm) Minimum state aid	GPR	A	15,700,000	17,800,000	Vetoed in Part
(be) Family involvement in education grants	GPR	B	500,000	-0-	Vetoed in Part
(cc) Bilingual-bicultural education aids	GPR	A	8,291,400	8,286,400	Vetoed in Part
(ce) Community education programs	GPR	A	-0-	200,000	Vetoed
(cg) Tuition payments	GPR	A	3,597,100	5,347,100	Vetoed in Part
(cn) Aids for school lunches and nutritional improvement	GPR	A	4,320,600	4,320,600	Vetoed in Part
(cp) Wisconsin morning milk program	GPR	A	325,000	325,000	
(cr) Aid for pupil transportation	GPR	A	17,742,500	17,840,000	
(cs) Home school coordinators	GPR	A	60,000	60,000	
(cw) Aid for transportation to institutions of higher education	GPR	A	-0-	50,000	
(d) Youth initiatives program	GPR	A	500,000	500,000	
(dm) Grants for early alcohol & other drug abuse prevention & intervention prog.	GPR	A	4,670,000	4,670,000	
(do) Grants for preschool to grade 5 programs	GPR	A	6,670,000	6,670,000	Vetoed in Part
(ds) Grants for management restructuring programs	GPR	B	150,000	-0-	Vetoed in Part
(ec) Aid to Milwaukee public schools	GPR	A	7,000,000	8,000,000	
(ee) Post-secondary enrollment options program	GPR	A	-0-	1,000,000	Vetoed in Part
(ez) Learning assistance program grants	GPR	A	1,434,000	1,552,000	Vetoed in Part
(f) Pupil minimum competency tests	GPR	A	301,200	301,200	
(fg) Aid for cooperative educational service agencies	GPR	A	607,200	607,200	

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1991-92	1992-93
(fj) Japanese language and culture grants	GPR	A	50,000	50,000
(fm) Human growth and development grants	GPR	A	200,000	200,000
(fs) Human growth and development teacher training	GPR	A	75,000	75,000
(fg) Adolescent pregnancy and prevention projects	GPR	A	250,000	400,000
(ft) Aid for suicide prevention programs	GPR	A	36,000	36,000
(fu) Milwaukee parental choice program	GPR	S	2,300,000	2,300,000
(fx) Grants for drug abuse resistance education	GPR	A	500,000	500,000
(fy) Youth alcohol and other drug abuse programs	GPR	A	2,000,000	2,000,000
(g) Aid for alcohol and other drug abuse programs	PR	C	1,066,400	1,066,400
(k) Funds transferred from other state agencies; local aids	PR-S	C	7,441,700	7,441,700
(m) Federal aids; local aid	PR-F	C	178,289,900	178,289,900
(r) Driver education; local assistance	SEG	A	5,029,200	4,746,800
(s) School library aids	SEG	C	14,554,000	15,800,000
(t) School aids from the badger fund	SEG	C	-0-	-0-
(2) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			1,902,172,000	2,024,063,900
PROGRAM REVENUE			186,798,000	186,798,000
FEDERAL	(		178,289,900)	(178,289,900)
OTHER	(		1,066,400)	(1,066,400)
SERVICE	(		7,441,700)	(7,441,700)
SEGREGATED FUNDS			19,583,200	20,546,800
OTHER	(		19,583,200)	(20,546,800)
TOTAL-ALL SOURCES			2,108,553,200	2,231,408,700
2 0 . 2 5 5 D E P A R T M E N T T O T A L S				
GENERAL PURPOSE REVENUES			1,939,601,900	2,062,322,400
PROGRAM REVENUE			224,374,100	225,309,000
FEDERAL	(		206,882,000)	(207,867,900)
OTHER	(		6,898,500)	(6,900,500)
SERVICE	(		10,593,600)	(10,540,600)
SEGREGATED FUNDS			19,583,200	20,546,800
OTHER	(		19,583,200)	(20,546,800)
TOTAL-ALL SOURCES			2,183,559,200	2,308,178,200
20.285 University of Wisconsin system				
(1) UNIVERSITY EDUCATION, RESEARCH AND PUBLIC SERVICE			610,072,300	
(a) General program operations	GPR	A	610,890,600	616,772,700
(ab) Student aid	GPR	A	893,300	893,300
(am) Distinguished professorships	GPR	A	539,900	539,900
(as) Industrial and economic development research	GPR	A	1,236,800	1,248,700
(b) Bear and deer population research	GPR	A	62,400	62,400
(c) Utilities, fuel, heating and cooling	GPR	A	39,159,300	41,014,300
(cr) Supplemental bovine somatotropin study	GPR	C	-0-	-0-
(d) Principal repayment and interest	GPR	S	57,102,500	60,814,100

Vetoed
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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1991-92	1992-93	
(da) Lease rental payments	GPR	S	-0-	-0-	
(db) Self-amortizing facilities principal and interest	GPR	S	-0-	-0-	
(em) Schools of business	GPR	A	1,109,800	1,136,700	
(eo) Extension outreach	GPR	A	208,000	246,600	
(fa) General medical operations	GPR	A	2,282,200	2,282,200	
(fc) Department of family medicine and practice	GPR	A	5,463,000	5,463,000	
(fd) State laboratory of hygiene; general program operations	GPR	A	5,016,100	5,016,100	
(fm) Laboratories	GPR	A	3,763,600	5,295,100	Vetoed in Part
(fx) Alcohol and other drug abuse prevention and intervention	GPR	A	75,000	75,000	
(g) Physical plant service departments	PR	C	-0-	-0-	
(ga) Surplus auxiliary funds	PR	C	-0-	-0-	
(gb) Principal repayment, interest and rebates	PR	S	10,262,000	11,503,000	
(gc) Lease rental payments	PR	S	-0-	-0-	
(gm) Auxiliary enterprises building projects	PR	C	11,598,000	11,598,000	
(h) Auxiliary enterprises	PR	A	254,421,000	261,072,400	
(ha) Stores	PR	C	5,364,800	5,337,200	
(hm) Extension outreach	PR	C	150,000	150,000	
(i) State laboratory of hygiene	PR	C	10,922,400	11,246,900	
(ia) State laboratory of hygiene, drivers	PR	C	311,920,800 478,900	319,576,700 488,200	Vetoed in Part
(im) Academic student fees	PR	A	311,920,800	319,576,700	
(iz) General operations receipts	PR	A	49,663,700	54,049,500	
(j) Gifts and donations	PR	C	133,807,300	147,227,200	
(ja) Gifts; student loans	PR	C	3,089,600	3,398,600	
(jL) Doctoral student loan repayments	PR	C	-0-	-0-	
(jm) Distinguished professorships	PR	C	395,200	395,500	
(jp) License plate scholarship programs	PR	C	-0-	-0-	
(k) Funds transferred from other state agencies	PR-S	C	-0-	75,000	
(ka) Sale of real property	PR	C	-0-	-0-	
(kb) University of Wisconsin hospital and clinics	PR	A	206,861,600	214,104,400	
(Lm) Laboratories	PR	C	4,398,600	4,405,400	
(Ls) Schools of business	PR	A	592,300	606,800	
(m) Federal aid	PR-F	C	199,547,700	199,724,500	
(ma) Federal aid; loans and grants	PR-F	C	92,812,700	92,812,700	
(n) Federal indirect cost reimbursement	PR-F	C	50,878,900	50,897,300	
(qt) Research on tin-can scrap	SEG	B	60,000	-0-	
(t) Extension outreach	SEG	A	-0-	-0-	
(tb) Extension recycling education	SEG	A	290,700	290,700	
(u) Trust fund income	SEG	C	10,987,400	12,087,900	
(w) Trust fund operations	SEG	C	-0-	-0-	
(x) Driver education teachers	SEG	C	61,000	61,000	
(1) P R O G R A M T O T A L S					
GENERAL PURPOSE REVENUES			727,302,500	740,800,100	
PROGRAM REVENUE			1,347,191,700	1,388,695,500	
FEDERAL			(343,239,300)	(343,434,500)	
OTHER			(1,003,952,400)	(1,045,186,000)	
SERVICE			(-0-)	(75,000)	

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1991-92	1992-93
SEGREGATED FUNDS			11,399,100	12,439,600
OTHER	(		11,399,100)	(12,439,600)
TOTAL-ALL SOURCES			2,085,893,300	2,141,935,200
(3) UNIVERSITY SYSTEM ADMINISTRATION				
(a) General program operations	GPR	A	8,693,200	8,742,600
(iz) General operations receipts	PR	A	201,800	201,800
(n) Federal indirect cost reimbursement	PR-F	C	997,000	997,000
(3) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			8,693,200	8,742,600
PROGRAM REVENUE			1,198,800	1,198,800
FEDERAL	(		997,000)	(997,000)
OTHER	(		201,800)	(201,800)
TOTAL-ALL SOURCES			9,892,000	9,941,400
(4) MINORITY AND DISADVANTAGED PROGRAMS				
(a) Minority and disadvantaged programs	GPR	A	6,248,600	6,294,800
(b) Advanced opportunity program	GPR	A	3,264,600	3,517,400
(cm) Doctoral student loans	GPR	C	183,400	183,400
(dc) Minority teacher loans	GPR	A	100,000	100,000
(dd) Lawton minority undergraduate grants program	GPR	A	1,812,200	1,894,700
(de) Pilot minority student tuition award program	GPR	A	132,000	132,000
(4) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			11,740,800	12,122,300
TOTAL-ALL SOURCES			11,740,800	12,122,300
(5) UNIVERSITY OF WISCONSIN-MADISON INTERCOLLEGIATE ATHLETICS				
(a) General program operations	GPR	A	484,500	484,500
(g) Segregated student fees	PR	A	759,000	759,000
(h) Auxiliary enterprises	PR	A	9,335,600	9,335,600
(i) Nonincome sports	PR	A	481,900	481,900
(iw) Indoor practice facility for athletic programs operation and maintenance	PR	C	-0-	-0-
(j) Gifts and grants	PR	C	2,669,500	2,669,500
(5) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			484,500	484,500
PROGRAM REVENUE			13,246,000	13,246,000
OTHER	(		13,246,000)	(13,246,000)
TOTAL-ALL SOURCES			13,730,500	13,730,500
20.285 DEPARTMENT T O T A L S				
GENERAL PURPOSE REVENUES			748,221,000	762,149,500
PROGRAM REVENUE			1,361,636,500	1,403,140,300
FEDERAL	(		344,236,300)	(344,431,500)
OTHER	(		1,017,400,200)	(1,058,633,800)
SERVICE	(		-0-)	(75,000)
SEGREGATED FUNDS			11,399,100	12,439,600
OTHER	(		11,399,100)	(12,439,600)
TOTAL-ALL SOURCES			2,121,256,600	2,177,729,400

20.292 Vocational, technical and adult education, board of

(1) VOCATIONAL, TECHNICAL AND ADULT EDUCATION			2,717,000	
(a) General program operations	GPR	A	2,811,000	2,729,700
(b) Displaced homemakers' program	GPR	A	733,500	751,700
(bm) Workplace literacy resource center	GPR	A	-0-	50,000
(c) Minority student participation and retention grants	GPR	A	567,000	617,000

Vetoed
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Vetoed
in Part

124. College for All program	GPR	A	300,000	300,000	Vetoed in Part
(d) State aid for vocational, technical and adult education	GPR	A	96,034,500	99,034,500	Vetoed in Part
(dc) Incentive grants	GPR	A	7,332,700	8,532,700	Vetoed in Part
(dd) Farm training program grants	GPR	A	150,000	150,000	Vetoed in Part
(de) Services for handicapped students; local assistance	GPR	A	-0-	200,000	
(dm) Aid for special collegiate transfer programs	GPR	A	1,196,200	900,000	
(e) Vocational education occupational competency program	GPR	A	71,300	71,300	
(f) Alcohol and other drug abuse prevention and intervention	GPR	A	525,000	525,000	
(fm) Supplemental aid	GPR	A	1,500,000	1,500,000	
(g) Text materials	PR	A	123,000	123,000	
(gm) Fire schools; state operations	PR	A	232,600	235,700	
(gr) Fire schools; local assistance	PR	A	400,000	400,000	
(h) Gifts and grants	PR	C	20,600	20,600	
(i) Conferences	PR	C	85,900	85,900	
(j) Personnel certification	PR	A	158,800	158,800	
(k) Gifts and grants	PR	C	30,200	30,200	
(ka) Interagency projects; local assistance	PR-S	A	3,414,700	3,414,700	
(kb) Interagency projects; state operations	PR-S	A	753,200	753,200	
(L) Services for district boards	PR	A	-0-	-0-	
(m) Federal aid, state operations	PR-F	C	4,194,400	4,194,400	
(n) Federal aid, local assistance	PR-F	C	16,974,300	16,974,300	
(o) Federal aid, aids to individuals and organizations	PR-F	C	-0-	-0-	
(pz) Indirect cost reimbursements	PR-F	C	36,000	36,000	
(r) Ambulance attendant training; state operations	SEG	A	138,300	138,300	
(s) Recycling programs	SEG	A	-0-	-0-	
(u) Driver education, local assistance	SEG	A	502,000	322,000	
(v) Chauffeur training grants	SEG	C	200,000	200,000	

(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	111,127,200	115,261,900
PROGRAM REVENUE	26,423,700	26,426,800
FEDERAL	(21,204,700)	(21,204,700)
OTHER	(1,051,100)	(1,054,200)
SERVICE	(4,167,900)	(4,167,900)
SEGREGATED FUNDS	840,300	660,300
OTHER	(840,300)	(660,300)
TOTAL-ALL SOURCES	138,391,200	142,349,000

(2) EDUCATIONAL APPROVAL BOARD

(a) General program operations	GPR	A	50,000	75,000	Vetoed in Part
(b) Emergency retaining grants	GPR	B	150,000	150,000	Vetoed in Part
(g) Proprietary school permits	PR	A	142,200	142,200	
(m) Federal aid	PR-F	C	190,100	190,100	

(2) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	200,000	75,000
PROGRAM REVENUE	332,300	332,300
FEDERAL	(190,100)	(190,100)
OTHER	(142,200)	(142,200)

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1991-92	1992-93
TOTAL-ALL SOURCES			532,300	407,300
20.292 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			111,327,200	115,336,900
PROGRAM REVENUE			26,756,000	26,759,100
FEDERAL	(		21,394,800)	(21,394,800)
OTHER	(		1,193,300)	(1,196,400)
SERVICE	(		4,167,900)	(4,167,900)
SEGREGATED FUNDS			840,300	660,300
OTHER	(		840,300)	(660,300)
TOTAL-ALL SOURCES			138,923,500	142,756,300

Education

FUNCTIONAL AREA TOTALS

GENERAL PURPOSE REVENUES			2,869,399,200	3,014,543,600
PROGRAM REVENUE			1,625,122,700	1,667,263,600
FEDERAL	(		576,911,100)	(578,037,900)
OTHER	(		1,032,828,500)	(1,073,820,600)
SERVICE	(		15,383,100)	(15,405,100)
SEGREGATED FUNDS			32,382,200	34,177,300
FEDERAL	(		-0-)	(-0-)
OTHER	(		32,382,200)	(34,177,300)
SERVICE	(		-0-)	(-0-)
LOCAL	(		-0-)	(-0-)
TOTAL-ALL SOURCES			4,526,904,100	4,715,984,500

Environmental Resources

20.315 Boundary area commission, Minnesota-Wisconsin

(1) BOUNDARY AREA COOPERATION

(a) General program operations	GPR	A	127,000	127,000
(g) Gifts or grants	PR	C	-0-	-0-
20.315 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			127,000	127,000
PROGRAM REVENUE			-0-	-0-
OTHER	(		-0-)	(-0-)
TOTAL-ALL SOURCES			127,000	127,000

20.320 Clean water fund program

(1) CLEAN WATER FUND OPERATIONS

(a) Environmental aids -- clean water fund	GPR	A	-0-	-0-
(c) Principal repayment and interest -- clean water fund	GPR	S	12,602,700	29,720,000
(r) Clean water fund repayment of revenue obligations	SEG	S	-0-	-0-
(s) Clean water fund financial assistance	SEG	S	-0-	-0-
(t) Principal repayment and interest -- clean water fund bonds	SEG	A	-0-	-0-
(u) Principal repay. & interest - clean water fd. revenue obligation repayment	SEG	C	-0-	-0-
20.320 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			12,602,700	29,720,000
SEGREGATED FUNDS			-0-	-0-
OTHER	(		-0-)	(-0-)
TOTAL-ALL SOURCES			12,602,700	29,720,000

20.360 Lower Wisconsin state riverway board

(1) CONTROL OF LAND DEVELOPMENT AND USE IN THE LOWER WISCONSIN STATE RIVERWAY

(a) General program operations	GPR	A	97,100	99,000
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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1991-92	1992-93
(g) Gifts and grants	PR	C	-0-	-0-
20.360 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			97,100	99,000
PROGRAM REVENUE			-0-	-0-
OTHER	(		-0-)	-0-)
TOTAL-ALL SOURCES			97,100	99,000
20.370 Natural resources, department of				
(1) RESOURCE MANAGEMENT				
(cq) Forestry--reforestation	SEG	C	100,000	100,000
(da) Water resources--Fox river management; general fund	GPR	C	-0-	-0-
(di) Water resources--Fox river management; gifts and contributions	PR	C	-0-	-0-
(dj) Water resources--Fox river management; fees	PR	C	-0-	-0-
(dn) Water resources--Fox river management; federal moneys	PR-F	C	-0-	-0-
(dq) Water resources--Fox river management	SEG	B	130,000	92,000
(dr) Water resources--Fox river maintenance and rehab.; transportation fund	SEG	C	-0-	-0-
(ea) Parks -- general program operations	GPR	A	4,571,800	4,606,400
(er) Parks and forests - recycling activities	SEG	A	66,000	66,000
(fb) Endangered resources--general program operations	GPR	A	800,000	800,000
(fc) Endangered resources--Wisconsin stewardship program	GPR	A	40,000	40,000
(fd) Endangered resources--natural heritage inventory program	GPR	A	108,600	108,600
(fe) Endangered resources -- general fund	GPR	S	450,000	500,000
(fr) Endangered resources -- elk reintroduction	SEG	B	59,100	-0-
(fs) Endangered resources -- voluntary payments and fees	SEG	C	570,600	570,600
(gg) Ice age trail--gifts and grants	PR	C	-0-	-0-
(gh) State trails -- gifts and grants	PR	C	-0-	-0-
(gr) Endangered resources program -- gifts and grants	SEG	C	-0-	-0-
(hn) Water resources -- Fox-Winnebago restoration; federal moneys	PR-F	C	-0-	-0-
(hq) Resource acquisition & develop. -- Mississippi & St. Croix rivers management	SEG	C	62,500	62,500
(hr) Resource acquisition and development -- pheasant restoration	SEG	C	-0-	190,400
(is) Lake research; voluntary contributions	SEG	C	45,200	45,200
(jq) Dam repair and removal -- principal repayment and interest	SEG	S	-0-	373,200

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1991-92	1992-93	
(jr) Rental property and equipment -- maintenance	SEG	C	-0-	-0-	
(kb) Resource maintenance and development--state funds	GPR	C	1,583,300	1,583,300	
(kc) Resource acquisition and development--principal repayment and interest	GPR	S	10,906,400	14,027,800	
(kp) Resource acquisition and development--boating access	SEG	C	200,000	200,000	
(kq) Resource acquisition and development--taxes and assessments	SEG	A	300,000	300,000	
(kr) Resource acquisition and development--nonmotorized boating improvements	SEG	C	-0-	-0-	
(ks) Resource acquisition and development--state funds	SEG	C	387,500	387,500	Vetoed in Part
(kt) Resource acquisition and development--wetlands habitat improvement	SEG	C	257,100	257,100	
(ku) Resource acquisition and development--Great Lakes trout and salmon	SEG	C	982,500	1,169,000	
(kv) Resource acquisition and development--trout habitat improvement	SEG	C	495,400	762,900	
(kw) Resource acquisition and development--principal repayment and interest	SEG	S	221,500	221,300	
(ky) Resource acquisition and development--federal funds	SEG-F	C	3,128,100	3,128,100	
(kz) Resource acquisition & development--boating access to southeastern lakes	SEG	C	100,000	100,000	
(Lr) Beaver control; fish and wildlife account	SEG	C	100,000	100,000	
(Ls) Control of wild animals	SEG	C	100,000	100,000	
(ma) General program operations-- state funds	GPR	A	1,884,600	2,601,800	Vetoed in Part
(mg) General program operations-- endangered resources	PR	C	-0-	-0-	Vetoed in Part
(mi) General program operations-- private and public sources	PR	C	38,800	38,800	
(mk) General program operations-- service funds	PR-S	C	651,900	651,900	
(mq) General program operations-- state snowmobile trails and areas	SEG	A	120,000	120,000	
(mr) General program operations-- state park, forest and riverway roads	SEG	C	1,900,000	1,900,000	
(ms) General program operations-- state all-terrain vehicle areas and trails	SEG	A	40,000	40,000	
(mu) General program operations-- state funds	SEG	A	-0-	-0-	
License administration	SEG	A	1,771,500	1,739,500	
Fisheries management	SEG	A	11,054,900	11,054,900	
Wildlife management	SEG	A	8,006,200	7,984,800	

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1991-92	1992-93
Forestry	SEG	A	21,355,100	21,714,900
Southern forests	SEG	A	2,520,800	2,518,100
Parks and recreation	SEG	A	4,279,900	4,301,200
Endangered resources	SEG	A	-0-	-0-
Aeronautics and communications	SEG	A	748,000	748,000
Research	SEG	A	1,848,000	1,836,400
Facilities management	SEG	A	2,558,900	2,742,400
NET APPROPRIATION			54,143,300	54,640,200
(my) General program operations--				
federal funds	SEG-F	C	-0-	-0-
Fisheries management	SEG-F	C	2,354,200	2,354,200
Wildlife management	SEG-F	C	1,432,000	1,432,000
Forestry	SEG-F	C	585,100	585,100
Southern forests	SEG-F	C	117,300	117,300
Parks and recreation	SEG-F	C	342,600	342,600
Endangered resources	SEG-F	C	194,600	194,600
Research	SEG-F	C	1,412,800	1,412,800
Facilities management	SEG-F	C	793,300	868,500
NET APPROPRIATION			7,231,900	7,307,100
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			20,060,700	23,902,100
PROGRAM REVENUE			690,700	690,700
FEDERAL	(	-0-)	(	-0-)
OTHER	(	38,800)	(	38,800)
SERVICE	(	651,900)	(	651,900)
SEGREGATED FUNDS			70,740,700	72,233,100
FEDERAL	(	10,360,000)	(	10,435,200)
OTHER	(	60,380,700)	(	61,797,900)
TOTAL-ALL SOURCES			91,492,100	96,825,900
(2) ENVIRONMENTAL STANDARDS				
(af) Water resources -- remedial action	GPR	C	-0-	2,419,500
(ah) Water resources -- Great Lakes protection fund	PR	C	-0-	-0-
(aq) Water resources management-- lake and river management	SEG	A	945,500	979,000
(bh) Air management -- vapor control administration	PR	A	147,000	147,000
(bL) Wastewater management--fees	PR	C	465,300	467,600
(cg) Air management -- recovery of ozone-depleting refrigerants	PR	A	-0-	-0-
(ch) Air management -- emission analysis	PR	C	-0-	-0-
(ci) Air management--permit review and enforcement	PR	A	1,477,400	1,915,000
(cj) Air management--acid deposition activities	PR	A	354,000	354,000
(cL) Air waste management -- incinerator operator certification	PR	C	-0-	-0-
(cq) Air manage.--motor vehicle emission inspec. and maint. program, state funds	SEG	A	44,500	44,500
(dc) Solid waste management -- dump closure administration	GPR	A	100,000	100,000
(dg) Solid waste management--solid and hazardous waste disposal administration	PR	C	1,545,700	1,558,900

Vetoed
in Part

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1991-92	1992-93	
(di) Solid waste management -- operator certification	PR	C	-0-	-0-	
(dj) Waste tire removal and recovery programs; program activities	PR	C	2,775,000	2,775,000	
(dL) Waste tire removal and recovery programs; administration	PR	A	208,600	210,000	
(dq) Solid waste management--waste management fund	SEG	C	15,000	-0-	
(dt) Solid waste management--closure and long-term care	SEG	C	-0-	-0-	
(dv) Solid waste management--environmental repair; spills; abandoned containers	SEG	C	3,856,900	4,116,000	
(dw) Solid waste management--environmental repair; petroleum spills; admin.	SEG	A	97,500	100,000	
(dy) Solid waste mgt.--corrective action; proofs of financial responsibility	SEG	C	-0-	-0-	
(dz) Solid waste mgt.--corr. action; moneys recovered from assess. & legal action	SEG	C	-0-	-0-	
(eh) Solid waste management -- source reduction review	PR	C	-0-	-0-	
(ei) Air management -- asbestos abatement permit exemption fees	PR	C	-0-	-0-	
(fj) Environmental quality--laboratory certification	PR	A	171,000	171,000	
(fq) Environmental reimbursement and compensation	SEG	C	384,500	384,500	
(gh) Mining--mining regulation and administration	PR	A	20,000	20,000	
(gr) Solid waste management -- mining programs	SEG	C	-0-	-0-	
(hq) Recycling; administration	SEG	A	1,047,800	1,018,700	Vetoed in Part
(jc) Debt service--environmental repair	GPR	S	1,003,900 695,500	963,700 717,100	
(ma) General program operations--state funds	GPR	A	4,449,300 -0-	-0-	Vetoed in Part
Water resources management	GPR	A	4,400,500	4,500,500	Vetoed in Part
Wastewater management	GPR	A	4,339,600	4,388,500	Vetoed in Part
Air management	GPR	A	4,281,800	4,354,500	
Solid waste management	GPR	A	2,575,500	2,575,500	
Water supply management	GPR	A	2,272,600	2,514,000	
Technical services	GPR	A	762,600	762,600	
NET APPROPRIATION			18,608,800 18,691,400	19,240,400	Vetoed in Part
(mb) General fund supplement to environmental fund; groundwater management	GPR	A	866,800	866,800	
(md) General fund supplement to environmental fund; environmental repair	GPR	A	550,000	550,000	
(mi) General program operations -- private and public sources	PR	C	60,400	60,400	
(mk) General program operations--service funds	PR-S	C	29,200	29,200	

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1991-92	1992-93	
(mm) General program operations-- federal funds	PR-F	C	-0-	-0-	
Water resources management	PR-F	C	2,760,600	2,419,000	
Wastewater management	PR-F	C	1,152,300	1,152,300	
Air management	PR-F	C	2,215,400	2,215,400	
Solid waste management	PR-F	C	2,419,500	2,346,300	
Water supply management	PR-F	C	1,346,500	1,346,500	
Technical services	PR-F	C	132,800	66,400	
NET APPROPRIATION			10,027,100	9,545,900	
(mq) General program operations -- environmental fund	SEG	A	3,093,200 3,130,700	3,110,100 3,287,800	Vetoed in Part
(mt) General program operations-- clean water fund program; state funds	SEG	A	541,100	541,100	
(mx) General program operations-- clean water fund program; federal funds	SEG-F	C	364,500	364,500	
(my) General program operations -- environmental fund; federal funds	SEG-F	C	3,854,400	3,854,400	
(2) P R O G R A M		T O T A L S			
GENERAL PURPOSE REVENUES			20,910,900	23,898,800	
PROGRAM REVENUE			17,280,700	17,254,000	
FEDERAL	(		10,027,100)	(9,545,900)	
OTHER	(		7,224,400)	(7,678,900)	
SERVICE	(		29,200)	(29,200)	
SEGREGATED FUNDS			14,388,400	14,690,500	
FEDERAL	(		4,218,900)	(4,218,900)	
OTHER	(		10,169,500)	(10,471,600)	
TOTAL-ALL SOURCES			52,580,000	55,843,300	
(3) ENFORCEMENT					
(aq) Law enforcement--snowmobile enforcement and safety training	SEG	A	362,500	362,500	
(ar) Law enforcement--boat enforcement and safety training	SEG	A	1,212,200	1,210,600	
(as) Law enforcement--all-terrain vehicle enforcement	SEG	A	91,000	91,000	
(aw) Law enforcement--car kill deer	SEG	A	140,000	155,000	
(ay) Law enforcement--car kill deer; transportation fund	SEG	A	140,000	155,000	
(bh) Water regulation & zoning -- dam inspections & safety admin.; general fund	PR	A	-0-	-0-	
(br) Water regulation & zoning-- dam inspections & safety admin.; conserv. fund	SEG	A	237,300	375,800	
(dg) Environmental impact-- consultant services; printing and postage costs	PR	C	-0-	-0-	
(di) Environmental consulting costs--federal power projects	PR	A	219,500	231,100	
(ma) General program operations-- state funds	GPR	A	5,485,500	5,310,900 5,372,600	Vetoed in Part
(mi) General program operations -- private and public sources	PR	C	-0-	-0-	
(mk) General program operations--					

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1991-92	1992-93
service funds	PR-S	C	238,900	245,000
(mm) General program operations-- federal funds	PR-F	C	390,700	390,700
(mq) General program operations -- environmental fund	SEG	A	240,800	260,000
(mu) General program operations-- state funds	SEG	A	10,032,700	10,026,600
(my) General program operations-- federal funds	SEG-F	C	1,095,300	1,095,300
(3) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			5,485,500	5,372,600
PROGRAM REVENUE			849,100	866,800
FEDERAL	(		390,700)	(390,700)
OTHER	(		219,500)	(231,100)
SERVICE	(		238,900)	(245,000)
SEGREGATED FUNDS			13,551,800	13,731,800
FEDERAL	(		1,095,300)	(1,095,300)
OTHER	(		12,456,500)	(12,636,500)
TOTAL-ALL SOURCES			19,886,400	19,971,200
(4) LOCAL SUPPORT				
(am) Resource aids--national forest income aids	PR-F	C	770,000	770,000
(an) Resource aids--payment in lieu of taxes; federal	PR-F	C	440,000	440,000
(aq) Resource aids--Canadian agencies migratory waterfowl aids	SEG	C	128,600	128,600
(ar) Res. aids--county forests, forest croplands and managed forest land aids	SEG	S	1,089,500	1,115,500
(as) Resource aids--county conservation aids	SEG	A	140,000	140,000
(at) Resource aids--county forest loans	SEG	A	622,400	622,400
(au) Resource aids--forest croplands and managed forest land aids	SEG	A	1,250,000	1,250,000
(av) Resource aids -- urban forestry grants	SEG	A	-0-	329,900
(bb) Recreation aids--fish rearing ponds	GPR	A	500,000	500,000
(bq) Recreation aids--fish, wildlife and forestry recreation aids	SEG	A	-0-	-0-
(br) Recreation aids--badger fund	SEG	C	-0-	-0-
(bs) Recreation aids--county snowmobile trail and area aids	SEG	C	979,400	979,500
(bt) Recreation aids--snowmobile trail areas	SEG	C	2,407,800	2,417,400
(bu) Recreation aids--recreational boating projects; Milwaukee river study	SEG	C	3,800,000	3,800,000
(bv) Recreation aids--motorcycle recreation aids; trails	SEG	A	197,500	197,500
(bx) Recreation and resource aids, federal funds	SEG-F	C	183,900	183,900
(by) Recreation aids--all-terrain vehicle project aids	SEG	C	119,800	158,800

Vetoed
in Part

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(bz)	Recreation aids--all-terrain vehicle project aids; gas tax payment	SEG	C	205,300	205,300	
(ca)	Environmental aids--point source; prior to bonding and small projects	GPR	A	53,300	53,300	
(cc)	Environmental aids--nonpoint source	GPR	C	6,475,300	6,475,300	
(cg)	Environmental aids -- vapor recovery grants	PR	C	26,670,000	10,670,000	
(cj)	Environmental aids--waste reduction and recycling grants and gifts	PR	C	-0-	-0-	
(cm)	Environmental aids -- federal funds	PR-F	C	2,673,100	2,738,800	
(cr)	Environmental aids -- household hazardous waste	SEG	A	150,000	150,000	
(cs)	Environmental aids -- lake management grants	SEG	C	1,500,000	-0-	
(ct)	Environmental aids -- waste reduction and recycling demonstration grants	SEG	C	1,000,000	1,000,000	
(cu)	Environmental aids--lake management planning grants	SEG	C	450,000	450,000	
(cv)	Environmental aids--compensation for well contamination	SEG	C	-0-	234,000	
(cw)	Environmental aids -- municipal and county recycling grants	SEG	S	18,500,000	23,800,000	
(da)	Environmental planning aids--local water quality planning	GPR	A	278,400 378,400	348,400	Vetoed in Part
(db)	Environmental aids -- dump closure cost share	GPR	C	2,000,000	2,000,000	
(dd)	Environmental aids--scenic urban waterways	GPR	C	50,000 75,000	50,000 75,000	Vetoed in Part
(de)	Aids administration -- municipal clean drinking water grants	GPR	A	71,100	71,100	
(dn)	Environmental planning aids--federal funds	PR-F	C	396,300	260,600	
(ea)	Aids in lieu of taxes	GPR	S	986,000	898,900	
(eq)	Aids in lieu of taxes	SEG	S	1,077,400	1,077,400	
(fq)	Enforcement aids--boating enforcement	SEG	A	750,000	750,000	
(ft)	Enforcement aids -- snowmobiling enforcement	SEG	C	125,000	125,000	
(fu)	Enforcement aids--all-terrain vehicle enforcement	SEG	A	22,000	22,000	
(fy)	Enforcement aids--federal funds	SEG-F	C	-0-	-0-	
(ga)	Enforcement aids--spearfishing enforcement	GPR	C	85,100	450,000	
(gb)	Wildlife damage claims -- general fund	GPR	A	419,100	-0-	
(gm)	Enforcement aids--spearfishing enforcement; federal funds	SEG-F	C	-0-	-0-	
(gq)	Wildlife damage claims and					

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1991-92	1992-93
abatement	SEG	C	2,156,400	1,408,400
(hb) Youth and education programs--state funds	GPR	A	655,300	655,300
(hc) Indian youth program -- state funds	GPR	A	20,000	20,000
(hm) Youth and education programs--federal funds	PR-F	C	-0-	-0-
(hq) Youth and education programs--conservation fund	SEG	A	685,800	685,800
(hr) Indian youth program -- conservation fund	SEG	A	20,000	20,000
(ia) Aids administration--general program operations, state funds	GPR	A	528,500	559,300
(im) Aids administration--general program operations, federal funds	PR-F	C	285,400	244,800
(iq) Aids administration--all-terrain vehicle recreation	SEG	A	19,600	8,800
(ir) Aids administration--motorcycle recreation	SEG	A	34,500	34,500
(is) Aids administration--snowmobile recreation	SEG	A	107,900	107,900
(it) Aids administration--wildlife damage claims and abatement	SEG	A	44,500	44,500
(iu) Aids administration--general program operations, state funds	SEG	A	480,100	480,100
(iv) Aids administration--clean water fund program; state funds	SEG	A	517,600	493,300
(iw) Aids administration -- recycling grants	SEG	A	111,000 151,400	120,100 164,400
(ix) Aids administration--clean water fund program; federal funds	SEG-F	C	1,358,100	1,439,200
(iy) Aids administration--general program operations, federal funds	SEG-F	C	84,100	84,100
(ja) Principal repayment and interest -- urban rivers grant program bonds	GPR	S	-0-	-0-
(jb) Principal repayment and interest--recreational boating bonds	GPR	S	-0-	-0-
(jc) Principal repayment and interest--pollution abatement bonds	GPR	S	86,984,800	87,745,700
(jd) Principal repay. & int.--combined sewer overflow; pollution abate. bonds	GPR	S	15,962,700	17,727,300
(je) Principal repayment and interest -- municipal clean drinking water grants	GPR	S	183,200	687,200
(jf) Principal repayment and interest -- nonpoint source grants	GPR	S	-0-	-0-
(kb) Environmental aids--Menomonee				

Vetoed
in Part

Vetoed
in Part

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river conservation project	GPR	B	-0-	-0-
(Lq) Recreation aids--state park				
building restoration	SEG	C	-0-	-0-
(Lr) Regional visitors' center				
building	SEG	B	325,000	-0-

(4) PROGRAM TOTALS

GENERAL PURPOSE REVENUES		115,027,800	117,816,800
PROGRAM REVENUE		31,234,800	15,124,200
FEDERAL	(	4,564,800)	(4,454,200)
OTHER	(	26,670,000)	(10,670,000)
SEGREGATED FUNDS		40,683,600	44,108,200
FEDERAL	(	1,626,100)	(1,707,200)
OTHER	(	39,057,500)	(42,401,000)
TOTAL-ALL SOURCES		186,946,200	177,049,200

(8) ADMINISTRATIVE SERVICES

(ba) Facilities--general fund	GPR	C	199,800	199,800
(br) Facilities--conservation fund	SEG	C	376,800	376,800
(dq) Snowmobile registration	SEG	A	-0-	-0-
(dr) Boat registration	SEG	A	-0-	-0-
(ds) All-terrain vehicle				
administration	SEG	A	-0-	-0-
(es) Boat titling -- fees	SEG	B	-0-	-0-
(ez) Boat titling--administrative				
support; federal funds	SEG-F	C	-0-	-0-
(iq) Natural resources magazine	SEG	C	757,400	757,400
(ir) Promotional activities and				
publications	SEG	C	55,000	58,000
(is) Statewide recycling education	SEG	C	845,500	812,700
(iw) Statewide recycling				
administration	SEG	A	411,300 432,800	411,300 432,800 Vetoed in Part
(Lb) Administrative facilities--				
principal repayment and				
interest	GPR	S	435,800	497,300
(Ls) Administrative facilities--				
principal repayment and				
interest	SEG	S	447,600	448,800
(Lu) Rental property--maintenance	SEG	C	-0-	-0-
(ma) General program operations--				
state funds	GPR	A	8,463,100 8,488,600	8,429,100 8,488,600 Vetoed in Part
(mk) General program operations--				
service funds	PR-S	C	1,019,700	1,019,700
(mn) Indirect cost reimbursements	PR-F	C	3,530,100	3,687,500
(mt) General program operations--				
service funds	SEG-S	C	193,300	193,300
(mu) General program operations--				
state funds	SEG	A	13,285,200	13,270,200
(mv) General program operations --				
environmental fund	SEG	A	452,400	452,400
(mz) Indirect cost reimbursements	SEG-F	C	858,700	867,800

(8) PROGRAM TOTALS

GENERAL PURPOSE REVENUES		9,124,200	9,177,100
PROGRAM REVENUE		4,549,800	4,707,200
FEDERAL	(	3,530,100)	(3,687,500)
SERVICE	(	1,019,700)	(1,019,700)
SEGREGATED FUNDS		17,704,700	17,670,200
FEDERAL	(	858,700)	(867,800)
OTHER	(	16,652,700)	(16,609,100)
SERVICE	(	193,300)	(193,300)
TOTAL-ALL SOURCES		31,378,700	31,554,500

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1991-92	1992-93
20.370 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			170,609,100	180,167,400
PROGRAM REVENUE			54,605,100	38,642,900
FEDERAL	(		18,512,700)	(18,078,300)
OTHER	(		34,152,700)	(18,618,800)
SERVICE	(		1,939,700)	(1,945,800)
SEGREGATED FUNDS			157,069,200	162,433,800
FEDERAL	(		18,159,000)	(18,324,400)
OTHER	(		138,716,900)	(143,916,100)
SERVICE	(		193,300)	(193,300)
TOTAL-ALL SOURCES			382,283,400	381,244,100

20.395 Transportation, department of

(1) AIDS

(aq) Transportation aids, state funds	SEG	A	234,568,500	243,858,700
(ar) Corrections of transportation aid payments	SEG	S	-0-	-0-
(au) Grant to town of Sanborn, state funds	SEG	A	170,000	-0-
(bq) Transit operating aids, state funds	SEG	A	53,574,500	60,789,700
(br) Milwaukee urban area rail transit system planning study; state funds	SEG	A	-0-	-0-
(bs) Demand management and ridesharing grants, state funds	SEG	A	150,000	150,000
(bt) Urban rail transit system grants	SEG	C	-0-	-0-
(bv) Transit aids, local funds	SEG-L	C	-0-	-0-
(bx) Transit aids, federal funds	SEG-F	C	2,100,000	2,100,000
(by) Employment transit aids, federal funds	SEG-F	C	-0-	-0-
(bz) Employment transit aids, federal oil overcharge funds	SEG-F	C	494,400	504,100
(cq) Elderly and handicapped capital aids, state funds	SEG	A	677,800	677,800
(cr) Elderly and handicapped county aids, state funds	SEG	A	4,819,100	4,941,300
(cv) Elderly and handicapped aids, local funds	SEG-L	C	253,800	253,800
(cx) Elderly and handicapped aids, federal funds	SEG-F	C	630,000	630,000
(ex) Highway safety, local assistance, federal funds	SEG-F	C	1,700,000	1,700,000
(fq) Connecting highways aids, state funds	SEG	A	10,348,100	10,645,800
(fr) Flood damage aids, state funds	SEG	C	500,000	500,000
(ft) Lift bridge aids, state funds	SEG	B	1,262,200	1,479,100
(fu) County forest road aids, state funds	SEG	A	121,100	124,100
(gq) Expressway policing aids, state funds	SEG	A	747,400	765,600
(rc) Milwaukee county transit camera grants	GPR	A	315,000	-0-

**Vetoed
in Part**

**Vetoed
in Part**

(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			315,000	-0-
SEGREGATED FUNDS			312,116,900	329,120,000

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STATUTE, AGENCY AND PURPOSE

SOURCE TYPE

1991-92

1992-93

FEDERAL	(4,924,400)	(4,934,100)
OTHER	(	306,938,700)	(	323,932,100)
LOCAL	(	253,800)	(	253,800)
TOTAL-ALL SOURCES		312,431,900		329,120,000
(2) LOCAL TRANSPORTATION ASSISTANCE				
(aq) Accelerated local bridge improvement assistance, state funds	SEG C	-0-		-0-
(av) Accelerated local bridge improvement assistance, local funds	SEG-L C	-0-		-0-
(ax) Accelerated local bridge improvement assistance, federal funds	SEG-F C	-0-		-0-
(bq) Railroad facilities acquisition and railroad rehabilitation, state funds	SEG C	5,970,200		4,729,800
(br) Rail passenger service, state funds	SEG B	450,000		450,000
(bv) Railroad facilities acquisition and railroad rehabilitation, local funds	SEG-L C	-0-		-0-
(bx) Railroad facilities acquisition and railroad rehabilitation, federal funds	SEG-F C	50,000		50,000
(cq) Harbor assistance grants, state funds	SEG C	500,000		500,000
(dq) Local airport development, state funds	SEG C	8,396,000		9,946,400
(dv) Local airport development, local funds	SEG-L C	3,458,400		3,846,000
(dx) Local airport development, federal funds	SEG-F C	17,000,000		17,000,000
(eq) Highway and local bridge improvement assistance, state funds	SEG C	14,866,900		13,892,200
(ev) Local bridge improvement assistance, local funds	SEG-L C	7,307,100		7,526,300
(ex) Local bridge improvement assistance, federal funds	SEG-F C	14,361,500		16,213,000
(fr) Local roads improvement program, state funds	SEG C	10,000,000		10,000,000
(fv) Local highway improvement assistance, local funds	SEG-L C	18,383,600		19,716,900
(fx) Local highway improvement assistance, federal funds	SEG-F C	25,150,700		29,150,700
(gq) Railroad crossing improvement and protection assistance, state funds	SEG A	2,575,000 2,575,000		2,575,000 2,575,000
(gs) Railroad crossing repair assistance, state funds	SEG C	250,000		250,000
(gv) Railroad crossing improvement, local funds	SEG-L C	-0-		-0-
(gx) Railroad crossing improvement, federal funds	SEG-F C	1,849,300		1,849,300
(hq) Transportation corridor studies, state funds	SEG C	2,100,000		1,000,000
(iq) Transportation facilities economic assistance and				

Vetoed
in Part

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1991-92	1992-93
development, state funds	SEG	C	3,000,000	3,000,000
(iv) Transportation facilities economic assistance and development, local funds	SEG-L	C	3,000,000	3,000,000
(ix) Transportation facilities economic assistance & development, federal funds	SEG-F	C	-0-	-0-
(2) PROGRAM TOTALS				
SEGREGATED FUNDS			138,672,700	144,765,500
FEDERAL	(		58,411,500)	(64,263,000)
OTHER	(		48,112,100)	(46,413,300)
LOCAL	(		32,149,100)	(34,089,200)
TOTAL-ALL SOURCES			138,672,700	144,765,500
(3) STATE HIGHWAY FACILITIES				
(bq) Major highway development, state funds	SEG	C	10,364,100	17,579,900
(bv) Major highway development, local funds	SEG-L	C	-0-	-0-
(bx) Major highway development, federal funds	SEG-F	C	31,092,300	38,676,000
(cq) State highway rehabilitation, state funds	SEG	C	186,930,300	181,413,000
(cv) State highway rehabilitation, local funds	SEG-L	C	2,000,000	2,000,000
(cx) State highway rehabilitation, federal funds	SEG-F	C	163,646,200	163,511,000
(eq) Highway maintenance, repair and traffic operations, state funds	SEG	B	117,965,000	119,867,400
(ev) Highway maintenance, repair and traffic operations, local funds	SEG-L	C	250,000	250,000
(ex) Highway maintenance, repair and traffic operations, federal funds	SEG-F	C	150,000	150,000
(iq) Administration and planning, state funds	SEG	A	14,298,400	14,483,300
(ir) Disadvantaged business mobilization assistance, state funds	SEG	C	-0-	-0-
(iv) Administration and planning, local funds	SEG-L	C	-0-	-0-
(ix) Administration and planning, federal funds	SEG-F	C	1,398,900	1,398,900
(3) PROGRAM TOTALS				
SEGREGATED FUNDS			528,095,200	539,329,500
FEDERAL	(		196,287,400)	(203,735,900)
OTHER	(		329,557,800)	(333,343,600)
LOCAL	(		2,250,000)	(2,250,000)
TOTAL-ALL SOURCES			528,095,200	539,329,500
(4) GENERAL TRANSPORTATION OPERATIONS				
(aq) Departmental management and operations, state funds	SEG	A	36,484,900	37,442,400
(av) Departmental management and operations, local funds	SEG-L	C	108,200	108,200
(ax) Departmental management and operations, federal funds	SEG-F	C	3,752,200	3,752,200
(ch) Gifts and grants	PR	C	-0-	-0-
(er) Fleet operations, service				

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1991-92	1992-93
funds	SEG-S	C	9,300,500	9,825,900
(es) Other department services, operations, service funds	SEG-S	C	1,260,000	1,270,000
(et) Service center supplements, state funds	SEG	A	-0-	-0-
(4) P R O G R A M	T O T A L S		-0-	-0-
PROGRAM REVENUE			-0-	-0-
OTHER	(		-0-)	-0-)
SEGREGATED FUNDS			50,905,800	52,398,700
FEDERAL	(		3,752,200)	(3,752,200)
OTHER	(		36,484,900)	(37,442,400)
SERVICE	(		10,560,500)	(11,095,900)
LOCAL	(		108,200)	(108,200)
TOTAL-ALL SOURCES			50,905,800	52,398,700
(5) MOTOR VEHICLE SERVICES AND ENFORCEMENT				
(cg) Vehicle registration, telephone renewal transactions, state funds	PR	C	-0-	-0-
(cj) Vehicle registration, license plate scholarship programs, state funds	PR	C	-0-	-0-
(cq) Vehicle reg., inspection & maintenance & driver licensing, state funds	SEG	A	53,681,400	53,557,700
(cx) Vehicle registration and driver licensing, federal funds	SEG-F	C	306,400	306,400
(dq) Vehicle inspection and traffic enforcement, state funds	SEG	A	32,725,400	32,693,700
(dx) Vehicle inspection and traffic enforcement, federal funds	SEG-F	C	1,580,200	1,580,200
(hq) Motor veh. emission insp. and maint. program, contractor costs, state funds	SEG	A	7,565,700	8,021,700
(hx) Motor vehicle emission inspection and maintenance programs, federal funds	SEG-F	C	-0-	-0-
(iv) Municipal and county registration fee, local funds	SEG-L	C	-0-	-0-
(5) P R O G R A M	T O T A L S		-0-	-0-
PROGRAM REVENUE			-0-	-0-
OTHER	(		-0-)	-0-)
SEGREGATED FUNDS			95,859,100	96,159,700
FEDERAL	(		1,886,600)	(1,886,600)
OTHER	(		93,972,500)	(94,273,100)
LOCAL	(		-0-)	-0-)
TOTAL-ALL SOURCES			95,859,100	96,159,700
(6) DEBT SERVICES				
(aq) Principal repayment and interest, transportation facilities, state funds	SEG	S	16,859,900	14,123,800
(ar) Principal repayment and interest, buildings, state funds	SEG	S	785,800	756,500
(as) Transportation facilities and highway projects revenue obligation repayment	SEG	C	-0-	-0-

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1991-92	1992-93
(6) PROGRAM TOTALS				
SEGREGATED FUNDS			17,645,700	14,880,300
OTHER	(		17,645,700)	(14,880,300)
TOTAL-ALL SOURCES			17,645,700	14,880,300
(7) OFFICE OF THE COMMISSIONER OF TRANSPORTATION				
(aq) Transportation regulation and general program operations	SEG	A	1,049,400	1,049,400 Vetoed in Part
(ax) Transportation regulation and general program operations, federal funds	SEG-F	C	-0-	-0-
(7) PROGRAM TOTALS				
SEGREGATED FUNDS			1,049,400	1,049,400
FEDERAL	(		-0-)	(-0-)
OTHER	(		1,049,400)	(1,049,400)
TOTAL-ALL SOURCES			1,049,400	1,049,400
20.395 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			315,000	-0-
PROGRAM REVENUE			-0-	-0-
OTHER	(		-0-)	(-0-)
SEGREGATED FUNDS			1,144,344,800	1,177,703,100
FEDERAL	(		265,262,100)	(278,571,800)
OTHER	(		833,761,100)	(851,334,200)
SERVICE	(		10,560,500)	(11,095,900)
LOCAL	(		34,761,100)	(36,701,200)
TOTAL-ALL SOURCES			1,144,659,800	1,177,703,100
20.399 Wisconsin conservation corps board				
(1) CORPS ENROLLEE SUPPORT				
(a) Corps enrollee compensation and support; general program operations	GPR	C	2,838,500	2,838,500 Vetoed in Part
(j) Corps enrollee compensation and support; sponsor contribution	PR	C	25,000	25,000
(k) Corps enrollee compensation and support; service funds	PR-S	C	589,000	589,100
(m) Corps enrollee compensation and support; federal funds	PR-F	C	-0-	-0-
(q) Corps enrollee compensation and support; conservation fund	SEG	C	26,600	26,600
(r) Corps enrollee compensation and support; transportation fund	SEG	C	277,400	277,400
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			2,838,500	3,357,400
PROGRAM REVENUE			614,000	614,100
FEDERAL	(		-0-)	(-0-)
OTHER	(		25,000)	(25,000)
SERVICE	(		589,000)	(589,100)
SEGREGATED FUNDS			304,000	304,000
OTHER	(		304,000)	(304,000)
TOTAL-ALL SOURCES			3,756,500	4,275,500
(2) ADMINISTRATION				
(a) Administrative support; general program operations	GPR	A	187,700	241,100
(j) Administrative support; sponsor contribution	PR	C	-0-	-0-
(k) Conservation corps-- administrative support;				

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STATUTE, AGENCY AND PURPOSE	SOURCE TYPE	1991-92	1992-93
service funds	PR-S C	-0-	-0-
(m) Administrative support; federal funds	PR-F C	-0-	-0-
(q) Administrative support; conservation fund	SEG A	329,200	279,200
(2) P R O G R A M T O T A L S			
GENERAL PURPOSE REVENUES		187,700	241,100
PROGRAM REVENUE		-0-	-0-
FEDERAL	(	-0-)	-0-)
OTHER	(	-0-)	-0-)
SERVICE	(	-0-)	-0-)
SEGREGATED FUNDS		329,200	279,200
OTHER	(	329,200)	279,200)
TOTAL-ALL SOURCES		516,900	520,300
(3) GIFTS AND RELATED SUPPORT			
(g) Gifts and related support	PR C	-0-	-0-
(3) P R O G R A M T O T A L S			
PROGRAM REVENUE		-0-	-0-
OTHER	(	-0-)	-0-)
TOTAL-ALL SOURCES		-0-	-0-
2 0 . 3 9 9 D E P A R T M E N T T O T A L S			
GENERAL PURPOSE REVENUES		3,026,200	3,598,500
PROGRAM REVENUE		614,000	614,100
FEDERAL	(	-0-)	-0-)
OTHER	(	25,000)	25,000)
SERVICE	(	589,000)	589,100)
SEGREGATED FUNDS		633,200	583,200
OTHER	(	633,200)	583,200)
TOTAL-ALL SOURCES		4,273,400	4,795,800
Environmental Resources			
FUNCTIONAL AREA TOTALS			
GENERAL PURPOSE REVENUES		186,777,100	213,711,900
PROGRAM REVENUE		55,219,100	39,257,000
FEDERAL	(	18,512,700)	18,078,300)
OTHER	(	34,177,700)	18,643,800)
SERVICE	(	2,528,700)	2,534,900)
SEGREGATED FUNDS		1,302,047,200	1,340,720,100
FEDERAL	(	283,421,100)	296,896,200)
OTHER	(	973,111,200)	995,833,500)
SERVICE	(	10,753,800)	11,289,200)
LOCAL	(	34,761,100)	36,701,200)
TOTAL-ALL SOURCES		1,544,043,400	1,593,689,000

Human Relations and Resources

20.410 Corrections, department of

(1) CORRECTIONAL SERVICES

(a) General program operations	GPR A	155,702,300	161,385,800
(aa) Institutional repair and maintenance	GPR A	1,348,200	1,600,400
(ab) Intergovernmental corrections agreements	GPR A	1,927,800	1,927,800
(af) Juvenile correctional health services	GPR A	1,031,100	1,031,100
(ai) Intensive sanctions	GPR A	5,623,200	10,453,400
(b) Field supervision	GPR A	34,745,800	39,122,800
(c) Reimbursement claims of counties containing state institutions	GPR S	106,100	106,100

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1991-92	1992-93	
(cm) Home detention program	GPR	A	-0-	-0-	
(cw) Mother-young child care program	GPR	A	133,000	200,000	Vetoed in Part
(d) Purchased services for offenders	GPR	A	3,254,200 3,254,200	3,279,900 3,279,900	Vetoed in Part
(dd) Special living arrangements	GPR	A	4,281,400	4,295,300	
(dt) Lease payments	GPR	A	1,642,500	3,285,000	
(e) Principal repayment and interest	GPR	S	21,397,200	24,514,100	
(ec) Prison industries principal, interest and rebates	GPR	S	-0-	-0-	
(ed) Correctional facilities rental	GPR	A	-0-	-0-	
(ef) Lease rental payments	GPR	S	-0-	-0-	
(f) Utilities, fuel, heating and cooling	GPR	A	5,624,600	5,856,200	
(g) Probationer and parolee loan fund	PR	A	6,000	6,000	
(gb) Drug testing	PR	C	38,900	38,900	
(gg) Supervision of defendants and offenders	PR	A	23,300	23,300	
(gm) Sale of fuel and utility service	PR	A	-0-	-0-	
(gr) Home detention services	PR	A	1,516,700	1,523,700	
(h) Administration of restitution	PR	A	279,200	280,800	
(hx) Extended jurisdiction services	PR-S	A	117,900	117,900	
(i) Gifts and grants	PR	C	33,400	33,400	
(j) State-owned housing maintenance	PR	A	5,800	5,800	
(jp) Correctional officer training	PR	A	1,021,200	1,037,700	
(kc) Correctional institution enterprises; inmate activities	PR-S	C	-0-	-0-	
(kf) Correctional farms	PR-S	A	2,272,700	2,303,000	
(kk) Institutional operations and charges	PR-S	A	10,341,800	11,189,900	
(km) Prison industries	PR-S	A	11,289,700	12,317,600	
(ko) Prison industries principal repayment, interest and rebates	PR-S	S	-0-	-0-	
(kx) Interagency and intra-agency programs	PR-S	C	955,200	865,800	
(ky) Interagency and intra-agency aids	PR-S	C	1,512,100	1,512,100	
(kz) Interagency and intra-agency local assistance	PR-S	C	-0-	-0-	
(m) Federal project operations	PR-F	C	233,100	233,100	
(n) Federal program operations	PR-F	C	-0-	-0-	
(1) P R O G R A M T O T A L S					
GENERAL PURPOSE REVENUES			236,872,800	257,183,300	
PROGRAM REVENUE			29,647,000	31,489,000	
FEDERAL			(233,100)	(233,100)	
OTHER			(2,924,500)	(2,949,600)	
SERVICE			(26,489,400)	(28,306,300)	
TOTAL-ALL SOURCES			266,519,800	288,672,300	
(2) PAROLE COMMISSION					
(a) General program operations	GPR	A	571,400	611,700	
(2) P R O G R A M T O T A L S					

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STATUTE, AGENCY AND PURPOSE

SOURCE TYPE

1991-92

1992-93

GENERAL PURPOSE REVENUES

571,400

611,700

TOTAL-ALL SOURCES

571,400

611,700

20.410 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES

237,444,200

257,795,000

PROGRAM REVENUE

29,647,000

31,489,000

FEDERAL

(

233,100)

(

2,924,500)

(

26,489,400)

OTHER

SERVICE

TOTAL-ALL SOURCES

267,091,200

289,284,000

20.425 Employment relations commission

(1) PROMOTION OF PEACE IN LABOR RELATIONS

(a) General program operations

GPR

A

2,364,300

2,382,000

(g) Publications

PR

A

28,300

28,300

(h) Collective bargaining

training

PR

C

-0-

-0-

20.425 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES

2,364,300

2,382,000

PROGRAM REVENUE

28,300

28,300

OTHER

(

28,300)

(

2,392,600

TOTAL-ALL SOURCES

2,392,600

2,410,300

20.432 Board on aging and long-term care

(1) IDENTIFICATION OF THE NEEDS OF THE AGED AND DISABLED

(a) General program operations

GPR

A

353,800

356,400

(i) Gifts and grants

PR

C

-0-

-0-

(k) Contracts with state agencies

PR-S

A

126,300

126,300

(kb) Insurance and other

information, counseling and

assistance

PR-S

A

84,300

84,300

(m) Federal aid

PR-F

C

-0-

-0-

20.432 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES

353,800

356,400

PROGRAM REVENUE

210,600

210,600

FEDERAL

(

-0-)

(

-0-)

(

210,600)

TOTAL-ALL SOURCES

564,400

567,000

20.433 Child abuse and neglect prevention board

(1) PREVENTION OF CHILD ABUSE AND NEGLECT

(b) Early childhood family

education center grants

GPR

A

~~450,000~~

~~450,000~~

Vetoed

(g) General program operations

PR

A

212,300

212,400

in Part

(h) Grants to organizations

PR

C

1,156,600

1,156,600

(m) Federal project operations

PR-F

C

-0-

-0-

(ma) Federal project aids

PR-F

C

-0-

-0-

(q) Children's trust fund grants

SEG

C

-0-

-0-

(r) Children's trust fund;

general program operations

and statewide projects

SEG

A

-0-

-0-

20.433 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES

450,000

450,000

PROGRAM REVENUE

1,368,900

1,369,000

FEDERAL

(

-0-)

(

1,368,900)

(

-0-

SEGREGATED FUNDS

OTHER

(

-0-)

(

-0-)

TOTAL-ALL SOURCES

1,818,900

1,819,000

STATUTE, AGENCY AND PURPOSE

SOURCE TYPE

1991-92

1992-93

20.434 Adolescent pregnancy prevention and pregnancy services board

(1) ADOLESCENT PREGNANCY PREVENTION AND PREGNANCY SERVICES

(a) Adolescent pregnancy prevention programs and services	GPR	A	682,900	814,900
20.434 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			682,900	814,900
TOTAL-ALL SOURCES			682,900	814,900

20.435 Health and social services, department of

(1) HEALTH SERVICES PLANNING, REGULATION AND DELIVERY

(a) General program operations	GPR	A	15,388,600	16,249,900 Vetoed in Part
(ak) Continuation coverage premium subsidies	GPR	B	200,000	200,000
(am) Acquired immunodeficiency syndrome services	GPR	A	1,015,200	1,182,200 Vetoed in Part
(ao) Clinical trials program grant	GPR	A	150,000	150,000 Vetoed in Part
(ar) AZT, pentamidine and other drug reimbursement	GPR	A	404,700	581,900
(b) Medical assistance program benefits	GPR	B	712,705,300	766,785,800 Vetoed in Part
(bm) Medical assistance administration	GPR	B	8,780,500	9,275,500 Vetoed in Part
(cc) Cancer control and prevention	GPR	A	932,400	937,800
(ce) Services for homeless individuals	GPR	C	187,500	250,000
(cf) Rural cervical cancer treatment training	GPR	A	25,000	25,000
(cg) Health care service safety grants	GPR	A	50,000	100,000 Vetoed in Part
(cm) Immunization	GPR	B	2,880,000	2,660,000 Vetoed in Part
(cp) Public health aids	GPR	A	930,000	750,000
(cr) Health care for migrant workers and families	GPR	A	50,000	50,000
(d) Facility appeals mechanism	GPR	A	546,800	546,800
(dm) Nursing home receivership supplement	GPR	S	-0-	-0-
(dr) Rural hospital loan program	GPR	A	300,000	-0-
(dv) Hospice regulation	GPR	A	46,500	46,500
(e) Disease aids	GPR	B	3,452,000	3,352,000 Vetoed in Part
(ed) Radon aids	GPR	A	30,000	30,000
(ef) Lead-poisoning or lead-exposure services	GPR	A	403,900	581,700
(eg) Pregnancy counseling	GPR	A	275,000	275,000
(ei) High-risk pregnancy grant program	GPR	C	250,000	250,000
(ej) Training in perinatal alcohol or controlled substance detection & treatment	GPR	B	-0-	-0-
(em) Supplemental food program for women, infants and children benefits	GPR	A	3,853,000	3,853,000
(es) Supplemental food program for women, infants and children administration	GPR	A	78,100	78,100
(ev) Pregnancy outreach	GPR	A	981,000	981,000
(f) Family planning	GPR	A	2,055,200	2,055,200
(fa) State health insurance pilot project benefits	GPR	C	507,700	1,320,800 Vetoed in Part
(fb) State health insurance pilot				

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project administration	GPR	C	-0-	-0-
(g) Nursing facility resident protection	PR	A	-0-	-0-
(gd) Assessments to facilities	PR	B	-0-	-0-
(gm) Licensing, review and certifying activities	PR	A	4,170,200	4,238,900
(gp) Health care; aids	PR	C	1,500,000	1,500,000
(gq) Health care; operations	PR	A	-0-	85,500
(hg) Assessments; office of health care information	PR	C	1,054,700	1,060,600
(hi) User fees; office of health care information	PR	C	150,000	150,000
(hj) Gifts and grants; office of health care information	PR	C	-0-	-0-
(i) Gifts and grants	PR	C	141,200	108,000
(im) Medical assistance; recovery of correct payments	PR	C	1,597,400	12,746,900
(j) Fees for services and supplies	PR	A	1,276,200	1,240,500
(ja) Congenital disorders; diagnosis, special dietary treatment and counseling	PR	A	927,200	998,400
(jb) Congenital disorders; operations	PR	A	16,200	16,200
(k) Nursing home receivership operations	PR-S	C	-0-	-0-
(km) Internal services	PR-S	A	1,587,400	1,607,800
(kx) Interagency and intra-agency programs	PR-S	C	512,100	478,900
(ky) Interagency and intra-agency aids	PR-S	C	1,268,400	1,268,400
(kz) Interagency and intra-agency local assistance	PR-S	C	-0-	-0-
(m) Federal project operations	PR-F	C	6,847,900	6,848,400
(ma) Federal project aids	PR-F	C	844,000	844,000
(mc) Block grant operations	PR-F	C	4,377,200	4,360,800
(md) Block grant aids	PR-F	C	7,102,700	7,102,700
(mr) Federal funds; office of health care information	PR-F	C	-0-	-0-
(n) Federal program operations	PR-F	C	12,738,100	12,734,100
(na) Federal program aids	PR-F	C	32,296,000	32,296,000
(o) Federal aid; medical assistance	PR-F	C	1,085,215,600	1,181,111,500
(p) Federal aid; medical assistance contracts administration	PR-F	C	16,411,000	17,536,900
(q) Groundwater--standards; implementation	SEG	A	203,800	208,700
(r) Emergency medical services	SEG	A	2,200,000	2,200,000

Vetoed
in Part

(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	756,238,400	812,558,000
PROGRAM REVENUE	1,180,033,500	1,288,284,500
FEDERAL	(1,165,832,500)	(1,262,834,400)
OTHER	(10,833,100)	(22,095,000)
SERVICE	(3,367,900)	(3,355,100)
SEGREGATED FUNDS	2,403,800	2,408,700
OTHER	(2,403,800)	(2,408,700)
TOTAL-ALL SOURCES	1,938,675,700	2,103,251,200

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SOURCE TYPE

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(2) CARE AND TREATMENT FACILITIES

(a) General program operations	GPR	A	28,787,600	28,634,200
(aa) Institutional repair and maintenance	GPR	A	434,700	439,700
(b) Wisconsin resource center	GPR	A	7,752,100	7,788,000
(ee) Principal repayment and interest	GPR	S	5,530,200	5,846,600
(ef) Lease rental payments	GPR	S	-0-	-0-
(f) Utilities, fuel, heating and cooling	GPR	A	1,233,700	1,262,300
(gk) Institutional operations and charges	PR	A	129,762,400	134,097,300
(i) Gifts and grants	PR	C	123,400	123,400
(kx) Interagency and intra-agency programs	PR-S	C	1,834,800	1,861,300
(ky) Interagency and intra-agency aids	PR-S	C	-0-	-0-
(kz) Interagency and intra-agency local assistance	PR-S	C	-0-	-0-
(m) Federal project operations	PR-F	C	-0-	-0-

(2) PROGRAM TOTALS

GENERAL PURPOSE REVENUES			43,738,300	43,970,800
PROGRAM REVENUE			131,720,600	136,082,000
FEDERAL	(	-0-)	(	-0-)
OTHER	(	129,885,800)	(	134,220,700)
SERVICE	(	1,834,800)	(	1,861,300)
TOTAL-ALL SOURCES			175,458,900	180,052,800

(3) YOUTH SERVICES

(a) General program operations	GPR	A	858,200	817,300
(am) Juvenile correctional services	GPR	A	118,600	118,600
(at) Intensive aftercare pilot program	GPR	A	500,000	500,000
(cd) Community youth and family aids	GPR	A	74,796,500	-0-
(es) Juvenile restitution and community service work projects	GPR	A	300,000	300,000
(cx) Youth diversion program; alcohol and other drug abuse	GPR	A	300,000	300,000
(e) Principal repayment and interest	GPR	S	177,800	343,600
(ej) Early intervention program	GPR	A	250,000	250,000
(hm) Juvenile correctional services	PR	A	24,811,300	26,271,700
(ho) Juvenile residential aftercare	PR	A	4,035,900	4,238,300
(i) Gifts and grants	PR	C	5,300	5,300
(j) State-owned housing maintenance	PR	A	70,000	30,500
(jk) Youth diversion program	PR	B	450,000	450,000
(jr) Institutional operations and charges	PR	A	104,700	104,700
(kx) Interagency and intra-agency programs	PR-S	C	1,091,200	1,046,400
(ky) Interagency and intra-agency aids	PR-S	C	-0-	-0-
(kz) Interagency and intra-agency local assistance	PR-S	C	-0-	-0-

Vetoed
in Part

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1991-92	1992-93	
(m) Federal project operations	PR-F	C	-0-	-0-	
(n) Federal program operations	PR-F	C	-0-	-0-	
(o) Federal aid; foster care	PR-F	C	-0-	-0-	
(oo) Federal aid; community youth and family aids	PR-F	C	2,449,200	2,449,200	
(3) P R O G R A M T O T A L S					
GENERAL PURPOSE REVENUES			77,301,100	2,629,500	
PROGRAM REVENUE			33,017,600	34,596,100	
FEDERAL	(		2,449,200)	(2,449,200)	
OTHER	(		29,477,200)	(31,100,500)	
SERVICE	(		1,091,200)	(1,046,400)	
TOTAL-ALL SOURCES			110,318,700	37,225,600	
(4) ECONOMIC SUPPORT					
(a) General program operations	GPR	A	14,722,700	16,092,100	Vetoed in Part
(bg) Employment and training programs; administration	GPR	A	678,700	678,700	
(br) Welfare reform studies	GPR	C	180,000	180,000	
(cc) Shelter for homeless individuals and families	GPR	A	750,000	-0-	Vetoed in Part
(ce) Services for homeless individuals	GPR	C	81,000	-0-	
(ch) Incentives to establish paternity	GPR	A	113,600	113,600	
(cj) Reduction of paternity backlog	GPR	B	-0-	-0-	
(cn) Child care for recipients & former recip./aid to families/dependent child.	GPR	C	1,474,600	1,774,700	Vetoed in Part
(cr) State supplement to employment opportunity demonstration projects	GPR	A	270,000	270,000	
(d) Income maintenance payments to individuals	GPR	S	156,970,300	155,879,600	Vetoed in Part
(dc) Emergency assistance program	GPR	C	1,657,000	1,657,000	
(de) Income maintenance county administration	GPR	A	24,890,000	25,833,400	Vetoed in Part
(df) Employment and training programs	GPR	C	13,653,500	13,833,500	Vetoed in Part
(dg) Services for learnfare pupils	GPR	A	580,000	580,000	
(dk) New hope project	GPR	C	-0-	-0-	
(dn) Food distribution start-up grants	GPR	A	100,000	100,000	
(dp) Food distribution administration	GPR	A	70,000	70,000	
(dd) Food stamp outreach	GPR	A	5,000	5,000	Vetoed in Part
(e) Relief of needy Indian persons	GPR	S	4,235,300	4,346,400	Vetoed in Part
(eb) General relief aid	GPR	A	25,676,400	26,630,800	Vetoed in Part
(g) Child support collections	PR	C	58,901,600	59,490,600	
(ga) Child support collection -- county administration	PR	C	151,000	245,200	
(i) Gifts and grants	PR	C	-0-	-0-	
(j) Child support state operations	PR	C	300,200	303,700	
(jb) Fees for administrative services	PR	C	268,400	268,400	
(kx) Interagency and intra-agency programs	PR-S	C	190,000	190,000	
(ky) Interagency and intra-agency					

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1991-92	1992-93
aids	PR-S	C	5,297,000	610,600
(kz) Interagency and intra-agency local assistance	PR-S	C	-0-	-0-
(L) Welfare fraud and error reduction; state operations	PR	A	653,400	656,200
(Lm) Welfare fraud and error reduction; local assistance	PR	C	850,000	850,000
(m) Federal project operations	PR-F	C	431,300	431,300
(ma) Federal project aids	PR-F	C	1,650,000	797,000
(mb) Federal project local assistance	PR-F	C	-0-	-0-
(mc) Federal block grant operations	PR-F	C	1,239,200	1,237,800
(md) Federal block grant aids	PR-F	C	50,965,800	50,965,800
(n) Federal program operations	PR-F	C	23,357,600	26,004,600
(na) Federal program aids	PR-F	C	15,640,300	10,622,100
(nL) Federal program local assistance	PR-F	C	68,834,000	69,756,300
(p) Federal aid; income maintenance payments	PR-F	C	244,746,100	245,488,300
(pm) Employment programs; administration	PR-F	C	2,002,300	1,983,600
(ps) Employment programs; aids	PR-F	C	36,115,100	36,321,900
(4) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			246,408,100	256,571,500
PROGRAM REVENUE			511,593,300	506,223,400
FEDERAL	(		444,981,700)	(443,608,700)
OTHER	(		61,124,600)	(61,814,100)
SERVICE	(		5,487,000)	(800,600)
TOTAL-ALL SOURCES			758,001,400	762,794,900
(5) VOCATIONAL REHABILITATION SERVICES				
(a) General program operations	GPR	A	4,838,200	4,848,200
(bm) Purchased services for clients	GPR	A	5,689,100	5,400,800
(c) Enterprises for the blind	GPR	A	100,000	-0-
(d) Telecommunication aid for the hearing impaired	GPR	A	80,000	80,000
(e) Principal repayment and interest	GPR	S	24,300	23,400
(gg) Contractual services	PR	C	38,000	38,000
(h) Enterprises and services for blind and visually impaired	PR	C	176,300	178,300
(hh) Interpreter services for hearing impaired	PR	A	160,600	178,400
(i) Gifts and grants	PR	C	52,000	52,000
(kx) Interagency and intra-agency programs	PR-S	C	88,300	90,100
(ky) Interagency and intra-agency aids	PR-S	C	-0-	-0-
(kz) Interagency and intra-agency local assistance	PR-S	C	-0-	-0-
(m) Federal project operations	PR-F	C	829,300	764,800
(ma) Federal project aids	PR-F	C	1,414,900	1,414,900
(n) Federal program operations	PR-F	C	26,048,100	26,479,900
(na) Federal program aids	PR-F	C	26,771,800	28,574,000
(nL) Federal program local assistance	PR-F	C	-0-	-0-
(5) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			10,731,600	11,352,200

Vetoed
in Part

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PROGRAM REVENUE

FEDERAL

OTHER

SERVICE

TOTAL-ALL SOURCES

(6) COMMUNITY SERVICES; STATE OPERATIONS

(a) General program operations

(cf) Foster and family-operated
group home parent insurance
and liability

(d) Council on physical
disabilities

(dg) State adoption center

(dh) Elder abuse awareness
campaign

(dm) Community-based residential
facility receivership
supplement

(ga) Community-based residential
facility receivership
operations

(gb) Alcohol and drug abuse
initiatives

(gd) Group home revolving loan
fund

(hx) Services for drivers,
receipts

(hz) Services for drivers, state
operations

(i) Gifts and grants

(jb) Fees for administrative
services

(jj) Searches for birth parents &
adoption record information;
foreign adoptions

(jm) Licensing and support
services

(km) Services for children outside
departmental custody

(kx) Interagency and intra-agency
programs

(m) Federal project operations

(mc) Federal block grant
operations

(n) Federal program operations

(6) P R O G R A M T O T A L S

GENERAL PURPOSE REVENUES

PROGRAM REVENUE

FEDERAL

OTHER

SERVICE

TOTAL-ALL SOURCES

(7) COMMUNITY SERVICES; AIDS AND LOCAL ASSISTANCE

(b) Community aids

(bb) Severely emotionally
disturbed children

(bc) Grants for community programs

(bd) Community options program and
long-term support pilot

GPR A

GPR A

GPR A

GPR A

GPR A

GPR S

PR C

PR C

PR A

PR A

PR A

PR C

PR C

PR A

PR A

PR-S A

PR-S C

PR-F C

PR-F C

PR-F C

55,579,300

55,064,100) (

426,900) (

88,300) (

66,310,900

8,620,800

87,900

12,000

65,000

25,000

-0-

-0-

150,000

100,000

-0-

98,900

69,000

49,300

54,000

856,800

8,600

385,300

3,282,700

7,977,200

4,823,300

8,810,700

17,855,100

16,083,200) (

1,378,000) (

393,900) (

26,665,800

57,770,400

57,233,600)

446,700)

90,100)

69,122,600

8,692,600

87,900

12,000

65,000

25,000

-0-

-0-

150,000

100,000

-0-

100,100

69,000

50,700

55,100

896,200

8,600

385,100

3,282,800

8,032,800

4,992,100

8,882,500

18,122,500

16,307,700)

1,421,100)

393,700)

27,005,000

~~204,409,200~~

92,700

~~9,287,800~~

Vetoed
in Part

Vetoed
in Part

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1991-92	1992-93	
projects	GPR	A	48,073,500	54,609,500	Vetoed in Part
(bf) Alzheimer's disease; training and information grants	GPR	A	200,000	200,000	
(bh) Community support program; grants	GPR	B	150,000	-0-	Vetoed in Part
(bt) Early intervention services for infants and toddlers with disabilities	GPR	A	587,700	332,800	
(c) Independent living centers	GPR	A	643,800	723,800	
(cb) Domestic abuse grants	GPR	A	2,831,500	3,184,000	Vetoed in Part
(ce) Services for homeless individuals	GPR	C	125,000	125,000	
(cf) Domestic abuse program for substance abuse	GPR	A	43,000	43,000	
(cg) Guardianship grant program	GPR	A	250,000	250,000	
(co) Integrated service programs for children with severe disabilities	GPR	B	133,300	237,300	
(cp) Capacity building for treatment programs	GPR	A	183,700	183,700	Vetoed in Part
(cq) Before-school and after-school services	GPR	A	240,000	240,000	
(ca) Community services	GPR	A	200,000	200,000	Vetoed in Part
(da) Reimbursements to local units of government	GPR	S	192,900	192,900	
(dd) State foster care and adoption services	GPR	A	5,335,000	6,181,900	Vetoed in Part
(dh) Programs for senior citizens and elder abuse services	GPR	A	7,454,400	8,831,900	Vetoed in Part
(dj) Benefit specialist program	GPR	A	1,101,000	1,252,000	
(dL) Indian aids	GPR	A	201,600	201,600	
(dm) Indian drug abuse prevention and education	GPR	A	500,000	500,000	
(ds) Children-in-crisis	GPR	B	125,000	125,000	
(ec) Aids for interest on county construction loans	GPR	A	1,300	-0-	
(ed) State supplement to federal supplemental security income program	GPR	S	106,151,800	107,498,300	
(eg) Programs for adolescents and adolescent parents	GPR	A	1,281,300	1,281,300	
(er) Adolescent services	GPR	A	350,000	350,000	
(ew) Runaway services	GPR	A	100,000	100,000	Vetoed in Part
(f) Community alcohol and other drug abuse prevention pilot program	GPR	A	500,000	500,000	
(gb) Severely emotionally disturbed children	PR	C	614,700	645,500	
(gg) Collection remittances to local units of government	PR	C	150,000	150,000	
(hh) Domestic abuse assessment grants	PR	C	100,000	100,000	
(hy) Services for drivers, local assistance	PR	A	5,382,900	5,382,900	
(i) Gifts and grants; local assistance	PR	C	750,000	450,000	
(kc) Independent living center grants	PR-S	A	537,800	537,800	
(ky) Interagency and intra-agency					

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aids	PR-S	C	-0-	-0-
(kz) Interagency and intra-agency local assistance	PR-S	C	-0-	-0-
(ma) Federal project aids	PR-F	C	6,268,000	6,268,000
(mb) Federal project local assistance	PR-F	C	6,262,300	6,262,300
(md) Federal block grant aids	PR-F	C	5,793,100	6,079,100
(na) Federal program aids	PR-F	C	19,418,800	19,418,800
(nL) Federal program local assistance	PR-F	C	-0-	-0-
(o) Federal aid; community aids	PR-F	C	101,741,700	95,522,500
(pd) Federal aid; state foster care and adoption services	PR-F	C	4,733,700	5,398,900
(7) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			388,901,900	489,966,900
PROGRAM REVENUE			151,753,000	146,215,800
FEDERAL	(		144,217,600)	(138,949,600)
OTHER	(		6,997,600)	(6,728,400)
SERVICE	(		537,800)	(537,800)
TOTAL-ALL SOURCES			540,654,900	636,182,700
(8) GENERAL ADMINISTRATION				
(a) General program operations	GPR	A	11,571,900	11,557,700
(g) Legal services collections	PR	C	12,200	12,200
(i) Gifts and grants	PR	C	-0-	-0-
(k) Administrative and support services	PR-S	A	8,446,900	7,822,500
(kx) Interagency and intra-agency programs	PR-S	C	380,400	381,600
(ky) Interagency and intra-agency aids	PR-S	C	-0-	-0-
(kz) Interagency and intra-agency local assistance	PR-S	C	780,000	780,000
(m) Federal project operations	PR-F	C	7,000	7,000
(ma) Federal project aids	PR-F	C	-0-	-0-
(n) Federal program operations	PR-F	C	723,800	722,300
(pz) Indirect cost reimbursements	PR-F	C	902,800	915,100
(8) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			11,571,900	11,557,700
PROGRAM REVENUE			11,253,100	10,640,700
FEDERAL	(		1,633,600)	(1,644,400)
OTHER	(		12,200)	(12,200)
SERVICE	(		9,607,300)	(8,984,100)
TOTAL-ALL SOURCES			22,825,000	22,198,400
20.435 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			1,543,702,000	1,637,489,100
PROGRAM REVENUE			2,092,805,500	2,197,935,400
FEDERAL	(		1,830,261,900)	(1,923,027,600)
OTHER	(		240,135,400)	(257,838,700)
SERVICE	(		22,408,200)	(17,069,100)
SEGREGATED FUNDS			2,403,800	2,408,700
OTHER	(		2,403,800)	(2,408,700)
TOTAL-ALL SOURCES			3,638,911,300	3,837,833,200

20.440 Health and educational facilities authority

(1) CONSTRUCTION OF HEALTH AND EDUCATIONAL FACILITIES

(a) General program operations	GPR	C	-0-	-0-
(1) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			-0-	-0-
TOTAL-ALL SOURCES			-0-	-0-

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1991-92	1992-93
(2) RURAL HOSPITAL LOAN GUARANTEE				
(a) Rural assistance loan fund	GPR	C	350,000	-0-
(2) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			350,000	-0-
TOTAL-ALL SOURCES			350,000	-0-
20.440 D E P A R T M E N T T O T A L S				
GENERAL PURPOSE REVENUES			350,000	-0-
TOTAL-ALL SOURCES			350,000	-0-
20.445 Industry, labor and human relations, department of				
(1) INDUSTRY, LABOR AND HUMAN RELATIONS				
(a) General program operations	GPR	A	5,760,400	5,753,000
(aa) Special death benefit	GPR	S	200,000	200,000
(b) Uninsured employers fund; supplement	GPR	A	-0-	-0-
(bc) Assistance for dislocated workers	GPR	A	500,000	750,000
(cc) Voc center networks	GPR	B	100,000	0-
(cm) Wisconsin service corps member compensation and support	GPR	C	94,300	94,300
(d) Private sewage system research	GPR	A	50,000	50,000
(de) Private sewage system replacement and rehabilitation	GPR	C	3,000,000	3,000,000
(dm) Storage tank inventory	GPR	A	-0-	-0-
(e) Wisconsin job opportunity business subsidy program	GPR	B	-0-	800,000
(em) Youth apprenticeship program	GPR	A	150,000	150,000
(f) Death and disability benefit payments; public insurrections	GPR	S	-0-	-0-
(g) Gifts and grants	PR	C	18,000	18,000
(ga) Auxiliary services	PR	C	15,700	15,700
(gb) Local agreements	PR	C	8,654,700	9,521,400
(gc) Unemployment administration	PR	C	-0-	-0-
(gd) Unemployment interest and penalty payments	PR	C	123,000	123,000
(ge) Unemployment reserve fund research	PR	A	231,100	231,100
(gf) Employment security administration	PR	A	2,208,800	2,283,900
(h) Local energy resource system fees	PR	A	-0-	-0-
(ha) Worker's compensation operations	PR	A	5,708,700	5,569,900
(hb) Worker's compensation contracts	PR	C	166,300	153,200
(j) Safety and building operations	PR	A	11,003,200	10,920,700
(jm) Dislocated worker program grants	PR	C	-0-	-0-
(jr) Wisconsin service corps member compensation & support; sponsor contribution	PR	C	-0-	-0-
(k) Fees	PR	C	68,900	68,900
(ka) Interagency agreements	PR-S	C	11,761,800	10,174,900
(kb) Data center operations	PR-S	C	-0-	-0-
(kc) Administrative services	PR-S	A	-0-	-0-

Vetoed
in Part

Vetoed
in Part

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1991-92	1992-93
(km) Wisconsin service corps member compensation and support; service funds	PR-S	C	-0-	-0-
(L) Fire dues distribution	PR	C	6,300,000	6,300,000
(La) Fire prevention and fire dues administration	PR	A	452,400	452,400
(m) Federal funds	PR-F	C	2,074,100	2,071,800
(ma) Federal aid--program administration	PR-F	C	5,551,200	5,550,400
(mb) Federal aid--employment and training local assistance	PR-F	C	2,500,000	2,500,000
(mc) Federal aid--employment and training aids	PR-F	C	33,292,800	33,292,800
(n) Unemployment administration; federal moneys	PR-F	C	59,970,200	59,145,500
(na) Employment security buildings and equipment	PR-F	C	-0-	-0-
(pz) Indirect cost reimbursements	PR-F	C	251,500	234,000
(q) Groundwater--standards; implementation	SEG	A	-0-	-0-
(s) Self-insured employers liability fund	SEG	C	-0-	-0-
(sm) Uninsured employers fund; payments	SEG	S	-0-	-0-
(sp) Uninsured employers fund; administration	SEG	A	125,500	125,500
(t) Work injury supplemental benefit fund	SEG	C	2,500,000	2,500,000
(u) Interest repayment	SEG	S	-0-	-0-
(v) Petroleum storage environmental remedial action; awards	SEG	A	24,700,300	24,697,800
(w) Petroleum storage environmental remedial action; administration	SEG	A	202,200	202,200
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			9,854,700	10,797,300
PROGRAM REVENUE			150,352,400	148,627,600
FEDERAL	(		103,639,800)	(102,794,500)
OTHER	(		34,950,800)	(35,658,200)
SERVICE	(		11,761,800)	(10,174,900)
SEGREGATED FUNDS			27,528,000	27,525,500
OTHER	(		27,528,000)	(27,525,500)
TOTAL-ALL SOURCES			187,735,100	186,950,400
(2) REVIEW COMMISSION				
(a) General program operations, review commission	GPR	A	108,900	108,900
(ha) Worker's compensation operations	PR	A	322,800	322,800
(m) Federal moneys	PR-F	C	94,700	94,700
(n) Unemployment administration; federal moneys	PR-F	C	1,182,200	1,182,200
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			108,900	108,900
PROGRAM REVENUE			1,599,700	1,599,700
FEDERAL	(		1,276,900)	(1,276,900)
OTHER	(		322,800)	(322,800)
TOTAL-ALL SOURCES			1,708,600	1,708,600

STATUTE, AGENCY AND PURPOSE

SOURCE TYPE

1991-92

1992-93

(4) ADJUDICATION OF CLAIMS

(a) Administration of mining
damage claims

GPR A

-0-

-0-

(b) Funding for mining damage
claims

GPR S

-0-

-0-

(4) PROGRAM TOTALS

GENERAL PURPOSE REVENUES

-0-

-0-

TOTAL-ALL SOURCES

-0-

-0-

20.445 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES

9,963,600

10,906,200

PROGRAM REVENUE

151,952,100

150,227,300

FEDERAL

(104,916,700) (

104,071,400)

OTHER

(35,273,600) (

35,981,000)

SERVICE

(11,761,800) (

10,174,900)

SEGREGATED FUNDS

27,528,000

27,525,500

OTHER

(27,528,000) (

27,525,500)

TOTAL-ALL SOURCES

189,443,700

188,659,000

20.455 Justice, department of

(1) LEGAL SERVICES

(a) General program operations

GPR A

11,048,900

11,193,200

Vetoed
in Part

(b) Special counsel

GPR S

370,000

370,000

(d) Legal expenses

GPR B

767,600

767,600

(km) Environment litigation
project

PR-S C

162,000

162,000

Vetoed
in Part(km) Interagency and intra-agency
assistance

PR-S A

-0-

-0-

(m) Federal aid

PR-F C

483,900

483,900

(n) Automobile repair regulation

SEG A

164,200

209,700

Vetoed
in Part(o) Recyclable and non-recyclable
products regulation

SEG A

95,900

151,700

(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUES

12,375,700

12,522,200

PROGRAM REVENUE

724,100

771,000

FEDERAL

(483,900) (

483,900)

OTHER

(78,200) (

125,100)

SERVICE

(162,000) (

162,000)

SEGREGATED FUNDS

260,100

411,400

OTHER

(260,100) (

411,400)

TOTAL-ALL SOURCES

13,359,900

13,704,600

Vetoed
in Part

(2) LAW ENFORCEMENT SERVICES

(a) General program operations

GPR A

9,551,400

10,090,800

Vetoed
in Part

(b) Investigations and operations

GPR A

113,500

113,500

(bd) Drug law enforcement

GPR A

766,800

766,800

(c) Crime laboratory equipment

GPR B

-0-

-0-

(d) County-tribal law enforcement
programs

GPR A

60,000

60,000

(dm) Drug abatement teams, local
assistance

GPR S

744,200

756,200

Vetoed
in Part

(e) Drug enforcement

GPR S

744,200

756,200

(f) Grant for police substations

GPR A

500,000

500,000

Vetoed
in Part

(gm) Criminal history search fees

PR C

263,900

272,800

(gr) Handgun purchaser record
check

PR S

133,900

157,600

Vetoed
in Part

(h) Terminal charges

PR A

2,021,000

2,021,000

Vetoed
in Part(hm) County-tribal programs,
surcharge receipts

PR A

-0-

-0-

(hn) County-tribal programs, local
assistance

PR A

430,200

430,200

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1991-92	1992-93	
(ho) County-tribal programs, state operations	PR	A	41,900	41,900	
(i) Penalty assessment surcharge, receipts	PR	A	-0-	-0-	
(j) Law enforcement training fund, local assistance	PR	A	3,627,800	3,065,900	
(ja) Law enforcement training fund, state operations	PR	A	2,182,900	2,182,900	
(jb) Crime laboratory equipment	PR	B	375,000	375,000	
(jc) Identification system equipment	PR	C	-0-	940,600	
(k) Interagency and intra-agency assistance; investigations	PR-S	C	991,600	1,055,500	
(kd) Drug agent grants; local assistance	PR-S	A	1,115,100	1,115,100	Vetoed in Part
(kg) Interagency and intra-agency assistance; fingerprint identification	PR-S	A	-0-	888,400	
(m) Federal aid, state operations	PR-F	C	36,600	36,600	
(ma) Federal aid; drug enforcement	PR-F	C	1,041,400	1,058,300	
(mb) Federal aid, reward program	PR-F	C	200,000	200,000	
(n) Federal aid, local assistance	PR-F	C	-0-	-0-	
(q) Computers for transaction information for management of enforcement system	SEG	A	1,048,500	1,048,500	
(2) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES			12,398,000	12,444,300	
PROGRAM REVENUE			12,461,300	13,841,800	
FEDERAL			(1,278,000)	(1,294,900)	
OTHER			(9,076,600)	(9,487,900)	
SERVICE			(2,106,700)	(3,059,000)	
SEGREGATED FUNDS			1,048,500	1,048,500	
OTHER			(1,048,500)	(1,048,500)	
TOTAL-ALL SOURCES			25,907,800	27,334,600	
(3) ADMINISTRATIVE SERVICES			2,988,800	2,988,800	Vetoed in Part
(a) General program operations	GPR	A	3,166,800	3,166,800	
(g) Gifts, grants and proceeds	PR	C	-0-	-0-	
(k) Interagency and intra-agency assistance	PR-S	A	-0-	-0-	
(m) Federal aid, state operations	PR-F	C	-0-	-0-	
(pz) Indirect cost reimbursements	PR-F	C	48,300	48,300	
(3) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES			3,188,800	3,188,800	
PROGRAM REVENUE			48,300	48,300	
FEDERAL			(48,300)	(48,300)	
OTHER			(-0-)	(-0-)	
SERVICE			(-0-)	(-0-)	
TOTAL-ALL SOURCES			3,237,100	3,237,100	
(4) TRUST LANDS AND INVESTMENT DIVISION					
(h) General program operations	PR	A	569,300	574,300	
(k) Interagency and intra-agency assistance	PR-S	A	-0-	-0-	
(m) Federal aid--flood control	PR-F	C	25,000	25,000	
(4) PROGRAM TOTALS					
PROGRAM REVENUE			594,300	599,300	
FEDERAL			(25,000)	(25,000)	
OTHER			(569,300)	(574,300)	
SERVICE			(-0-)	(-0-)	
TOTAL-ALL SOURCES			594,300	599,300	

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1991-92	1992-93
(5) VICTIMS AND WITNESSES				
(a) General program operations	GPR	A	831,400	885,100
(b) Awards for victims of crimes	GPR	A	1,784,200	1,488,200
(c) Reimbursement for victim and witness services	GPR	A	1,367,400	1,537,900
(g) Crime victim and witness assistance surcharge	PR	A	1,607,600	1,616,600
(h) Crime victim compensation services	PR	A	35,300	35,300
(k) Interagency and intra-agency assistance	PR-S	A	-0-	-0-
(m) Federal aid; victim compensation	PR-F	C	379,000	379,000
(mh) Federal aid; victim assistance	PR-F	C	895,000	895,000
(5) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			3,983,000	3,911,200
PROGRAM REVENUE			2,916,900	2,925,900
FEDERAL	(		1,274,000)	(1,274,000)
OTHER	(		1,642,900)	(1,651,900)
SERVICE	(		-0-)	(-0-)
TOTAL-ALL SOURCES			6,899,900	6,837,100
20.455 D E P A R T M E N T T O T A L S				
GENERAL PURPOSE REVENUES			31,945,500	32,066,500
PROGRAM REVENUE			16,744,900	18,186,300
FEDERAL	(		3,109,200)	(3,126,100)
OTHER	(		11,367,000)	(11,839,200)
SERVICE	(		2,268,700)	(3,221,000)
SEGREGATED FUNDS			1,308,600	1,459,900
OTHER	(		1,308,600)	(1,459,900)
TOTAL-ALL SOURCES			49,999,000	51,712,700

20.465 Military affairs, department of

(1) NATIONAL GUARD OPERATIONS				
(a) General program operations	GPR	A	3,852,800	4,007,000
(b) Repair and maintenance	GPR	A	405,200	411,800
(c) Public emergencies	GPR	S	100,000	100,000
(d) Principal repayment and interest	GPR	S	938,200	1,226,000
(e) State service flags	GPR	A	400	400
(f) Utilities, fuel, heating and cooling	GPR	A	1,090,900	1,129,000
(g) Military property	PR	A	46,400	47,400
(h) Intergovernmental services	PR	A	146,200	146,200
(k) Armory store operations	PR-S	A	200,000	200,000
(km) Agency services	PR-S	A	31,400	35,900
(m) Federal aid	PR-F	C	8,569,400	8,569,400
(pz) Indirect cost reimbursements	PR-F	C	88,100	97,400
(q) Helicopter medical services and transportation	SEG	A	60,800	60,800
(1) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			6,387,500	6,874,200
PROGRAM REVENUE			9,081,500	9,096,300
FEDERAL	(		8,657,500)	(8,666,800)
OTHER	(		192,600)	(193,600)
SERVICE	(		231,400)	(235,900)
SEGREGATED FUNDS			60,800	60,800
OTHER	(60,800)	(60,800)
TOTAL-ALL SOURCES			15,529,800	16,031,300

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STATUTE, AGENCY AND PURPOSE

SOURCE TYPE

1991-92

1992-93

(2) GUARD MEMBERS' BENEFITS

(a) Tuition grants

GPR A

833,200

938,000

(2) PROGRAM TOTALS

GENERAL PURPOSE REVENUES

833,200

938,000

TOTAL-ALL SOURCES

833,200

938,000

(3) EMERGENCY GOVERNMENT SERVICES

(a) General program operations

GPR A

575,700

583,100

(d) State emergency response

GPR C

-0-

-0-

(e) Disaster recovery aid

GPR S

186,600

186,600

(g) Program services

PR A

773,800

844,600

(i) Emergency planning and

PR A

511,400

530,800

(j) State emergency response

PR C

-0-

-0-

(jm) State emergency response

PR C

856,100

857,600

(jp) State emergency response

PR C

353,800

400,700

(m) Federal aid, state operations

PR-F C

917,300

937,200

(n) Federal aid, local assistance

PR-F C

870,800

870,800

(o) Federal aid, individuals and

PR-F C

-0-

-0-

(q) Civil air patrol aids

SEG A

19,000

19,000

(s) Emergency response training -

SEG B

37,500

37,500

(t) Emergency response training -

SEG B

37,500

37,500

(3) PROGRAM TOTALS

GENERAL PURPOSE REVENUES

762,300

769,700

PROGRAM REVENUE

4,283,200

4,441,700

FEDERAL

(1,788,100) (

(1,808,000)

OTHER

(2,495,100) (

(2,633,700)

SEGREGATED FUNDS

94,000

94,000

OTHER

(94,000) (

(94,000)

TOTAL-ALL SOURCES

5,139,500

5,305,400

20.465 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES

7,983,000

8,581,900

PROGRAM REVENUE

13,364,700

13,538,000

FEDERAL

(10,445,600) (

(10,474,800)

OTHER

(2,687,700) (

(2,827,300)

SERVICE

(231,400) (

(235,900)

SEGREGATED FUNDS

154,800

154,800

OTHER

(154,800) (

(154,800)

TOTAL-ALL SOURCES

21,502,500

22,274,700

20.475 District attorneys

(1) DISTRICT ATTORNEYS

(c) Other employees; general fund

GPR A

89,800

117,400

(d) Salaries and fringe benefits

GPR A

~~21,150,000~~

~~21,400,000~~

Less estimated amount

21,024,000

21,240,200

appropriated under s. 20.475

(1)(g)

GPR A

-5,619,700

-2,216,800

NET APPROPRIATION

~~15,404,300~~

~~19,023,400~~

(g) County payments, applied

PR C

5,619,700

2,216,800

(h) Gifts and grants

PR C

612,400

631,100

(k) Interagency and intra-agency

Vetoed
in Part

Vetoed
in Part

STATUTE, AGENCY AND PURPOSE

SOURCE TYPE

1991-92

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assistance	PR-S	C	-0-	-0-
(m) Federal aid	PR-F	C	-0-	-0-
20.475 DEPARTMENT				
GENERAL PURPOSE REVENUES			15,620,200	19,325,700
PROGRAM REVENUE			6,232,100	2,847,900
FEDERAL	(		-0-)	-0-)
OTHER	(		6,232,100)	2,847,900)
SERVICE	(		-0-)	-0-)
TOTAL-ALL SOURCES			21,852,300	22,173,600

20.485 Veterans affairs, department of

(1) HOME FOR VETERANS

(b) General fund supplement to institutional operations	GPR	B	612,400	4,410,800
(c) Utilities, fuel, heating and cooling	GPR	A	615,800	637,700
(d) Cemetery maintenance and beautification	GPR	A	24,900	24,900
(e) Lease rental payments	GPR	S	-0-	-0-
(f) Principal repayment and interest	GPR	S	374,400	480,600
(g) Home exchange	PR	A	182,400	182,400
(gk) Institutional operations	PR	A	22,696,500	23,040,800
(gm) Sale of fuel and utility service	PR	A	38,700	38,700
(h) Gifts and bequests	PR	C	67,000	67,000
(hm) Gifts and grants	PR	C	-0-	-0-
(j) Geriatric program receipts	PR	C	93,000	93,000
(m) Federal aid; care at veterans home	PR-F	C	-0-	-0-
(mj) Federal aid; geriatric unit	PR-F	C	-0-	-0-
(mn) Federal projects	PR-F	C	-0-	-0-
(t) Veterans home member accounts	SEG	C	-0-	-0-
(u) Rentals; improvements; equipment; land acquisition	SEG	A	-0-	-0-

(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUES			1,627,500	5,554,000
PROGRAM REVENUE			23,077,600	23,421,900
FEDERAL	(		-0-)	-0-)
OTHER	(		23,077,600)	23,421,900)
SEGREGATED FUNDS			-0-	-0-
OTHER	(		-0-)	-0-)
TOTAL-ALL SOURCES			24,705,100	28,975,900

(2) LOANS AND AIDS TO VETERANS

(b) Wisconsin veterans museum space rental	GPR	A	187,900	195,400
(db) General fund supplement to veterans trust fund	GPR	A	-0-	-0-
(g) Consumer reporting agency fees	PR	C	-0-	-0-
(m) Federal aid projects	PR-F	C	-0-	-0-
(q) Vietnam veteran educational grants	SEG	A	127,200	127,000
(rc) Homeless veterans reintegration	SEG	A	75,000	75,000
(rs) Retired senior volunteer program grants	SEG	A	15,900	16,900
(s) Veterans memorial grants	SEG	C	-0-	-0-
(t) Trust fund supplement to institutional operations	SEG	A	2,104,500	-0-

Vetoed
in Part
Vetoed
in Part

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1991-92	1992-93
(tm) Facilities	SEG	C	-0-	-0-
(u) Administration of loans and aids to veterans	SEG	A	1,971,400	1,975,800
(v) Wisconsin veterans museum sales receipts	SEG	C	28,000	66,300
(vm) Veterans aids and treatment	SEG	A	1,266,900	1,307,200
(vn) Grants to veterans organizations	SEG	A	312,100	312,100
(vo) Veterans of World War I	SEG	A	2,500	2,500
(vw) Payments to veterans organizations for claims service	SEG	A	75,000	75,000
(vx) County grants	SEG	A	122,800	124,000
(w) Home for needy veterans	SEG	C	10,000	10,000
(wd) Operation of Wisconsin veterans museum	SEG	A	122,700	122,700
(y) Veterans loans and expense	SEG	A	3,571,200	3,646,100
(z) Gifts	SEG	C	-0-	-0-
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			187,900	195,400
PROGRAM REVENUE			-0-	-0-
FEDERAL	(		-0-)	-0-)
OTHER	(		-0-)	-0-)
SEGREGATED FUNDS			9,805,200	7,859,600
OTHER	(		9,805,200)	7,859,600)
TOTAL-ALL SOURCES			9,993,100	8,055,000
(3) SELF-AMORTIZING MORTGAGE LOANS FOR VETERANS				
(b) Self insurance	GPR	S	-0-	-0-
(e) General program deficiency	GPR	S	-0-	-0-
(q) Foreclosure loss payments	SEG	C	800,000	800,000
(r) Funded reserves	SEG	C	50,000	50,000
(rm) Other reserves	SEG	C	10,606,000	-0-
(s) General program operations	SEG	A	2,946,600	2,952,100
(sm) County grants	SEG	A	184,200	186,000
(t) Debt service	SEG	C	102,721,100	96,471,000
(u) Loan funding and revenue obligation supplement	SEG	C	5,200,000	5,500,000
(v) Revenue obligation repayment	SEG	C	-0-	-0-
(3) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			-0-	-0-
SEGREGATED FUNDS			122,507,900	105,959,100
OTHER	(		122,507,900)	105,959,100)
TOTAL-ALL SOURCES			122,507,900	105,959,100
20.485 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			1,815,400	5,749,400
PROGRAM REVENUE			23,077,600	23,421,900
FEDERAL	(		-0-)	-0-)
OTHER	(		23,077,600)	23,421,900)
SEGREGATED FUNDS			132,313,100	113,818,700
OTHER	(		132,313,100)	113,818,700)
TOTAL-ALL SOURCES			157,206,100	142,990,000

20.490 Wisconsin housing and economic development authority

(1) FACILITATION OF CONSTRUCTION OF HOUSING

(a) Capital reserve fund deficiency	GPR	C	-0-	-0-
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			-0-	-0-
TOTAL-ALL SOURCES			-0-	-0-

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STATUTE, AGENCY AND PURPOSE

SOURCE TYPE

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(2) HOUSING REHABILITATION LOAN PROGRAM

(a) General program operations	GPR	C	-0-	-0-
(q) Loan loss reserve fund	SEG	C	-0-	-0-

(2) PROGRAM TOTALS

GENERAL PURPOSE REVENUES		-0-	-0-
SEGREGATED FUNDS		-0-	-0-
OTHER	(	-0-)	-0-)
TOTAL-ALL SOURCES		-0-	-0-

(4) DISADVANTAGED BUSINESS MOBILIZATION ASSISTANCE

(g) Disadvantaged business mobilization loan guarantee	PR	C	-0-	-0-
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(4) PROGRAM TOTALS

PROGRAM REVENUE		-0-	-0-
OTHER	(-0-)	-0-)
TOTAL-ALL SOURCES		-0-	-0-

(5) WISCONSIN DEVELOPMENT LOAN GUARANTEES

(a) Wisconsin development reserve fund	GPR	C	-0-	-0-
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(q) Recycling fund transfer to Wisconsin development reserve fund	SEG	C	500,000	-0-
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(5) PROGRAM TOTALS

GENERAL PURPOSE REVENUES		-0-	-0-
SEGREGATED FUNDS		500,000	-0-
OTHER	(500,000)	-0-)
TOTAL-ALL SOURCES		500,000	-0-

20.490 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES		-0-	-0-
PROGRAM REVENUE		-0-	-0-
OTHER	(	-0-)	-0-)
SEGREGATED FUNDS		500,000	-0-
OTHER	(	500,000)	-0-)
TOTAL-ALL SOURCES		500,000	-0-

Human Relations and Resources

FUNCTIONAL AREA TOTALS

GENERAL PURPOSE REVENUES		1,852,674,900	1,975,917,100
PROGRAM REVENUE		2,335,431,700	2,439,253,700
FEDERAL	(	1,948,966,500)	(2,040,933,000)
OTHER	(	323,095,100)	(339,102,900)
SERVICE	(	63,370,100)	(59,217,800)
SEGREGATED FUNDS		164,208,300	145,367,600
FEDERAL	(	-0-)	(-0-)
OTHER	(	164,208,300)	(145,367,600)
SERVICE	(	-0-)	(-0-)
LOCAL	(	-0-)	(-0-)
TOTAL-ALL SOURCES		4,352,314,900	4,560,538,400

General Executive

20.505 Administration, department of

(1) SUPERVISION AND MANAGEMENT

(a) General program operations	GPR	A	11,885,100	11,770,900
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(b) Midwest interstate low-level radioactive waste compact; loan from gen. fund	GPR	C	19,500	19,500
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(c) Census education assistance	GPR	B	-0-	-0-
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(d) Energy development and demonstration fund	GPR	A	-0-	-0-
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(e) Clean energy rebate program	GPR	A	150,000	500,000
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Vetoed
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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1991-92	1992-93	
(f) Badger state games assistance	GPR	A	50,000	-0-	Vetoed
(fn) Federal 200 grant	GPR	A	150,000	-0-	in Part
(fo) National aerial photography program	GPR	A	180,000	-0-	Vetoed
(g) Midwest interstate low-level radioactive waste compact; membership & costs	PR	A	60,700	60,700	in Part
(im) Services to nonstate governmental units	PR	A	1,203,900	1,203,900	
(is) Information technology services to nonstate entities	PR	A	-0-	-0-	Vetoed
(j) Gifts and donations	PR	C	-0-	-0-	in Part
(jm) Acid deposition activities	PR	A	53,400	53,400	
(ka) Materials and services to state agencies	PR-S	A	9,538,000	10,039,400	
(kb) Fleet services	PR-S	A	10,803,400	11,073,500	
(kc) Building construction services	PR-S	A	3,611,500	3,608,300	
(kd) Printing services	PR-S	A	6,467,900	6,683,100	
(ke) Telecommunications and data processing services	PR-S	A	34,326,000	29,716,700	
(kg) Records, microfilm, optical imaging and forms services	PR-S	A	1,255,700	1,276,000	
(kj) Financial services	PR-S	A	1,532,200	1,609,300	
(kL) Information technology services to agencies	PR-S	A	56,700	72,700	Vetoed
(L) Information technology capital expenses	PR	C	-0-	-0-	in Part
(ma) Federal grants and contracts	PR-F	C	-0-	-0-	in Part
(mb) Federal energy grants and contracts	PR-F	C	649,000	649,000	
(mc) Coastal zone management	PR-F	C	992,100	992,100	
(md) Oil overcharge restitution funds	PR-F	C	23,908,800	23,917,300	
(n) Federal aid; local assistance	PR-F	C	-0-	-0-	
(pz) Indirect cost reimbursements	PR-F	C	121,000	105,200	
(v) General program operations -- clean water fund program; state funds	SEG	A	478,200	478,200	
(x) General program operations -- clean water fund program; federal funds	SEG-F	C	-0-	-0-	
(1) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES			12,434,600	12,290,400	
PROGRAM REVENUE			94,580,300	91,060,600	
FEDERAL	(		25,670,900)	(25,663,600)	
OTHER	(		1,318,000)	(1,318,000)	
SERVICE	(		67,591,400)	(64,079,000)	
SEGREGATED FUNDS			478,200	478,200	
FEDERAL	(		-0-)	(-0-)	
OTHER	(		478,200)	(478,200)	
TOTAL-ALL SOURCES			107,493,100	103,829,200	
(2) RISK MANAGEMENT					
(a) General fund supplement -- risk management claims	GPR	S	-0-	-0-	
(k) Risk management costs	PR-S	C	15,937,600	17,637,100	
(ki) Risk management administration	PR-S	A	2,050,100	2,050,100	
(2) PROGRAM TOTALS					

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1991-92	1992-93
GENERAL PURPOSE REVENUES			-0-	-0-
PROGRAM REVENUE			17,987,700	19,687,200
SERVICE	(		17,987,700)	19,687,200)
TOTAL-ALL SOURCES			17,987,700	19,687,200
(3) COMMITTEES AND INTERSTATE BODIES				
(a) General program operations	GPR	A	196,200	196,200
(b) Women's council operations	GPR	A	132,100	132,100
(e) Mediation office operations	GPR	A	-0-	-0-
(g) Gifts and grants	PR	C	-0-	-0-
(h) Program fees	PR	A	6,100	6,100
(m) Federal aid	PR-F	C	-0-	-0-
(3) P R O G R A M		T O T A L S		
GENERAL PURPOSE REVENUES			328,300	328,300
PROGRAM REVENUE			6,100	6,100
FEDERAL	(		-0-)	-0-)
OTHER	(		6,100)	6,100)
TOTAL-ALL SOURCES			334,400	334,400
(4) ATTACHED DIVISIONS, BOARDS, COUNCILS AND COMMISSIONS				
(a) Adjudication of tax appeals	GPR	A	596,200	466,500
(b) Adjudication of equalization appeals	GPR	S	-0-	-0-
(c) Claims board; general program operations	GPR	A	31,900	31,900
(d) Claims awards	GPR	S	18,800	18,800
(dm) Sentencing commission; general program operations	GPR	A	251,800	252,700
(ds) Relay service	GPR	A	26,300	-0-
(eb) Waste facility siting board administrative expenses	GPR	A	85,700	85,700
(f) Hearings and appeals operations	GPR	A	1,425,500	1,413,100
(fm) Board on the U.S.S. Wisconsin; general program operations	GPR	C	-0-	-0-
(fn) Board on the U.S.S. Wisconsin; interest on gifts and grants	GPR	S	-0-	-0-
(fz) Privacy council and privacy advocate	GPR	A	130,000	130,000
(gm) Sentencing commission; gifts and grants	PR	C	-0-	-0-
(h) Program services	PR	A	26,000	26,000
(i) Board on the U.S.S. Wisconsin; gifts and grants	PR	C	-0-	-0-
(ie) Land information board; general program operations	PR	A	200,900	201,000
(im) Land information board; aids to counties	PR	C	1,799,100	1,799,000
(is) Relay service	PR	A	1,320,600	4,028,500
(ka) State use board -- general program operations	PR-S	A	96,800	96,800
(mm) Sentencing commission; federal aid	PR-F	C	-0-	-0-
(4) P R O G R A M		T O T A L S		
GENERAL PURPOSE REVENUES			2,566,200	2,398,700
PROGRAM REVENUE			3,443,400	6,151,300
FEDERAL	(-0-)	-0-)
OTHER	(3,346,600)	6,054,500)
SERVICE	(96,800)	96,800)

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1991-92	1992-93
TOTAL-ALL SOURCES			6,009,600	8,550,000
(5) FACILITIES MANAGEMENT				
(ka) Facility operations and maintenance	PR-S	A	21,627,300	23,597,600
(kc) Principal repayment, interest and rebates	PR-S	C	7,139,700	10,438,000
(5) P R O G R A M		T O T A L S		
PROGRAM REVENUE			28,767,000	34,035,600
SERVICE	(		28,767,000)	34,035,600)
TOTAL-ALL SOURCES			28,767,000	34,035,600
(6) OFFICE OF JUSTICE ASSISTANCE				
(a) General program operations	GPR	A	258,300	260,100
(g) Anti-drug enforcement program, penalty assessment - local	PR	C	993,300	994,100
(h) Anti-drug enforcement program, penalty assessment - state	PR	C	506,100	506,100
(hm) Anti-drug enforcement, tax revenue	PR	C	25,000	25,000
(k) Anti-drug enforcement program -- administration	PR-S	C	89,800	90,500
(m) Federal aid, planning and administration, state operations	PR-F	C	166,700	165,000
(o) Federal aid, criminal justice improvement projects, state operations	PR-F	C	-0-	-0-
(p) Federal aid, criminal justice improvement projects, local assistance	PR-F	C	621,900	621,900
(pa) Federal aid, criminal justice improvement projects, aid to organizations	PR-F	C	100,000	100,000
(pb) Federal aid, anti-drug enforcement program, aids and local assistance	PR-F	C	5,738,000	5,593,800
(pc) Federal aid, anti-drug enforcement program, state operations	PR-F	C	1,910,200	2,658,800
(6) P R O G R A M		T O T A L S		
GENERAL PURPOSE REVENUES			258,300	260,100
PROGRAM REVENUE			10,151,000	10,755,200
FEDERAL	(		8,536,800)	9,139,500)
OTHER	(		1,524,400)	1,525,200)
SERVICE	(		89,800)	90,500)
TOTAL-ALL SOURCES			10,409,300	11,015,300
(7) HOUSING ASSISTANCE [Corrected: (7) (b) and (d)]				
(a) General program operations	GPR	A	691,500	771,300
(b) Housing grants and loans	GPR	B	2,840,800	3,440,800
(c) Payments to designated agents	GPR	A	-0-	-0-
(d) Grants to local housing organizations	GPR	B	-0-	1,000,000
(dm) Transitional housing grants	GPR	A	187,500	375,000
(e) Mortgage insurance assistance	GPR	B	-0-	-0-
(fm) Shelter for homeless and transitional housing	GPR	A	-0-	1,131,000
(g) Gifts and grants	PR	C	-0-	-0-
(h) Regulation of manufacturers				

Vetoed
in Part

STATUTE, AGENCY AND PURPOSE

SOURCE TYPE

1991-92

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of manufactured homes and mobile homes									Vetoed in Part
(jf)	Mobile home parks	PR-S	A		-0-			113,000	
(ji)	Regulation of mobile home dealers and salespersons	PR-S	A		-0-			-0-	
(k)	Sale of materials or services	PR-S	C		-0-			40,500	
(kg)	Housing program services	PR-S	C		-0-			-0-	
(km)	Weatherization assistance	PR-S	C		6,677,600			6,677,600	
(m)	Federal aid; state operations	PR-S	C		-0-			15,000,000	
(n)	Federal aid; local assistance	PR-F	C		20,500			1,932,300	
(o)	Federal aid; individuals and organizations	PR-F	C		77,000			77,000	
					3,200			8,156,200	
(7) PROGRAM TOTALS									
GENERAL PURPOSE REVENUES								3,719,800	
PROGRAM REVENUE								6,778,300	
FEDERAL					(	100,700)	(	31,995,600	
OTHER					(	-0-)	(	10,165,500)	
SERVICE					(	6,677,600)	(	-0-	
TOTAL-ALL SOURCES						10,498,100		21,830,100	
38,713,700									
(8) DISTRICT ATTORNEYS									
(a)	General program operations	GPR	A		142,500			146,200	
(b)	Witness fees	GPR	A		-0-			-0-	
(8) PROGRAM TOTALS									Vetoed in Part
GENERAL PURPOSE REVENUES								142,500	
TOTAL-ALL SOURCES								146,200	
146,200									
20.505 DEPARTMENT TOTALS									
GENERAL PURPOSE REVENUES								19,449,700	
PROGRAM REVENUE								161,713,800	
FEDERAL					(	34,308,400)	(	22,141,800	
OTHER					(	6,195,100)	(	193,691,600	
SERVICE					(	121,210,300)	(	44,968,600	
SEGREGATED FUNDS						478,200		8,903,800	
FEDERAL					(	-0-)	(	139,819,200	
OTHER					(	478,200)	(	478,200	
TOTAL-ALL SOURCES						181,641,700		216,311,600	
20.510 Elections board									
(1) ADMINISTRATION OF ELECTION AND CAMPAIGN LAWS									
(a)	General program operations	GPR	B		692,800			611,300	
(g)	Recount fees	PR	C		-0-			-0-	
(h)	Materials and services	PR	A		12,000			12,000	
(q)	Wisconsin election campaign fund	SEG	C		100,000			589,000	
20.510 DEPARTMENT TOTALS									
GENERAL PURPOSE REVENUES								692,800	
PROGRAM REVENUE								611,300	
OTHER					(	12,000)	(	12,000	
SEGREGATED FUNDS						100,000		12,000	
OTHER					(	100,000)	(	589,000	
TOTAL-ALL SOURCES						804,800		1,212,300	
20.512 Employment relations, department of									
(1) EMPLOYMENT RELATIONS									
(a)	General program operations	GPR	A		5,174,300			5,246,700	
(b)	Day care services	GPR	A		50,000			50,000	
(i)	Services to nonstate governmental units	PR	A		120,200			120,200	
(j)	Gifts and donations	PR	C		-0-			-0-	
(jm)	Employee development and training services	PR	A		744,000			744,000	

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1991-92	1992-93
(ka) Publications	PR-S	A	111,000	111,000
(m) Federal grants and contracts	PR-F	C	-0-	-0-
(pz) Indirect cost reimbursements	PR-F	C	-0-	-0-
(1) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			5,224,300	5,296,700
PROGRAM REVENUE			975,200	975,200
FEDERAL	(	-0-)	(	-0-)
OTHER	(	864,200)	(	864,200)
SERVICE	(	111,000)	(	111,000)
TOTAL-ALL SOURCES			6,199,500	6,271,900
(2) AFFIRMATIVE ACTION COUNCIL				
(a) General program operations	GPR	A	8,700	8,700
(j) Gifts and donations	PR	C	-0-	-0-
(m) Federal grants and contracts	PR-F	C	-0-	-0-
(2) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			8,700	8,700
PROGRAM REVENUE			-0-	-0-
FEDERAL	(	-0-)	(	-0-)
OTHER	(	-0-)	(	-0-)
TOTAL-ALL SOURCES			8,700	8,700
20.512 D E P A R T M E N T T O T A L S				
GENERAL PURPOSE REVENUES			5,233,000	5,305,400
PROGRAM REVENUE			975,200	975,200
FEDERAL	(	-0-)	(	-0-)
OTHER	(	864,200)	(	864,200)
SERVICE	(	111,000)	(	111,000)
TOTAL-ALL SOURCES			6,208,200	6,280,600

20.515 Employee trust funds, department of

(1) EMPLOYEE BENEFIT PLANS				
(a) Annuity supplements and payments	GPR	S	566,100	519,600
(c) Contingencies	GPR	S	-0-	-0-
(t) Automated operating system	SEG	C	-0-	-0-
(u) Employee-funded reimbursement account plan	SEG	C	-0-	-0-
(um) Benefit administration	SEG	B	15,000	15,000
(w) Administration	SEG	A	8,930,600	9,008,200
20.515 D E P A R T M E N T T O T A L S				
GENERAL PURPOSE REVENUES			566,100	519,600
SEGREGATED FUNDS			8,945,600	9,023,200
OTHER	(	8,945,600)	(	9,023,200)
TOTAL-ALL SOURCES			9,511,700	9,542,800

20.521 Ethics board

(1) ETHICS AND LOBBYING REGULATION				
(a) General program operations; general purpose revenue	GPR	A	177,300	178,000
(g) General program operations; program revenue	PR	A	175,700	176,200
(h) Gifts and grants	PR	C	-0-	-0-
20.521 D E P A R T M E N T T O T A L S				
GENERAL PURPOSE REVENUES			177,300	178,000
PROGRAM REVENUE			175,700	176,200
OTHER	(	175,700)	(	176,200)
TOTAL-ALL SOURCES			353,000	354,200

20.525 Office of the governor

(1) EXECUTIVE ADMINISTRATION				
(a) General program operations	GPR	S	1,889,800	1,896,200
(b) Contingent fund	GPR	S	21,700	21,700

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1991-92	1992-93
(c) Membership in national associations	GPR	S	99,000	102,900
(d) Disability board	GPR	S	-0-	-0-
(i) Gifts and grants	PR	C	-0-	-0-
(m) Federal aid	PR-F	C	-0-	-0-
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			2,010,500	2,020,800
PROGRAM REVENUE			-0-	-0-
FEDERAL	(		-0-)	-0-)
OTHER	(		-0-)	-0-)
TOTAL-ALL SOURCES			2,010,500	2,020,800
(2) EXECUTIVE RESIDENCE				
(a) General program operations	GPR	S	124,100	124,700
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			124,100	124,700
TOTAL-ALL SOURCES			124,100	124,700
20.525 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			2,134,600	2,145,500
PROGRAM REVENUE			-0-	-0-
FEDERAL	(		-0-)	-0-)
OTHER	(		-0-)	-0-)
TOTAL-ALL SOURCES			2,134,600	2,145,500
20.534 Health care access board				
(1) HEALTH CARE ACCESS				
(a) General program operations	GPR	A	45,000	70,000
(b) Health care access program grants	GPR	B	-0-	470,000
20.534 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			45,000	540,000
TOTAL-ALL SOURCES			45,000	540,000
20.536 Investment board				
(1) INVESTMENT OF FUNDS				
(k) General program operations	PR-S	A	5,954,600	6,123,200
(ka) General program operations; clean water fund	PR-S	C	-0-	-0-
20.536 DEPARTMENT TOTALS				
PROGRAM REVENUE			5,954,600	6,123,200
SERVICE	(		5,954,600)	6,123,200)
TOTAL-ALL SOURCES			5,954,600	6,123,200
20.540 Office of the lieutenant governor				
(1) EXECUTIVE COORDINATION				
(a) General program operations	GPR	A	440,200	442,500
(g) Gifts, grants and proceeds	PR	C	-0-	-0-
(k) Grants from state agencies	PR-S	C	-0-	-0-
(m) Federal aid	PR-F	C	-0-	-0-
20.540 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			440,200	442,500
PROGRAM REVENUE			-0-	-0-
FEDERAL	(		-0-)	-0-)
OTHER	(		-0-)	-0-)
SERVICE	(		-0-)	-0-)
TOTAL-ALL SOURCES			440,200	442,500
20.547 Personnel commission				
(1) REVIEW OF PERSONNEL DECISIONS				
(a) General program operations	GPR	A	646,500	656,500
(h) Publications	PR	A	3,000	3,000
(m) Federal aid	PR-F	C	-0-	-0-
20.547 DEPARTMENT TOTALS				

Vetoed
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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1991-92	1992-93
GENERAL PURPOSE REVENUES			646,500	656,500
PROGRAM REVENUE			3,000	3,000
FEDERAL	(	-0-)	(	-0-)
OTHER	(	3,000)	(	3,000)
TOTAL-ALL SOURCES			649,500	659,500

20.550 Public defender board

(1) LEGAL ASSISTANCE

(a) Program administration	GPR	A	983,200	1,066,400	
(b) Appellate representation	GPR	A	2,378,200	2,384,600	Vetoed
(c) Trial representation	GPR	A	21,532,600	23,488,100	in Part
(d) Private bar and investigator reimbursement	GPR	B	15,877,900	19,580,800	Vetoed
(e) Private bar and investigator payments; administration costs	GPR	A	169,300	242,200	
Widow's fees	GPR	A	0	0	Vetoed
(g) Gifts and grants	PR	C	-0-	-0-	in Part
(h) Contractual agreements	PR-S	A	-0-	-0-	
(i) Tuition payments	PR	C	-0-	-0-	
(ja) Payments from clients	PR	A	5,900	23,600	
(m) Federal aid	PR-F	C	-0-	-0-	

20.550 DEPARTMENT TOTALS					
GENERAL PURPOSE REVENUES			40,941,200	46,762,100	
PROGRAM REVENUE			5,900	23,600	
FEDERAL	(	-0-)	(	-0-)	
OTHER	(	5,900)	(	23,600)	
SERVICE	(	-0-)	(	-0-)	
TOTAL-ALL SOURCES			40,947,100	46,785,700	

20.566 Revenue, department of

(1) COLLECTION OF STATE TAXES

(a) General program operations	GPR	A	33,283,600	28,299,300	
(g) Administration of county sales and use taxes	PR	A	681,300	689,100	
(h) Debt collection	PR	A	102,500	106,400	
(ha) Administration of liquor tax	PR	A	287,100	287,100	
(hm) Collections from nonresidents	PR	S	350,000	350,000	
(hp) Administration of endangered resources voluntary payments	PR	A	18,300	18,300	
(hq) Delinquent tax collection fees	PR	C	588,500	6,454,700	
(i) Gifts and grants	PR	C	-0-	-0-	
(j) Delinquent property tax collections	PR	C	-0-	-0-	
(m) Federal funds; state operations	PR-F	C	-0-	-0-	
(q) Recycling fees administration	SEG	A	12,300	12,300	
(u) Motor fuel tax administration	SEG	A	832,600	832,600	

(1) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES			33,283,600	28,299,300	
PROGRAM REVENUE			2,027,700	7,905,600	
FEDERAL	(	-0-)	(	-0-)	
OTHER	(	2,027,700)	(	7,905,600)	
SEGREGATED FUNDS			844,900	844,900	
OTHER	(	844,900)	(	844,900)	
TOTAL-ALL SOURCES			36,156,200	37,049,800	

(2) STATE AND LOCAL FINANCE

(a) General program operations	GPR	A	8,226,000	8,230,500	
(c) Assessor education program	GPR	A	-0-	10,800	

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1991-92	1992-93
(gi) Municipal finance report compliance	PR	A	40,000	40,000
(h) Reassessments	PR	A	115,500	115,500
(hi) Wisconsin property assessment manual	PR	A	82,700	82,700
(i) Gifts and grants	PR	C	-0-	-0-
(m) Federal funds; state operations	PR-F	C	-0-	-0-
(q) Railroad and air carrier tax administration	SEG	A	58,200	58,200
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			8,226,000	8,241,300
PROGRAM REVENUE			238,200	238,200
FEDERAL	(		-0-)	-0-)
OTHER	(		238,200)	238,200)
SEGREGATED FUNDS			58,200	58,200
OTHER	(		58,200)	58,200)
TOTAL-ALL SOURCES			8,522,400	8,537,700
(3) ADMINISTRATIVE SERVICES AND SPACE RENTAL				
(a) General program operations	GPR	A	13,323,900	13,201,600
(c) Expert professional services	GPR	A	10,000	10,000
(g) Services	PR	A	55,000	55,000
(gm) Reciprocity agreement and publications	PR	A	146,800	146,800
(gp) Data processing costs for endangered resources				
voluntary payments	PR	A	10,800	11,200
(i) Gifts and grants	PR	C	-0-	-0-
(m) Federal funds; state operations	PR-F	C	-0-	-0-
(q) Recycling fees support	SEG	A	103,500	61,200
(u) Motor fuel tax data processing	SEG	A	93,000	94,300
(3) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			13,333,900	13,211,600
PROGRAM REVENUE			212,600	213,000
FEDERAL	(		-0-)	-0-)
OTHER	(		212,600)	213,000)
SEGREGATED FUNDS			196,500	155,500
OTHER	(		196,500)	155,500)
TOTAL-ALL SOURCES			13,743,000	13,580,100
(7) INVESTMENT AND LOCAL IMPACT FUND				
(a) Investment and local impact fund administrative expenses	GPR	A	44,800	53,000
(e) Investment and local impact fund supplement	GPR	A	-0-	-0-
(n) Federal mining revenue	PR-F	C	-0-	-0-
(v) Investment and local impact fund	SEG	C	-0-	-0-
(7) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			44,800	53,000
PROGRAM REVENUE			-0-	-0-
FEDERAL	(		-0-)	-0-)
SEGREGATED FUNDS			-0-	-0-
OTHER	(		-0-)	-0-)
TOTAL-ALL SOURCES			44,800	53,000
(8) PROPERTY TAX DEFERRAL				
(q) Program administration	SEG	A	78,800	78,800
(w) Revenue obligation repayment	SEG	C	-0-	-0-

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1991-92	1992-93
(wa) Elderly property tax deferral loans	SEG S		-0-	-0-
(8) PROGRAM TOTALS				
SEGREGATED FUNDS			78,800	78,800
OTHER	(		78,800) (	78,800)
TOTAL-ALL SOURCES			78,800	78,800
20.566 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			54,888,300	49,805,200
PROGRAM REVENUE			2,478,500	8,356,800
FEDERAL	(		-0-) (	-0-)
OTHER	(		2,478,500) (	8,356,800)
SEGREGATED FUNDS			1,178,400	1,137,400
OTHER	(		1,178,400) (	1,137,400)
TOTAL-ALL SOURCES			58,545,200	59,299,400

20.575 Secretary of state

(1) MANAGING AND OPERATING PROGRAM RESPONSIBILITIES

(g) Program fees	PR	A	1,710,300	1,663,600
(gb) Expedited service and telephone application for reservation of name	PR	A	98,900	98,900
(h) Search fees	PR	A	177,000	177,100
(i) Uniform commercial code statewide lien system fees	PR	A	346,300	291,300
(ka) Agency collections	PR-S	A	47,400	47,400
20.575 DEPARTMENT TOTALS				
PROGRAM REVENUE			2,379,900	2,278,300
OTHER	(		2,332,500) (	2,230,900)
SERVICE	(		47,400) (	47,400)
TOTAL-ALL SOURCES			2,379,900	2,278,300

20.585 Treasurer, state

(1) CUSTODIAN OF STATE FUNDS

(a) General program operations	GPR	A	360,700	364,000
(b) Insurance	GPR	A	-0-	-0-
(e) Unclaimed property; contingency appropriation	GPR	S	-0-	-0-
(g) Processing services	PR	A	70,900	62,900
(j) Unclaimed property; claims and administrative expenses	PR	C	474,900	838,500
(js) Investment services	PR	A	118,900	120,500
(km) Credit card use charges	PR-S	C	-0-	-0-
20.585 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			360,700	364,000
PROGRAM REVENUE			664,700	1,021,900
OTHER	(		664,700) (	1,021,900)
SERVICE	(		-0-) (	-0-)
TOTAL-ALL SOURCES			1,025,400	1,385,900

**General Executive Functions
FUNCTIONAL AREA TOTALS**

GENERAL PURPOSE REVENUES		125,575,400	129,471,900
PROGRAM REVENUE		174,363,300	212,661,800
FEDERAL	(	34,308,400) (	44,968,600)
OTHER	(	12,731,600) (	21,592,400)
SERVICE	(	127,323,300) (	146,100,800)
SEGREGATED FUNDS		10,702,200	11,227,800
FEDERAL	(-0-) (-0-)
OTHER	(10,702,200) (11,227,800)
SERVICE	(-0-) (-0-)
LOCAL	(-0-) (-0-)

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STATUTE, AGENCY AND PURPOSE

SOURCE TYPE

1991-92

1992-93

TOTAL-ALL SOURCES

310,640,900

353,361,500

Judicial

20.625 Circuit courts

(1) COURT OPERATIONS

(a) Circuit courts	GPR	S	34,500,600	34,918,600
(am) Drug court costs	GPR	A	-0-	-0-
(as) Violent crime court costs	GPR	A	748,500	731,700
(b) Permanent reserve judges	GPR	A	-0-	-0-
(c) Court interpreter fees	GPR	A	64,700	72,000
(d) Juror fees	GPR	A	-0-	-0-
(dm) Court coordination	GPR	S	59,600	65,000
(e) Guardian ad litem fees	GPR	A	-0-	-0-
(f) Witness fees	GPR	A	-0-	-0-
(k) Drug court costs; local assistance	PR	C	191,100	196,800
(m) Federal aid	PR-F	C	-0-	-0-

Vetoed
in Part
Vetoed
in Part
Vetoed
in Part

(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	35,373,400	35,787,300
PROGRAM REVENUE	191,100	196,800
FEDERAL	(-0-)	(-0-)
OTHER	(191,100)	(196,800)
TOTAL-ALL SOURCES	35,564,500	35,984,100

(3) CHILD CUSTODY HEARINGS AND STUDIES IN OTHER STATES

(a) General program operations	GPR	S	-0-	-0-
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(3) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	-0-	-0-
TOTAL-ALL SOURCES	-0-	-0-

20.625 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES	35,373,400	35,787,300
PROGRAM REVENUE	191,100	196,800
FEDERAL	(-0-)	(-0-)
OTHER	(191,100)	(196,800)
TOTAL-ALL SOURCES	35,564,500	35,984,100

20.645 Judicial council

(1) ADVISORY SERVICES TO THE COURTS AND LEGISLATURE

(a) General program operations	GPR	A	131,300	131,300
(m) Federal aid	PR-F	C	-0-	-0-

20.645 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES	131,300	131,300
PROGRAM REVENUE	-0-	-0-
FEDERAL	(-0-)	(-0-)
TOTAL-ALL SOURCES	131,300	131,300

20.660 Court of appeals

(1) APPELLATE PROCEEDINGS

(a) General program operations	GPR	S	4,365,200	4,425,700
(m) Federal aid	PR-F	C	-0-	-0-

20.660 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES	4,365,200	4,425,700
PROGRAM REVENUE	-0-	-0-
FEDERAL	(-0-)	(-0-)
TOTAL-ALL SOURCES	4,365,200	4,425,700

20.665 Judicial commission

(1) JUDICIAL CONDUCT

(a) General program operations	GPR	A	143,400	143,400
(cm) Contractual agreements	GPR	B	21,400	21,400
(mm) Federal aid	PR-F	C	-0-	-0-

20.665 DEPARTMENT TOTALS

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1991-92	1992-93
GENERAL PURPOSE REVENUES			164,800	164,800
PROGRAM REVENUE			-0-	-0-
FEDERAL	(		-0-) (	-0-)
TOTAL-ALL SOURCES			164,800	164,800
20.680 Supreme court				
(1) SUPREME COURT PROCEEDINGS				
(a) General program operations	GPR	S	2,678,000	2,700,200
(m) Federal aid	PR-F	C	-0-	-0-
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			2,678,000	2,700,200
PROGRAM REVENUE			-0-	-0-
FEDERAL	(		-0-) (	-0-)
TOTAL-ALL SOURCES			2,678,000	2,700,200
(2) DIRECTOR OF STATE COURTS				
(a) General program operations	GPR	A	3,309,500	3,419,100
(b) Judicial planning and research	GPR	A	-0-	-0-
(g) Gifts and grants	PR	C	-0-	-0-
(h) Materials and services	PR	A	25,700	24,800
(i) Municipal judge training	PR	A	76,200	76,300
(j) Automated information systems	PR	C	6,118,400	5,973,500
(k) Data processing services	PR-S	A	34,700	34,700
(m) Federal aid	PR-F	C	-0-	-0-
(qm) Mediation fund	SEG	C	600,600	600,600
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			3,309,500	3,419,100
PROGRAM REVENUE			6,255,000	6,109,300
FEDERAL	(		-0-) (	-0-)
OTHER	(		6,220,300) (	6,074,600)
SERVICE	(		34,700) (	34,700)
SEGREGATED FUNDS			600,600	600,600
OTHER	(		600,600) (	600,600)
TOTAL-ALL SOURCES			10,165,100	10,129,000
(3) PROFESSIONAL COMPETENCE AND RESPONSIBILITY				
(g) Board of bar examiners	PR	C	309,600	309,900
(h) Board of attorneys professional responsibility	PR	C	905,700	917,800
(3) PROGRAM TOTALS				
PROGRAM REVENUE			1,215,300	1,227,700
OTHER	(		1,215,300) (	1,227,700)
TOTAL-ALL SOURCES			1,215,300	1,227,700
(4) LAW LIBRARY				
(a) General program operations	GPR	A	767,200	778,200
(g) Library collections and services	PR	A	85,400	72,500
(h) Gifts and grants	PR	C	-0-	-0-
(4) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			767,200	778,200
PROGRAM REVENUE			85,400	72,500
OTHER	(		85,400) (	72,500)
TOTAL-ALL SOURCES			852,600	850,700
20.680 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			6,754,700	6,897,500
PROGRAM REVENUE			7,555,700	7,409,500
FEDERAL	(		-0-) (	-0-)
OTHER	(		7,521,000) (	7,374,800)
SERVICE	(		34,700) (	34,700)
SEGREGATED FUNDS			600,600	600,600
OTHER	(		600,600) (	600,600)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1991-92	1992-93
TOTAL-ALL SOURCES			14,911,000	14,907,600
Judicial				
FUNCTIONAL AREA TOTALS				
GENERAL PURPOSE REVENUES			46,789,400	47,406,600
PROGRAM REVENUE			7,746,800	7,606,300
FEDERAL	(	-0-)	(	-0-)
OTHER	(	7,712,100)	(	7,571,600)
SERVICE	(	34,700)	(	34,700)
SEGREGATED FUNDS			600,600	600,600
FEDERAL	(	-0-)	(	-0-)
OTHER	(	600,600)	(	600,600)
SERVICE	(	-0-)	(	-0-)
LOCAL	(	-0-)	(	-0-)
TOTAL-ALL SOURCES			55,136,800	55,613,500

Legislative

20.765 Legislature

(1) ENACTMENT OF STATE LAWS

(a) General program operations-- assembly	GPR	S	15,756,100	15,776,600
(b) General program operations-- senate	GPR	S	10,177,300	10,144,200
(c) Contingent expenses	GPR	B	12,500	12,500
(d) Legislative documents	GPR	S	4,358,700	4,327,700

(e) Public participation in
redistricting process

GPR B

174,400

Vetoed
in Part

(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	30,479,000	30,261,000
TOTAL-ALL SOURCES	30,479,000	30,261,000

(2) SPECIAL STUDY GROUPS

(a) Retirement committees	GPR	A	149,100	155,500
(ab) Retirement actuarial studies	GPR	B	15,000	15,000
(b) Commission on uniform state laws	GPR	B	26,000	28,500

(2) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	190,100	199,000
TOTAL-ALL SOURCES	190,100	199,000

(3) SERVICE AGENCIES AND NATIONAL ASSOCIATIONS

(a) Revisor of statutes bureau	GPR	B	446,800	446,800
(b) Legislative reference bureau	GPR	B	2,353,800	2,488,200
(c) Legislative audit bureau	GPR	B	2,983,700	3,002,200
(d) Legislative fiscal bureau	GPR	B	1,786,400	1,805,600
(e) Legislative council	GPR	B	2,047,500	2,047,500
(ec) Council contingent expenses	GPR	B	1,700	1,700
(em) Legislative data processing	GPR	B	469,700	470,800
(f) Joint committee on legislative organization	GPR	B	-0-	-0-
(fa) Membership in national associations	GPR	S	183,500	193,000
(fb) National conference of state legislatures meeting	GPR	C	150,000	150,000
(g) Gifts and grants to service agencies	PR	C	-0-	-0-
(ka) Audit bureau services charges	PR-S	A	974,800	988,600
(m) Federal aid	PR-F	C	-0-	-0-

(3) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	10,423,100	10,605,800
PROGRAM REVENUE	974,800	988,600

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FEDERAL	(-0-)	(-0-)
OTHER	(-0-)	(-0-)
SERVICE	(974,800)	(988,600)
TOTAL-ALL SOURCES		11,397,900		11,594,400
20.765 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES		41,092,200		41,065,800
PROGRAM REVENUE		974,800		988,600
FEDERAL	(	-0-)	(	-0-)
OTHER	(	-0-)	(	-0-)
SERVICE	(	974,800)	(	988,600)
TOTAL-ALL SOURCES		42,067,000		42,054,400

Legislative

FUNCTIONAL AREA TOTALS

GENERAL PURPOSE REVENUES		41,092,200		41,065,800
PROGRAM REVENUE		974,800		988,600
FEDERAL	(	-0-)	(	-0-)
OTHER	(	-0-)	(	-0-)
SERVICE	(	974,800)	(	988,600)
SEGREGATED FUNDS		-0-		-0-
FEDERAL	(	-0-)	(	-0-)
OTHER	(	-0-)	(	-0-)
SERVICE	(	-0-)	(	-0-)
LOCAL	(	-0-)	(	-0-)
TOTAL-ALL SOURCES		42,067,000		42,054,400

General Appropriations

20.835 Shared revenue and tax relief

(1) SHARED REVENUE PAYMENTS

(b) Small municipalities shared revenue	GPR	A	-0-	73,000,000	Vetoed in Part
(c) Tax rate disparity payment account	GPR	S	25,000,000	35,000,000	
(d) Shared revenue account	GPR	S	869,000,000	890,725,000	
(1) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES			894,000,000	938,725,000	
TOTAL-ALL SOURCES			894,000,000	938,725,000	

(2) TAX RELIEF

(b) Claim of right credit	GPR	S	2,500	2,500	
(c) Homestead tax credit	GPR	S	96,700,000	87,500,000	
(ci) Development zones investment credit	GPR	S	-0-	-0-	
(cL) Development zones location credit	GPR	S	-0-	-0-	
(cm) Development zones jobs credit	GPR	S	1,300,000	1,800,000	
(cn) Development zones sales tax credit	GPR	S	150,000	200,000	
(d) Farmers' drought property tax credit	GPR	S	-0-	-0-	
(dm) Farmland preservation credit	GPR	S	24,080,000	22,180,000	
(ep) Cigarette tax refunds	GPR	S	3,200,000	3,100,000	
(f) Earned income tax credit	GPR	S	24,200,000	28,300,000	
(g) Farmland tax relief credit	GPR	S	15,600,000	16,500,000	Vetoed in Part
(2) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES			165,232,500	159,582,500	
TOTAL-ALL SOURCES			165,232,500	159,582,500	

(3) STATE PROPERTY TAX CREDITS

(a) General government tax credit	GPR	S	149,973,400	-0-	
(b) School levy tax credit	GPR	S	169,331,600	-0-	

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1991-92	1992-93	
(e) Supplemental state school property tax credit	GPR	A	-0-	265,300,000	Vetoed in Part
(e) State school property tax credit	GPR	S	-0-	-0-	
(q) Lottery school property tax credit, 1992	SEG	S	298,000,000	298,000,000	
(r) Lottery school property tax credit	SEG	A	-0-	54,400,000	
(3) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES			319,305,000	265,300,000	
SEGREGATED FUNDS			298,000,000	352,400,000	
OTHER	(		298,000,000)	(352,400,000)	
TOTAL-ALL SOURCES			617,305,000	617,700,000	
(4) COUNTY TAXES					
(g) County taxes	PR	C	-0-	-0-	
(4) PROGRAM TOTALS					
PROGRAM REVENUE			-0-	-0-	
OTHER	(		-0-)	(-0-)	
TOTAL-ALL SOURCES			-0-	-0-	
(5) PAYMENTS IN LIEU OF TAXES					
(a) Payments for municipal services	GPR	A	14,400,000	14,400,000	
(5) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES			14,400,000	14,400,000	
TOTAL-ALL SOURCES			14,400,000	14,400,000	
(6) COUNTY ASSESSMENT AIDS					
(a) County assessment aid	GPR	S	788,000	850,000	
(6) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES			788,000	850,000	
TOTAL-ALL SOURCES			788,000	850,000	
(7) SUPPLEMENTAL STATE SCHOOL AID					Vetoed in Part
(a) Supplemental state school aid	GPR	A	36,827,900	38,669,300	
(7) PROGRAM TOTALS					Vetoed in Part
GENERAL PURPOSE REVENUES			36,827,900	38,669,300	
TOTAL-ALL SOURCES			36,827,900	38,669,300	
20.835 DEPARTMENT TOTALS					
GENERAL PURPOSE REVENUES			1,430,553,400	1,417,526,800	
PROGRAM REVENUE			-0-	-0-	
OTHER	(		-0-)	(-0-)	
SEGREGATED FUNDS			298,000,000	352,400,000	
OTHER	(		298,000,000)	(352,400,000)	
TOTAL-ALL SOURCES			1,728,553,400	1,769,926,800	
20.855 Miscellaneous appropriations					
(1) CASH MANAGEMENT EXPENSES; INTEREST AND PRINCIPAL REPAYMENT					
(a) Obligation on operating notes; general fund	GPR	S	13,000,000	15,000,000	
(b) Operating note expenses; general fund	GPR	S	125,000	125,000	
(c) Interest payments to program revenue accounts	GPR	S	-0-	-0-	
(d) Interest payments to segregated funds	GPR	S	-0-	-0-	
(e) Interest on prorated local government payments	GPR	S	-0-	-0-	
(q) Redemption of operating notes	SEG	S	-0-	-0-	
(r) Interest payments to general fund	SEG	S	-0-	-0-	
(1) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES			13,125,000	15,125,000	

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SEGREGATED FUNDS			-0-	-0-
OTHER	(-0-)	-0-)
TOTAL-ALL SOURCES			13,125,000	15,125,000
(3) RELOCATION EXPENSES				
(a) Capitol offices relocation	GPR	S	1,200,000	1,240,000
(3) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			1,200,000	1,240,000
TOTAL-ALL SOURCES			1,200,000	1,240,000
(4) TAX, ASSISTANCE AND TRANSFER PAYMENTS				
(a) Interest on overpayment of taxes	GPR	S	500,000	500,000
(am) Great Lakes protection fund contribution	GPR	C	2,000,000	2,000,000
(b) Election campaign payments	GPR	S	410,000	400,000
(c) Minnesota income tax reciprocity	GPR	S	23,700,000	25,500,000
(ca) Minnesota income tax reciprocity bench mark	GPR	A	-0-	-0-
(e) Transfer to conservation fund; land acquisition reimbursement	GPR	S	241,200	241,200
(q) Terminal tax distribution	SEG	S	1,150,000	1,200,000
(s) Transfer to conservation fund; motorboat formula	SEG	S	5,380,800	5,768,200
(t) Transfer to conservation fund; snowmobile formula	SEG	S	2,330,400	2,406,300
(u) Transfer to conservation fund; all-terrain vehicle formula	SEG	S	205,300	205,300
(4) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			26,851,200	28,641,200
SEGREGATED FUNDS			9,066,500	9,579,800
OTHER	(		9,066,500)	9,579,800)
TOTAL-ALL SOURCES			35,917,700	38,221,000
(5) STATE HOUSING AUTHORITY RESERVE FUND				
(a) Enhancement of credit of authority debt	GPR	A	-0-	-0-
(5) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			-0-	-0-
TOTAL-ALL SOURCES			-0-	-0-
(6) MISCELLANEOUS RECEIPTS				
(g) Gifts and grants	PR	C	-0-	-0-
(h) Vehicle and aircraft receipts	PR	A	-0-	-0-
(i) Miscellaneous program revenue	PR	A	-0-	-0-
(j) Custody accounts	PR	C	-0-	-0-
(k) Aids to individuals and organizations	PR-S	C	-0-	-0-
(ka) Local assistance	PR-S	C	-0-	-0-
(m) Federal aid	PR-F	C	-0-	-0-
(pz) Indirect cost reimbursements	PR-F	C	-0-	-0-
(6) PROGRAM TOTALS				
PROGRAM REVENUE			-0-	-0-
FEDERAL	(		-0-)	-0-)
OTHER	(		-0-)	-0-)
SERVICE	(		-0-)	-0-)
TOTAL-ALL SOURCES			-0-	-0-
(7) DEBT COLLECTIONS				
(j) Delinquent support payments	PR	C	-0-	-0-
(7) PROGRAM TOTALS				

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1991-92	1992-93
PROGRAM REVENUE			-0-	-0-
OTHER	(		-0-)	-0-)
TOTAL-ALL SOURCES			-0-	-0-
(8) DATA PROCESSING SERVICE CENTERS				
(k) Wilson street regional data processing service center	PR-S	A	16,447,600	16,447,600
(ka) Hill farms regional data processing service center	PR-S	A	18,185,100	18,185,100
(kb) GEF regional data processing service center	PR-S	A	-0-	-0-
(8) PROGRAM TOTALS				
PROGRAM REVENUE			34,632,700	34,632,700
SERVICE	(		34,632,700)	34,632,700)
TOTAL-ALL SOURCES			34,632,700	34,632,700
(0) MILWAUKEE PUBLIC MUSEUM				
(a) Large screen theater				
(0) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			500,000	-0-
TOTAL-ALL SOURCES			500,000	-0-
20.855 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			41,676,200	45,006,200
PROGRAM REVENUE			34,632,700	34,632,700
FEDERAL	(		-0-)	-0-)
OTHER	(		-0-)	-0-)
SERVICE	(		34,632,700)	34,632,700)
SEGREGATED FUNDS			9,066,500	9,579,800
OTHER	(		9,066,500)	9,579,800)
TOTAL-ALL SOURCES			85,375,400	89,218,700

Vetoed
in Part

20.865 Program supplements

(1) EMPLOYE COMPENSATION AND SUPPORT				
(a) Judgments and legal expenses	GPR	S	50,000	50,000
(c) Compensation and related adjustments	GPR	S	-0-	-0-
(ci) Nonrepresented university system faculty and academic pay adjustments	GPR	S	-0-	-0-
(d) Employer fringe benefit costs	GPR	S	9,187,100	9,187,100
(dm) Risk management--worker's compensation	GPR	S	3,675,000	4,200,000
(em) Financial services	GPR	A	672,000	701,400
(f) Risk management--state property	GPR	S	814,400	851,100
(fm) Risk management--liability	GPR	S	1,590,000	1,620,000
(fn) Physically handicapped supplements	GPR	A	6,900	6,900
(g) Judgments and legal expenses; program revenues	PR	S	-0-	-0-
(i) Compensation and related adjustments; program revenues	PR	S	-0-	-0-
(ic) Nonrepresented university system faculty and academic pay adjustments	PR	S	-0-	-0-
(j) Employer fringe benefit costs; program revenues	PR	S	-0-	-0-
(js) Financial services; program revenues	PR	S	-0-	-0-
(k) Risk management--worker's compensation; program revenues	PR	S	-0-	-0-

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1991-92	1992-93
(kg) Risk management--state property; program revenues	PR	S	-0-	-0-
(kr) Risk management--liability; program revenues	PR	S	-0-	-0-
(Ln) Physically handicapped supplements; program revenues	PR	S	-0-	-0-
(q) Judgments and legal expenses; segregated revenues	SEG	S	-0-	-0-
(s) Compensation and related adjustments; segregated revenues	SEG	S	-0-	-0-
(si) Nonrepresented university system faculty and academic pay adjustments	SEG	S	-0-	-0-
(t) Employer fringe benefit costs; segregated revenues	SEG	S	-0-	-0-
(ts) Financial services; segregated revenues	SEG	S	-0-	-0-
(u) Risk management--worker's compensation; segregated revenues	SEG	S	-0-	-0-
(ug) Risk management--state property; segregated revenues	SEG	S	-0-	-0-
(ur) Risk management--liability; segregated revenues	SEG	S	-0-	-0-
(vn) Physically handicapped supplements; segregated revenues	SEG	S	-0-	-0-
(1) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			15,995,400	16,616,500
PROGRAM REVENUE			-0-	-0-
OTHER	(		-0-)	-0-)
SEGREGATED FUNDS			-0-	-0-
OTHER	(		-0-)	-0-)
TOTAL-ALL SOURCES			15,995,400	16,616,500
(2) STATE PROGRAMS AND FACILITIES				
(a) Space management supplements	GPR	A	731,500	1,746,800
(ag) State-owned office rent supplement	GPR	A	1,412,600	2,725,300
(d) State deposit fund	GPR	S	-0-	-0-
(e) Maintenance of capitol and executive residence	GPR	A	3,647,700	3,758,500
(eb) Executive residence furnishings replacement	GPR	C	25,000	25,000
(em) Groundwater survey and analysis	GPR	A	231,200	231,200
(g) Space management supplements; program revenues	PR	S	-0-	-0-
(gg) State-owned office rent supplement; program revenues	PR	S	-0-	-0-
(j) State deposit fund; program revenues	PR	S	-0-	-0-
(L) Data processing and telecommunications study; program revenues	PR-S	S	-0-	-0-
(q) Space management supplements; segregated revenues	SEG	S	-0-	-0-
(qg) State-owned office rent supplement; segregated				

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SOURCE TYPE

1991-92

1992-93

revenues	SEG	S	-0-	-0-
(t) State deposit fund;				
segregated revenues	SEG	S	-0-	-0-
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			6,048,000	8,486,800
PROGRAM REVENUE			-0-	-0-
OTHER	(		-0-)	-0-)
SERVICE	(		-0-)	-0-)
SEGREGATED FUNDS			-0-	-0-
OTHER	(		-0-)	-0-)
TOTAL-ALL SOURCES			6,048,000	8,486,800
(3) TAXES AND SPECIAL CHARGES				
(a) Property taxes	GPR	S	-0-	-0-
(g) Property taxes; program				
revenues	PR	S	-0-	-0-
(i) Payments for municipal				
services; program revenues	PR	S	-0-	-0-
(q) Property taxes; segregated				
revenues	SEG	S	-0-	-0-
(s) Payments for municipal				
services; segregated revenues	SEG	S	-0-	-0-
(3) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			-0-	-0-
PROGRAM REVENUE			-0-	-0-
OTHER	(		-0-)	-0-)
SEGREGATED FUNDS			-0-	-0-
OTHER	(		-0-)	-0-)
TOTAL-ALL SOURCES			-0-	-0-
(4) JOINT COMMITTEE ON FINANCE SUPPLEMENTAL APPROPRIATIONS				
(a) General purpose revenue funds				
general program			3,024,500	
supplementation	GPR	B	4,324,500	5,453,800 Vetoed in Part
(g) Program revenue funds general				
program supplementation	PR	S	-0-	-0-
(u) Segregated funds general				
program supplementation	SEG	S	3,386,900	1,654,400
(4) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			4,324,500	5,453,800
PROGRAM REVENUE			-0-	-0-
OTHER	(		-0-)	-0-)
SEGREGATED FUNDS			3,386,900	1,654,400
OTHER	(		3,386,900)	1,654,400)
TOTAL-ALL SOURCES			7,711,400	7,108,200
(8) SUPPLEMENTATION OF PROGRAM REVENUE AND PROGRAM REV.-SERVICE APPROPRIATIONS				
(g) Supplementation of program				
revenue and program				
rev.-service appropriations	PR	S	-0-	-0-
(8) PROGRAM TOTALS				
PROGRAM REVENUE			-0-	-0-
OTHER	(		-0-)	-0-)
TOTAL-ALL SOURCES			-0-	-0-
20.865 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			26,367,900	30,557,100
PROGRAM REVENUE			-0-	-0-
OTHER	(		-0-)	-0-)
SERVICE	(		-0-)	-0-)
SEGREGATED FUNDS			3,386,900	1,654,400
OTHER	(3,386,900)	1,654,400)
TOTAL-ALL SOURCES			29,754,800	32,211,500

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SOURCE TYPE

1991-92

1992-93

20.866 Public debt

[CORRECTED: 1992-93]

(1) BOND SECURITY AND REDEMPTION FUND

(u) Principal repayment and interest	SEG	S	364,426,800	405,061,500
Allocated from agency appropriations	SEG	S	-364,426,800	-405,061,500
NET APPROPRIATION			-0-	-0-
20.866 DEPARTMENT TOTALS				
SEGREGATED FUNDS			-0-	-0-
OTHER	(		-0-)	-0-)
TOTAL-ALL SOURCES			-0-	-0-

20.867 Building commission

(1) STATE OFFICE BUILDINGS

(a) Principal repayment and interest; housing of state agencies	GPR	S	-0-	-0-
(b) Principal repayment and interest; capitol and executive residence	GPR	S	1,306,400	1,265,400
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			1,306,400	1,265,400
TOTAL-ALL SOURCES			1,306,400	1,265,400

(2) ALL STATE-OWNED FACILITIES

(b) Asbestos removal	GPR	A	1,000,000	1,000,000	Vetoed in Part
(c) Hazardous materials removal	GPR	A	750,000	1,000,000	
(f) Facilities maintenance and improvement	GPR	C	750,000	1,000,000	Vetoed in Part
(q) Building trust fund	SEG	C	-0-	-0-	
(r) Planning and design	SEG	C	-0-	-0-	
(u) Aids for buildings	SEG	C	-0-	-0-	
(v) Building program funding contingency	SEG	C	-0-	-0-	
(w) Building program funding	SEG	C	-0-	-0-	
(2) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES			2,500,000	3,000,000	
SEGREGATED FUNDS			-0-	-0-	
OTHER	(		-0-)	-0-)	
TOTAL-ALL SOURCES			2,500,000	3,000,000	

(3) STATE BUILDING PROGRAM

(a) Principal repayment and interest	GPR	S	5,799,800	15,782,400
(b) Principal repayment and interest	GPR	S	54,400	47,800
(c) Lease rental payments	GPR	S	-0-	-0-
(d) Interest rebates on obligation proceeds; general fund	GPR	S	-0-	-0-
(g) Principal repayment, interest and rebates; program revenues	PR-S	S	138,800	2,333,900
(h) Principal repayment, interest and rebates	PR-S	S	-0-	-0-
(i) Principal repayment, interest and rebates	PR-S	S	1,969,100	3,123,400
(k) Interest rebates on obligation proceeds; program revenues	PR-S	C	-0-	-0-
(q) Principal repayment and interest; segregated revenues	SEG	S	26,200	112,200
(r) Interest rebates on				

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STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1991-92	1992-93
obligation proceeds; conservation fund	SEG	S	-0-	-0-
(s) Interest rebates on obligation proceeds; transportation fund	SEG	S	-0-	-0-
(t) Interest rebates on obligation proceeds; veterans trust fund	SEG	S	-0-	-0-
(w) Bonding services	SEG	S	1,024,200	1,024,200
(3) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			5,854,200	15,830,200
PROGRAM REVENUE			2,107,900	5,457,300
SERVICE	(		2,107,900)	(5,457,300)
SEGREGATED FUNDS			1,050,400	1,136,400
OTHER	(		1,050,400)	(1,136,400)
TOTAL-ALL SOURCES			9,012,500	22,423,900
(4) CAPITAL IMPROVEMENT FUND INTEREST EARNINGS				
(q) Funding in lieu of borrowing	SEG	C	-0-	-0-
(r) Interest on veterans obligations	SEG	C	-0-	-0-
(4) PROGRAM TOTALS				
SEGREGATED FUNDS			-0-	-0-
OTHER	(		-0-)	(-0-)
TOTAL-ALL SOURCES			-0-	-0-
20.867 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			9,660,600	20,095,600
PROGRAM REVENUE			2,107,900	5,457,300
SERVICE	(		2,107,900)	(5,457,300)
SEGREGATED FUNDS			1,050,400	1,136,400
OTHER	(		1,050,400)	(1,136,400)
TOTAL-ALL SOURCES			12,818,900	26,689,300
20.875 Budget stabilization fund				
(1) TRANSFERS TO FUND				
(a) General fund transfer	GPR	A	-0-	-0-
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			-0-	-0-
TOTAL-ALL SOURCES			-0-	-0-
(2) TRANSFERS FROM FUND				
(q) Budget stabilization fund transfer	SEG	A	-0-	-0-
(2) PROGRAM TOTALS				
SEGREGATED FUNDS			-0-	-0-
OTHER	(		-0-)	(-0-)
TOTAL-ALL SOURCES			-0-	-0-
20.875 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			-0-	-0-
SEGREGATED FUNDS			-0-	-0-
OTHER	(		-0-)	(-0-)
TOTAL-ALL SOURCES			-0-	-0-
General Appropriations				
FUNCTIONAL AREA TOTALS				
GENERAL PURPOSE REVENUES			1,508,258,100	1,513,185,700
PROGRAM REVENUE			36,740,600	40,090,000
FEDERAL	(		-0-)	(-0-)
OTHER	(		-0-)	(-0-)
SERVICE	(		36,740,600)	(40,090,000)
SEGREGATED FUNDS			311,503,800	364,770,600
FEDERAL	(		-0-)	(-0-)

STATUTE, AGENCY AND PURPOSE

SOURCE TYPE

1991-92

1992-93

OTHER	(	311,503,800)	(	364,770,600)
SERVICE	(	-0-)	(	-0-)
LOCAL	(	-0-)	(	-0-)
TOTAL-ALL SOURCES		1,856,502,500		1,918,046,300

Vetoed
in Part

~~SECTION 216m. 20.115 (intro.) of the statutes is amended to read:~~
~~20.115 (title) Agriculture, food and trade, department of. (intro.) There is appropriated to the department of agriculture, food and trade and consumer protection for the following programs:~~

SECTION 217. 20.115 (1) (g) of the statutes is amended to read:

20.115 (1) (g) *Related services.* The amounts in the schedule for the conduct of services related to food and trade regulation, including special and overtime meat inspection services under s. 97.42 (3), and investigative and audit services under ss. 93.06 (6) (b), 100.06 (4) (1g) (c) and 100.07 (1). All moneys received from authorized service fees related to food and trade regulation shall be credited to this appropriation.

SECTION 218. 20.115 (1) (gb) of the statutes is amended to read:

20.115 (1) (gb) *Food regulation.* The amounts in the schedule for the regulation of food under chs. 93 and 97 to 99 and 98. All moneys received under ss. 93.06 (1r) and (1w), 93.09, 93.11, 97.17, 97.175, 97.20, 97.21, 97.22, 97.24, 97.27, 97.29, 97.30, 97.41, 98.145, and 98.146 and 99.02 for the regulation of food shall be credited to this appropriation, but any balance at the close of a biennium exceeding 20% of the previous fiscal year's expenditures under this appropriation shall lapse to the general fund.

SECTION 219. 20.115 (1) (gh) of the statutes is created to read:

20.115 (1) (gh) *Public warehouse regulation.* The amounts in the schedule for the administration and enforcement of ch. 99. All moneys received under s. 99.02 shall be credited to this appropriation.

SECTION 220. 20.115 (1) (gm) of the statutes is amended to read:

20.115 (1) (gm) (title) *Dairy trade regulation; dairy and farm product producer security.* The amounts in the schedule for the regulation of farm product procurement under s. 100.03, of dairy plant financial condition under s. 100.06 and of dairy trade practices in the dairy industry under s. 100.201. All moneys received under ss. 100.03 (3) (a) 3, 100.06 (9) and 100.201 (6) shall be credited to this appropriation, but any balance at the close of a fiscal biennium that exceeds 20% of the previous fiscal year's expenditures under this appropriation shall lapse to the general fund.

Vetoed
in Part

~~SECTION 220m. 20.115 (1) (hm) of the statutes is renumbered 20.455 (1) (hm) and amended to read:~~

~~20.455 (1) (hm) Mobile air conditioner fees. The amounts in the schedule for administration of the~~

~~mobile air conditioner servicing and refrigerant recycling programs. All moneys received from fees under s. 100.45 130.33 (5) (a) 3 shall be credited to this appropriation.~~

Vetoed
in Part

SECTION 221. 20.115 (1) (i) of the statutes is created to read:

20.115 (1) (i) *Sale of supplies.* The amounts in the schedule for the publication of food safety and consumer protection informational materials and for the purchase for sale of such informational supplies. All moneys received from the sale of those materials and supplies shall be credited to this appropriation.

~~SECTION 221e. 20.115 (1) (i) of the statutes, as created by 1991 Wisconsin Act ... (this act), is amended to read:~~

Vetoed
in Part

~~20.115 (1) (i) Sale of supplies. The amounts in the schedule for the publication of food safety and consumer protection informational materials and for the purchase for sale of such informational supplies. All moneys received from the sale of those materials and supplies shall be credited to this appropriation.~~

~~SECTION 221g. 20.115 (1) (jm) of the statutes is amended to read:~~

Vetoed
in Part

~~20.115 (1) (jm) Warehouse keeper and grain dealer regulation. All moneys received from the warehouse keeper inspection fees under s. 127.02 (3) (a) The amounts in the schedule for the administration and enforcement of the warehouse keepers and grain dealers security act under ch. 127. All moneys received from the warehouse keeper inspection fees under s. 127.02 (3) (b) and the grain dealer registration fees under s. 127.03 (3) shall be credited to this appropriation.~~

~~SECTION 221m. 20.115 (1) (q) of the statutes is renumbered 20.455 (1) (q) and amended to read:~~

Vetoed
in Part

~~20.455 (1) (q) Motor vehicle repair regulation. From the transportation fund, the amounts in the schedule for the enforcement of ch. Ag 432. Wis. adm. code rules relating to motor vehicle repair practices.~~

~~SECTION 221r. 20.115 (1) (u) of the statutes is renumbered 20.455 (1) (u) and amended to read:~~

~~20.455 (1) (u) Recyclable and nonrecyclable products regulation. From the recycling fund, the amounts in the schedule for the implementation and enforcement of ss. 100.29, 100.295 and 100.33 130.23, 130.24 and 130.26.~~

SECTION 222. 20.115 (2) (cm) of the statutes is repealed.

SECTION 223. 20.115 (2) (gb) of the statutes is amended to read:

20.115 (2) (gb) *Animal health and disease research; gifts and grants.* All moneys received from gifts, dona-

tions, grants and bequests for to carry out the purpose of funding animal health and disease research for which they are made.

SECTION 224r. 20.115 (2) (hm) of the statutes is repealed.

Vetoed in Part SECTION 226a. 20.115 (3) (c) of the statutes is created to read:

20.115 (3) (c). *Export trading company grant.* The amounts in the schedule to make a grant under 1991 Wisconsin Act ... (this act), section 9104 (6d).

SECTION 226r. 20.115 (3) (c) of the statutes, as created by 1991 Wisconsin Act ... (this act), is repealed.

SECTION 226s. 20.115 (3) (d) of the statutes is created to read:

20.115 (3) (d). *Marketing agency in common grant.* The amounts in the schedule to make a grant under 1991 Wisconsin Act (this act), section 9104 (6e).

SECTION 226t. 20.115 (3) (d) of the statutes, as created by 1991 Wisconsin Act (this act), is repealed.

SECTION 227. 20.115 (3) (ga) of the statutes is created to read:

20.115 (3) (ga). *Gifts and grants.* All moneys received from gifts and grants to carry out the marketing services purposes for which they are made.

Vetoed in Part SECTION 227m. 20.115 (3) (im) of the statutes is created to read:

20.115 (3) (im). *Milk price compensatory payments.* All moneys received as compensatory payments under s. 100.50 (6) (a), to provide compensation under s. 100.50 (6) (b).

SECTION 228. 20.115 (3) (k) of the statutes is repealed.

SECTION 228d. 20.115 (3) (L) of the statutes is created to read:

20.115 (3) (L). *Something special from Wisconsin promotion.* The amounts in the schedule for the advertising and promotion of the something special from Wisconsin slogan, mark and logo under s. 93.44. All moneys received from fees under s. 93.44 (4) shall be credited to this appropriation.

SECTION 228q. 20.115 (4) (a) of the statutes is amended to read:

20.115 (4) (a). *Aid to Wisconsin livestock breeders association.* The amounts in the schedule, less moneys available under par. (h), for the purpose of aid to the Wisconsin livestock breeders association for the conduct of junior livestock shows and other livestock educational programs under s. 93.31.

SECTION 228r. 20.115 (4) (b) of the statutes is amended to read:

20.115 (4) (b). *Aids to county and district fairs.* The amounts in the schedule, less moneys available under par. (g), to provide state aids to counties and agricultural societies, associations or boards and to incorporated dairy or livestock associations, not to exceed \$10,000 \$15,000 per fair as provided in s. 93.23. If the

total due to the several counties and agricultural societies under this paragraph exceeds the amount herein appropriated, the department shall equitably prorate this appropriation.

SECTION 229. 20.115 (4) (cm) of the statutes is repealed.

SECTION 230. 20.115 (4) (f) of the statutes is repealed.

~~SECTION 230c. 20.115 (4) (fg) of the statutes is created to read:~~

~~20.115 (4) (fg). *Fairground improvements.* The amounts in the schedule for state aids to counties for fairground improvements under 1991 Wisconsin Act ... (this act), section 9104 (4p).~~

Vetoed in Part

SECTION 230e. 20.115 (4) (h) of the statutes is created to read:

20.115 (4) (h). *Pari-mutuel racing supplemental aid to Wisconsin livestock breeders association.* All moneys transferred from the appropriation under s. 20.192 (1) (g) 1r to provide aid to the Wisconsin livestock breeders association for the conduct of junior livestock shows and other livestock educational programs under s. 93.31.

SECTION 230m. 20.115 (7) (a) of the statutes is amended to read:

20.115 (7) (a). *General program operations.* The amounts in the schedule for general program operations related to agricultural resource management other than agrichemical management.

SECTION 231. 20.115 (7) (e) of the statutes is repealed.

~~SECTION 231m. 20.115 (7) (gm) of the statutes is amended to read:~~

~~20.115 (7) (gm). *Seed testing and labeling.* All moneys received from fees under ss. 94.42 (3) and (4) and 94.43 (3). The amounts in the schedule for seed testing and labeling activities. All moneys received from fees under ss. 94.43 (3) and (4) and 94.45 (3) shall be credited to this appropriation.~~

Vetoed in Part

SECTION 232. 20.115 (7) (ha) of the statutes is amended to read:

20.115 (7) (ha). *Liming material research funds.* ~~The amounts in the schedule~~ All moneys received under s. 94.66 (9) for research on liming materials or crop response to liming materials and other purposes as specified under s. 94.66 (9). ~~All moneys received under s. 94.66 (9) shall be credited to this appropriation.~~

SECTION 235m. 20.115 (7) (i) of the statutes is repealed.

SECTION 236. 20.115 (7) (ig) of the statutes is amended to read:

20.115 (7) (ig). *Plat review.* ~~The amounts in the schedule~~ All moneys received from service fees for plat review, for plat review services. ~~All moneys received for plat review services shall be credited to this appropriation.~~

Vetoed
in Part

~~SECTION 236m. 20.115 (7) (k) of the statutes is amended to read:~~

~~20.115 (7) (k) *Agricultural resource management services.* All moneys received from other state agencies. The amounts in the schedule for agricultural resource management. All moneys received from other state agencies for agricultural resource management shall be credited to this appropriation.~~

SECTION 236n. 20.115 (7) (r) of the statutes is created to read:

20.115 (7) (r) *General program operations; agrichemical management.* From the agrichemical management fund, the amounts in the schedule for general program operations related to agrichemical management.

SECTION 236p. 20.115 (7) (s) of the statutes is amended to read:

20.115 (7) (s) *Groundwater — standards; implementation.* From the ~~environmental~~ agrichemical management fund, the amounts in the schedule to develop groundwater standards and implement ch. 160.

SECTION 236q. 20.115 (7) (t) of the statutes is created to read:

20.115 (7) (t) *Fertilizer, additives and commercial feed regulation.* From the agrichemical management fund, the amounts in the schedule for the regulation of fertilizer, soil and plant additives and commercial feed.

SECTION 236r. 20.115 (7) (u) of the statutes is created to read:

20.115 (7) (u) *Pesticide certification and regulation.* From the agrichemical management fund, the amounts in the schedule for the certification and regulation of pesticides.

SECTION 236s. 20.115 (7) (v) of the statutes is created to read:

20.115 (7) (v) *Chemical and container disposal.* From the agrichemical management fund, the amounts in the schedule for chemical and container collection grants under s. 93.55.

SECTION 237. 20.115 (8) (d) of the statutes is repealed.

SECTION 238. 20.115 (8) (g) of the statutes is amended to read:

20.115 (8) (g) *Gifts and grants.* ~~All~~ Except as provided in sub. (2) (gb) or (3) (ga), all moneys received from gifts and grants to carry out the purposes for which made.

SECTION 239. 20.115 (8) (gm) of the statutes is created to read:

20.115 (8) (gm) *Enforcement cost recovery.* The amounts in the schedule for the purpose of enforcement. Except as provided in s. 93.20 (4), all moneys received by the department pursuant to a court order under s. 93.20 (2) as reimbursement of enforcement costs, or as part of a settlement agreement or deferred prosecution agreement that includes amounts for

enforcement costs described in s. 93.20 (3) shall be credited to this appropriation.

~~SECTION 240. 20.115 (8) (h) of the statutes is amended to read:~~

~~20.115 (8) (h) *Sale of material and supplies.* All moneys received from the sale of publications and other informational material and supplies. The amounts in the schedule for the preparation of informational publications and material and for the purchase of such supplies. Except as provided in subs. (1) (i) and (2) (h), all moneys received from the sale of informational publications, materials and supplies shall be credited to this appropriation.~~

Vetoed
in Part

~~SECTION 240c. 20.115 (8) (ha) of the statutes is amended to read:~~

~~20.115 (8) (ha) *General laboratory related services.* All moneys received from service fees. The amounts in the schedule for the performance of general laboratory services under s. 93.06 and other laws under which the department performs testing services. All moneys received from service fees under s. 93.06 and other laws under which the department performs testing services shall be credited to this appropriation. The department may not transfer money from any appropriation under this section to this appropriation.~~

SECTION 242. 20.115 (8) (j) of the statutes is amended to read:

20.115 (8) (j) *Stray voltage program.* The amounts in the schedule for the administration of s. 93.41 ~~by the department of agriculture, trade and consumer protection.~~ All moneys received under ss. 97.41 ~~93.41~~ (1) and 196.857 (1) (b) shall be credited to this appropriation. ~~This~~ The amount specified in the schedule under par. (jb) shall be transferred from the appropriation under this paragraph to the appropriation under par. (jb) in each fiscal year. No moneys may be encumbered under this paragraph does not apply after August 31, 1994 ~~1993~~.

SECTION 243. 20.115 (8) (jb) of the statutes is created to read:

20.115 (8) (jb) *Stray voltage research.* Biennially, the amounts in the schedule for the purposes of s. 93.41 (2m). All moneys transferred from par. (j) shall be credited to this appropriation. No moneys may be encumbered under this paragraph after August 31, 1993.

SECTION 243m. 20.115 (8) (k) of the statutes is created to read:

20.115 (8) (k) *Computer system equipment, staff and services.* The amounts in the schedule for the costs of computer system equipment, staff and services. All moneys transferred for this purpose from pars. (ga), (gm), (ha), (i), (j), (kp), (ks) and (m) and subs. (1) (g), (gb), (gh), (gm), (hm), (im), (j), (jm) and (m), (2) (g), (j) and (m), (3) (g), (h), (i), (j) and (m) and (7) (g), (ga), (gm), (ig), (k) and (m) shall be credited to this appropriation.

SECTION 243mm. 20.115 (8) (k) of the statutes, as created by 1991 Wisconsin Act (this act), is amended to read:

20.115 (8) (k) *Computer system equipment, staff and services.* The amounts in the schedule for the costs of computer system equipment, staff and services. All moneys transferred for this purpose from pars. (ga), (gm), (ha), (i), (j), (kp), (ks) and (m) and subs. (1) (g), (gb), (gh), (gm), (hm), (im), (j), (jm) and (m), (2) (g), (j) and (m), (3) (g), (h), (i), (j) and (m) and (7) (g), (ga), (gm), (ig), (k) and (m) shall be credited to this appropriation.

SECTION 244. 20.115 (8) (kL) of the statutes is amended to read:

20.115 (8) (kL) *Central services.* All moneys received from the department for program-specific services that are performed centrally, except moneys received under par. (km) or (kp), for the purpose of performing those services.

SECTION 245. 20.115 (8) (km) of the statutes is amended to read:

20.115 (8) (km) *General laboratory services.* Biennially, the amounts in the schedule for the costs of the services performed by the department's central laboratory. All moneys received from the department and other agencies for those services shall be credited to this appropriation.

SECTION 246. 20.115 (8) (kp) of the statutes is created to read:

20.115 (8) (kp) *General laboratory services; other agencies.* All moneys received from general laboratory service fees from other state agencies for the costs of general laboratory services performed by the department under s. 93.06 (1p).

SECTION 247. 20.115 (9) (a) of the statutes is amended to read:

20.115 (9) (a) *General program operations.* The amounts in the schedule for general program operations under ss. 93.50 and 93.51. ~~This paragraph does not apply after June 30, 1991.~~

SECTION 248. 20.115 (9) (m) of the statutes is amended to read:

20.115 (9) (m) *Federal funds.* All federal moneys received as authorized by the governor under s. 16.54 for the programs under ss. 93.50 and 93.51. ~~This paragraph does not apply after June 30, 1991.~~

SECTION 249. 20.141 (1) (m) of the statutes is created to read:

20.141 (1) (m) *Credit union examinations, federal funds.* All moneys received from the federal government as authorized by the governor under s. 16.54 as partial reimbursement for annual credit union examinations, for the purpose of conducting annual examinations.

SECTION 249m. 20.143 (1) (a) of the statutes, as affected by 1989 Wisconsin Act 31, section 234e, is amended to read:

20.143 (1) (a) *General program operations.* The amounts in the schedule for general program operations under subchs. I and III to ~~VH~~ VIII of ch. 560.

SECTION 250m. 20.143 (1) (bs) of the statutes is renumbered 20.835 (7) (a) and amended to read:

20.835 (7) (a) (title) *Supplemental state school aid.* The amounts in the schedule for payments to school districts under s. ~~560.18~~ 16.40 (20), which are calculated under s. 121.085.

SECTION 251. 20.143 (1) (c) of the statutes, as affected by 1989 Wisconsin Act 185, is amended to read:

20.143 (1) (c) *Wisconsin development fund, grants and loans.* Biennially, the amounts in the schedule for grants and loans under ss. 560.62, 560.625, 560.63 and, 560.64, ~~except grants and loans in amounts greater than \$250,000, and 560.66; for loans under ss. 560.16 and 560.165; for grants under ss. 560.145 and 560.665; for the program under s. 560.193; for grants and loans under 1989 Wisconsin Act 336, section 3015 (1m); for grants and loans under 1991 Wisconsin Act 336, section 9.15 (4a) and (4b); and for the payment under 1991 Wisconsin Act 336, section 9.15 (4c).~~

Vetoed
in Part
Vetoed
in Part
Vetoed
in Part

SECTION 251c. 20.143 (1) (cm) of the statutes is created to read:

20.143 (1) (cm) *Capital access program grant.* Biennially, the amounts in the schedule for the grant under s. 560.194. No moneys may be encumbered under this paragraph after June 30, 1993.

SECTION 251m. 20.143 (1) (d) of the statutes, as affected by 1989 Wisconsin Act 336, is repealed.

SECTION 252c. 20.143 (1) (df) of the statutes is created to read:

20.143 (1) (df) *American Indian economic development; technical assistance.* The amounts in the schedule for grants under s. 560.875 (1).

SECTION 252g. 20.143 (1) (dg) of the statutes is amended to read:

20.143 (1) (dg) (title) *American Indian economic development; liaison.* The amounts in the schedule for the American Indian economic liaison program under s. ~~560.075~~ 560.87, other than for grants under s. ~~560.075 (2) (f)~~ 560.87 (6).

SECTION 252h. 20.143 (1) (dh) of the statutes is amended to read:

20.143 (1) (dh) (title) *American Indian economic development; liaison — grants.* The amounts in the schedule for the grants under s. ~~560.075 (2) (f)~~ 560.87 (6).

~~SECTION 252i. 20.143 (1) (di) of the statutes is created to read:~~

~~20.143 (1) (di) *American Indian economic development; development financing — capital.* Biennially, the amounts in the schedule for grants under s. 560.88. No moneys may be encumbered from this appropriation after June 30, 1995.~~

Vetoed
in Part

SECTION 253. 20.143 (1) (dp) of the statutes is repealed.

SECTION 253r. 20.143 (1) (ez) of the statutes is created to read:

20.143 (1) (ez) *Economic development conference.* The amounts in the schedule for the 23rd annual joint conference of the midwest U.S.-Japan association and the Japan-midwest U.S. association. No moneys may be encumbered under this paragraph after December 31, 1991.

SECTION 254. 20.143 (1) (f) of the statutes is repealed.

Vetoed in Part SECTION 254s. 20.143 (1) (fc) of the statutes is created to read:

20.143 (1) (fc) *Nurse-midwife loan assistance program; repayments.* Biennially, the amounts in the schedule for loan repayments under s. 560.184.

SECTION 254d. 20.143 (1) (fd) of the statutes is amended to read:

20.143 (1) (fd) (title) *Physician and nurse-midwife loan assistance programs; contract.* Biennially, the amounts in the schedule for contracting under s. ss. 560.183 (3) and 560.184 (8).

SECTION 254e. 20.143 (1) (fe) of the statutes is amended to read:

20.143 (1) (fe) *Physician loan assistance program; repayments.* Biennially As a continuing appropriation, the amounts in the schedule for loan repayments under s. 560.183.

SECTION 254f. 20.143 (1) (fg) of the statutes is amended to read:

20.143 (1) (fg) *Community-based economic development programs.* The amounts in the schedule for grants under s. 560.14 and for grants under 1991 Wisconsin Act (this act), section 9115 (1k), (3w) and (4h).

SECTION 254L. 20.143 (1) (fg) of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

20.143 (1) (fg) *Community-based economic development programs.* The amounts in the schedule for grants under s. 560.14.

Vetoed in Part SECTION 254m. 20.143 (1) (fh) of the statutes is created to read:

20.143 (1) (fh) *Economic development potential of the arts.* Biennially, the amounts in the schedule to pay the contractor to study and report on the economic development potential of the arts under 1991 Wisconsin Act (this act), section 9115 (2w).

Vetoed in Part SECTION 254p. 20.143 (1) (fi) of the statutes is created to read:

20.143 (1) (fi) *Commercial fishing compensation.* The amounts in the schedule for commercial fishing compensation under s. 560.135.

SECTION 255. 20.143 (1) (fm) of the statutes, as affected by 1989 Wisconsin Act 31, section 238, is amended to read:

20.143 (1) (fm) *Minority business projects; grants and loans.* Biennially, the amounts in the schedule for grants under s. 560.82 and, grants and loans under s. 560.83 and the grants under 1991 Wisconsin Act (this act), section 9115 (1g), (1h), (1i) and (1j).

Vetoed in Part

SECTION 256. 20.143 (1) (fm) of the statutes, as affected by 1989 Wisconsin Act 31 and 1991 Wisconsin Act (this act), is repealed and recreated to read:

20.143 (1) (fm) *Minority business projects; grants and loans.* Biennially, the amounts in the schedule for grants under s. 560.82 and grants and loans under s. 560.83.

SECTION 256g. 20.143 (1) (fr) of the statutes is created to read:

20.143 (1) (fr) *Day care financing programs.* As a continuing appropriation, the amounts in the schedule for low interest loans to group day care centers under s. 560.205 (3) and for combination grants and low interest loans to family day care centers under s. 560.205 (4).

Vetoed in Part

SECTION 256s. 20.143 (1) (fz) of the statutes is repealed.

SECTION 256w. 20.143 (1) (gr) of the statutes is repealed.

SECTION 257. 20.143 (1) (ie) of the statutes is amended to read:

20.143 (1) (ie) *Wisconsin development fund, repayments.* All moneys received in repayment of grants or loans under s. 560.085 (4) (b), 1985 stats., s. 560.16, subch. V of ch. 560 except s. 560.65, 1989 Wisconsin Act 336, section 3015 (1m), 1989 Wisconsin Act 336, section 3015 (2m) and, 1989 Wisconsin Act 336, section 3015 (3gx) and 1991 Wisconsin Act (this act), section 9115 (4m), and all moneys received under the program under s. 560.195, to be used for grants and loans under subch. V of ch. 560 except s. 560.65, for loans under ss. 560.16 and 560.165 and for the program under s. 560.195.

Vetoed in Part

Vetoed in Part

Vetoed in Part

SECTION 258. 20.143 (1) (j) of the statutes is repealed.

SECTION 258b. 20.143 (1) (jl) of the statutes is created to read:

20.143 (1) (jl) *Nurse-midwife loan assistance program; local contributions.* All moneys received under s. 560.184 (6) to be used for loan repayments under s. 560.184.

Vetoed in Part

SECTION 258g. 20.143 (1) (jr) of the statutes is created to read:

20.143 (1) (jr) *Day care financing; loan repayments.* All moneys received in repayment of loans under s. 560.205 (3) and (4) to be used for grants and loans under s. 560.205 (3) and (4).

Vetoed in Part

SECTION 258j. 20.143 (1) (s) of the statutes is amended to read:

20.143 (1) (s) *Wisconsin development fund; recycling loans, assistance.* ~~From~~ Biennially, from the recycling

fund, the amounts in the schedule for recycling loans under s. 560.65.

SECTION 258k. 20.143 (1) (u) of the statutes is amended to read:

20.143 (1) (u) *Minority business recycling development; grants and loans.* ~~From~~ Biennially, from the recycling fund, the amounts in the schedule for recycling development project grants and loans under s. 560.835.

SECTION 258m. 20.143 (1) (v) of the statutes is created to read:

20.143 (1) (v) *Economic diversification; mining.* From the investment and local impact fund, the amounts in the schedule to provide technical assistance for economic diversification under s. 560.03 (4m).

Vetoed in Part SECTION 258p. 20.143 (2) (a) of the statutes is amended to read:

20.143 (2) (a) *General program operations.* The amounts in the schedule for general program operations under subch. II of ch. 560, except for those functions under ss. 560.23 (4) and 560.29, and for the grants under 1991 Wisconsin Act ... (this act), section 9115 (3m) and (3p).

SECTION 258r. 20.143 (2) (a) of the statutes, as affected by 1991 Wisconsin Act ... (this act), is repealed and recreated to read:

20.143 (2) (a) *General program operations.* The amounts in the schedule for general program operations under subch. II of ch. 560 except for those functions under ss. 560.23 (4) and 560.29.

SECTION 259. 20.143 (2) (b) of the statutes is amended to read:

20.143 (2) (b) *Tourism marketing.* The amounts in the schedule for tourism marketing service expenses and the execution of the functions under ss. 560.23 (4),

Vetoed in Part ~~560.33 and 560.29 and for the local heritage tourism program grants under 1991 Wisconsin Act ... (this act), section 9115 (5c).~~

Vetoed in Part ~~Of the amounts under this paragraph not more than 50%, but not less than \$200,000 in each fiscal year, shall be set aside to be used to match funds allocated under s. 560.29 by private or public organizations, including regional tourism development corporations, for the promotion joint effort marketing of tourism in cooperation with the state.~~

SECTION 259c. 20.143 (2) (b) of the statutes, as affected by 1991 Wisconsin Act ... (this act), is repealed and recreated to read:

Vetoed in Part 20.143 (2) (b) *Tourism marketing.* The amounts in the schedule for tourism marketing service expenses and the execution of the functions under ss. 560.23 (4), ~~560.33 and 560.29.~~ Of the amounts under this paragraph, not more than 50% shall be used to match funds allocated under s. 560.29 by private or public organizations for the joint effort marketing of tourism with the state.

SECTION 260. 20.143 (2) (bm) of the statutes is amended to read:

20.143 (2) (bm) *Heritage tourism program.* The Biennially, the amounts in the schedule to establish and operate the heritage tourism program under s. 560.31, and for grants under 1991 Wisconsin Act ... (this act), section 9115 (5c).

SECTION 260b. 20.143 (2) (bm) of the statutes, as affected by 1991 Wisconsin Act ... (this act), is repealed and recreated to read:

20.143 (2) (bm) *Heritage tourism program.* Biennially, the amounts in the schedule to establish and operate the heritage tourism program under s. 560.31.

SECTION 261. 20.143 (2) (c) of the statutes is repealed.

~~SECTION 261m. 20.143 (2) (cm) of the statutes is created to read:~~

~~20.143 (2) (cm) *Big Top Chautauqua grants.* The amounts in the schedule for the grants under 1991 Wisconsin Act ... (this act), section 9115 (3g).~~

~~SECTION 261n. 20.143 (2) (cn) of the statutes, as affected by 1991 Wisconsin Act ... (this act), is repealed.~~

SECTION 261q. 20.143 (2) (d) of the statutes is created to read:

20.143 (2) (d) *Christopher Columbus quincentennial grants.* Biennially, the amounts in the schedule to make the grants under 1991 Wisconsin Act ... (this act), section 9115 (2f).

SECTION 261r. 20.143 (2) (d) of the statutes, as created by 1991 Wisconsin Act ... (this act), is repealed.

SECTION 263. 20.143 (2) (r) of the statutes is repealed.

SECTION 264. 20.143 (4) (d) of the statutes is repealed.

SECTION 264q. 20.145 (7) (a) of the statutes is amended to read:

20.145 (7) (a) (title) *Premium and deductible reduction subsidy.* Biennially, the amounts in the schedule for the purpose of subsidizing premium reductions under s. 619.165 and ~~deductibles~~ deductible reductions under s. 619.14 (5) (a).

SECTION 265. 20.145 (7) (g) of the statutes is created to read:

20.145 (7) (g) *Premium and deductible reduction subsidy; insurer assessments and penalties.* All moneys received from insurer assessments and penalties under s. 619.135 for subsidizing premium reductions under s. 619.165 and deductible reductions under s. 619.14 (5) (a).

SECTION 267. 20.155 (1) (L) of the statutes is amended to read:

20.155 (1) (L) *Stray voltage program.* The amounts in the schedule for any activity of the public service commission under s. 196.857. All moneys received under s. 196.857 (1) (a) and (2m) for such activity shall be credited to this appropriation. This No moneys may be encumbered under this paragraph does not apply after August 31, 1994 1993.

Vetoed in Part

SECTION 268. 20.155 (1) (Lb) of the statutes is amended to read:

20.155 (1) (Lb) *Gifts for stray voltage program.* All moneys received from gifts and grants for the purpose of the stray voltage program. This No moneys may be encumbered under this paragraph does not apply after August 31, 1991 1993.

SECTION 269. 20.155 (1) (n) of the statutes is created to read:

20.155 (1) (n) *Indirect costs reimbursement.* All moneys received from the federal government as reimbursement of indirect costs of grants and contracts, for the purposes authorized under s. 16.54 (9) (b).

SECTION 270m. 20.190 (1) (h) of the statutes is amended to read:

20.190 (1) (h) *State fair operations.* The amounts in the schedule for general program operations. All moneys received for or on account of the state fair, state fair park or other events and all moneys received from the lease of the Olympic ice training center under s. 42.11 (3) shall be credited to this appropriation. The unencumbered balance of this appropriation on June 30 of each year shall be transferred to the appropriation under par. (i).

SECTION 270n. 20.190 (1) (jm) of the statutes is created to read:

20.190 (1) (jm) *Gifts and grants.* All moneys received from gifts, grants and bequests to be used for the construction, repair and operation of the state fair park and the appurtenant buildings and equipment in accordance with the purposes for which made.

SECTION 271. 20.192 (1) (a) of the statutes is repealed.

SECTION 273. 20.192 (1) (g) (intro.) of the statutes is repealed and recreated to read:

20.192 (1) (g) *General program operations.* (intro.) The amounts in the schedule for the regulation of racing under ch. 562. All moneys received under ss. 562.02 (2) (f), 562.04 (1) (b) 4 and (2) (d), 562.05 (2), 562.065 (3) (d) and (e) 2 and (4) and 562.09 (2) (e) shall be credited to this appropriation. The unencumbered balance in this appropriation on June 30 of each fiscal year which exceeds 10% of that fiscal year's expenditures by the racing board for the regulation of racing under ch. 562, but not more than the total amount received during that fiscal year under s. 562.065 (3) (d) and (e) 2 and (4), shall be transferred as follows:

SECTION 274. 20.192 (1) (g) 1 of the statutes is amended to read:

20.192 (1) (g) 1. An amount equal to \$750,000 \$650,000 shall be transferred to the appropriation under s. 20.115 (4) (g), except as provided in subd. 1m.

SECTION 275. 20.192 (1) (g) 1m of the statutes is repealed.

SECTION 275d. 20.192 (1) (g) 1r of the statutes is created to read:

20.192 (1) (g) 1r. After the transfer under subd. 1, \$50,000 shall be transferred to the appropriation under s. 20.115 (4) (h).

SECTION 275f. 20.192 (1) (g) 1s of the statutes is created to read:

20.192 (1) (g) 1s. After the transfers under subds. 1 and 1r, \$200,000 shall be transferred to the appropriation under sub. (2) (hm).

SECTION 275h. 20.192 (1) (g) 1s of the statutes, as created by 1991 Wisconsin Act (this act), is repealed.

SECTION 276m. 20.192 (1) (g) 2 of the statutes is amended to read:

20.192 (1) (g) 2. Any amount remaining after the ~~transfer under subd. 1 shall be transferred to the appropriation under sub. (2) (g) transfers under subds. 1 and 1r shall lapse to the general fund.~~

SECTION 276n. 20.192 (1) (g) 2 of the statutes, as affected by 1991 Wisconsin Act (this act), section 276m, is amended to read:

20.192 (1) (g) 2. Any amount remaining after the transfers under subds. 1 ~~and 1r~~ to 1s shall lapse to the general fund.

SECTION 276p. 20.192 (1) (g) 2 of the statutes, as affected by 1991 Wisconsin Act (this act), sections 276m and 276n, is repealed and recreated to read:

20.192 (1) (g) 2. Any amount remaining after the transfers under subds. 1 and 1r shall lapse to the general fund.

SECTION 278. 20.192 (2) (g) of the statutes is repealed.

SECTION 279g. 20.192 (2) (hm) of the statutes is created to read:

20.192 (2) (hm) *Special programs.* All moneys transferred from the appropriation under sub. (1) (g) 1s, to be distributed by the racing board as follows:

1. An amount equal to \$75,000 shall be distributed to the university of Wisconsin school of veterinary medicine for greyhound research.

~~2. An amount equal to \$75,000 shall be distributed to groups in this state that are affiliates of gamblers anonymous.~~

~~3. An amount equal to \$50,000 shall be distributed to humane societies in this state.~~

~~4. If the amount available for distribution under subds. 1 to 3 is less than \$200,000, 37.5% of the amount available shall be distributed under subd. 1, 37.5% of the amount available shall be distributed under subd. 2 and 25% of the amount available shall be distributed under subd. 3.~~

SECTION 279h. 20.192 (2) (hm) of the statutes, as created by 1991 Wisconsin Act (this act), is repealed.

SECTION 280. 20.195 (1) (r) of the statutes is created to read:

Vetoed
in Part

20.195 (1) (r) *Retailer compensation.* From the lottery fund, a sum sufficient to pay compensation to retailers under s. 565.10 (14) (b).

SECTION 281. 20.195 (1) (s) of the statutes is amended to read:

20.195 (1) (s) *Prizes.* From the lottery fund ~~under s. 25.75~~, a sum sufficient to pay holders of winning lottery tickets or lottery shares under ch. 565.

SECTION 282. 20.195 (1) (v) of the statutes is created to read:

20.195 (1) (v) *On-line vendor fees.* From the lottery fund, a sum sufficient to pay vendors for on-line services and supplies provided by the vendors under contract under s. 565.25 (2) (a).

SECTION 283. 20.215 (1) (b) of the statutes is amended to read:

20.215 (1) (b) *State aid for the arts.* The amounts in the schedule for grants-in-aid or contract payments to groups, individuals, organizations and institutions by the arts board under s. 44.53 (1) (f) and (j) and (2) (a) and for grants and loans related to arts incubators under s. 44.60.

SECTION 284. 20.215 (1) (f) of the statutes is repealed.

SECTION 288m. 20.235 (1) (d) of the statutes is amended to read:

20.235 (1) (d) *Dental education contract.* 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 ~~\$5,217~~ \$8,500 in the ~~1989-90~~ 1991-92 fiscal year and ~~\$5,447~~ \$11,000 in the ~~1990-91~~ 1992-93 fiscal year and annually thereafter 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 is ~~400~~ 93 in the ~~1989-90~~ 1991-92 fiscal year and ~~90~~ 115 in the ~~1990-91~~ 1992-93 fiscal year.

SECTION 288p. 20.235 (1) (fy) of the statutes is amended to read:

20.235 (1) (fy) *Academic excellence higher education scholarships.* ~~The Biennially,~~ the amounts in the schedule for payments to institutions of higher education under s. 39.41.

SECTION 289. 20.245 (3) (title) of the statutes is amended to read:

20.245 (3) (title) HISTORIC AND BURIAL SITES PRESERVATION.

SECTION 290. 20.245 (3) (a) of the statutes is amended to read:

20.245 (3) (a) *General program operations.* The amounts in the schedule for general program operations of the historic preservation program under subch. II of ch. 44, the catalog of burial sites under s. 157.70 (2) (i) and excavations and analyses of burial sites under s. 157.70 (4) (c) 3. a.

~~Vetoed in Part~~ SECTION 290e. 20.245 (3) (b) of the statutes is created to read:

~~20.245 (3) (b) *Historical markers council; staff support.* The amounts in the schedule to provide staff support to the historical markers council under s. 44.02 (27).~~

~~SECTION 290e. 20.245 (3) (c) of the statutes is created to read:~~

~~20.245 (3) (c) *Historical markers; cost-sharing grants.* The amounts in the schedule for cost-sharing grants for historical markers under s. 44.15 (4).~~

~~SECTION 290f. 20.245 (3) (d) of the statutes is created to read:~~

~~20.245 (3) (d) *Historical markers; state-funded markers and plaques.* The amounts in the schedule for state-funded historical markers and plaques under s. 44.15 (5).~~

~~SECTION 290g. 20.245 (4) (fm) of the statutes is created to read:~~

~~20.245 (4) (fm) *Heritage arts tourism.* The amounts in the schedule for heritage arts tourism under s. 44.18.~~

SECTION 291. 20.245 (6) (title) of the statutes is repealed.

SECTION 292. 20.245 (6) (a) of the statutes is repealed.

SECTION 293. 20.245 (6) (g) of the statutes is renumbered 20.245 (3) (gm).

SECTION 293m. 20.250 (1) (c) of the statutes is created to read:

20.250 (1) (c) *Area health education centers and projects.* The amounts in the schedule to implement jointly with the university of Wisconsin-Madison medical school area health education centers and projects.

~~SECTION 293r. 20.255 (1) (ep) of the statutes is amended to read:~~

~~20.255 (1) (ep) *Environmental education grants.* The As a continuing appropriation, the amounts in the schedule for environmental education grants under s. 115.375 (2).~~

~~SECTION 294g. 20.255 (1) (ea) of the statutes is created to read:~~

~~20.255 (1) (ea) *Aid to multitype library systems.* The amounts in the schedule for state aid under s. 43.25.~~

SECTION 294m. 20.255 (1) (fa) of the statutes is created to read:

20.255 (1) (fa) *Very special arts.* The amounts in the schedule for very special arts Wisconsin, incorporated.

~~SECTION 294n. 20.255 (1) (fd) of the statutes is created to read:~~

~~20.255 (1) (fd) *Advanced placement examinations; private school pupils.* The amounts in the schedule to reimburse private high school pupils for the costs of advanced placement examinations under s. 115.28 (11).~~

~~SECTION 294p. 20.255 (1) (ff) of the statutes is created to read:~~

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part ~~20.255 (1) (fi) *Fishing has no boundaries.* The amounts in the schedule for Amerifish, incorporated, to offset costs associated with its fishing has no boundaries program.~~

SECTION 295. 20.255 (1) (fw) of the statutes is repealed.

SECTION 296. 20.255 (1) (kw) of the statutes is repealed.

SECTION 296m. 20.255 (1) (Ls) of the statutes is created to read:

20.255 (1) (Ls) *Services for school boards.* The amounts in the schedule for services provided to school boards. All moneys received from school boards for services provided to the school boards to pay for the cost of such services shall be credited to this appropriation.

SECTION 297. 20.255 (1) (ms) of the statutes is amended to read:

20.255 (1) (ms) *Federal funds; individuals and organizations.* All federal moneys received as authorized under s. 16.54 to directly or indirectly aid or assist individuals or nongovernmental organizations. ~~Any funds received in repayment for expenditures made under this paragraph for appliances, X-rays, emergency hospitalization, emergency medical care or transportation to or from a hospital, for physically disabled children under orthopedic care, which had been authorized by the division for handicapped children and pupil services, pending other arrangements for final payments, shall be credited to this appropriation.~~

Vetoed in Part ~~SECTION 298m. 20.255 (2) (ah) of the statutes is created to read:~~

~~20.255 (2) (ah) *School aid hold harmless.* The amounts in the schedule for aid to school districts under 1991 Wisconsin Act ... (this act), section 91.45 (8b). No moneys may be encumbered from this appropriation after June 30, 1992.~~

Vetoed in Part ~~SECTION 299g. 20.255 (2) (ap) of the statutes is created to read:~~

~~20.255 (2) (ap) *Advanced placement examinations; public school pupils.* The amounts in the schedule to reimburse school districts for the costs of advanced placement examinations taken by public high school pupils under s. 115.28 (11).~~

SECTION 300. 20.255 (2) (bo) of the statutes is repealed.

Vetoed in Part ~~SECTION 300e. 20.255 (2) (bs) of the statutes is created to read:~~

~~20.255 (2) (bs) *Family involvement in education grants.* Biennially, the amounts in the schedule for family involvement in education grants under s. 115.40.~~

Vetoed in Part ~~SECTION 300i. 20.255 (2) (ce) of the statutes is created to read:~~

~~20.255 (2) (ce) *Community education programs.* The amounts in the schedule for grants to school districts for community education programs under s. 115.405.~~

SECTION 300m. 20.255 (2) (cw) of the statutes is created to read:

20.255 (2) (cw) *Aid for transportation to institutions of higher education.* The amounts in the schedule for the payment of state aid for the transportation of pupils attending an institution of higher education under s. 118.37 (7g).

~~SECTION 300s. 20.255 (2) (dm) of the statutes is amended to read:~~

~~20.255 (2) (dm) *Grants for early alcohol and other drug abuse prevention and intervention programs.* The amounts in the schedule for the contract under s. 115.28 (32) and for head start supplements and grants to school districts under s. 115.361. No money encumbered from the appropriation under this paragraph after June 30, 1993.~~

~~SECTION 301m. 20.255 (2) (ds) of the statutes is created to read:~~

~~20.255 (2) (ds) *Grants for management restructuring programs.* Biennially, the amounts in the schedule for a grant to the school district operating under ch. 119 for management restructuring programs under s. 119.85.~~

SECTION 302. 20.255 (2) (e) of the statutes is repealed.

SECTION 303. 20.255 (2) (ec) of the statutes is amended to read:

20.255 (2) (ec) *Aid to Milwaukee public schools.* The amounts in the schedule to correct the academic deficiencies of educationally and economically disadvantaged pupils and to achieve a more effective and responsive educational program in the school district operating under ch. 119. In the 1989-90 1991-92 fiscal year, the amount in the schedule shall be distributed as provided under ss. 119.71, 119.72, 119.74, 119.75 and 119.78 and 119.82. In the 1990-91 1992-93 fiscal year, the amount in the schedule, other than the amount specified under s. 119.82 (3), shall be distributed according to the spending plan under s. 119.80. The department of public instruction may not distribute any funds in the appropriation under this paragraph in the 1990-91 1992-93 fiscal year, other than the funds specified under s. 119.82 (3), until the spending plan for that fiscal year has been approved under s. 119.80.

SECTION 303m. 20.255 (2) (em) of the statutes is repealed.

~~SECTION 303p. 20.255 (2) (eo) of the statutes is created to read:~~

~~20.255 (2) (eo) *Postsecondary enrollment options program.* The amounts in the schedule to reimburse school districts for payments made to institutions of higher education under s. 118.37 (7r).~~

SECTION 305. 20.255 (2) (fi) of the statutes is repealed.

~~SECTION 305g. 20.255 (2) (fo) of the statutes is created to read:~~

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part 20.255 (2) (fo) *Human growth and development teacher training.* The amounts in the schedule for teacher training in the instruction of human growth and development under s. 118.019 (7).

SECTION 305i. 20.255 (2) (fg) of the statutes is created to read:

20.255 (2) (fg) *Adolescent pregnancy prevention projects.* The amounts in the schedule for grants to school districts under s. 115.42.

SECTION 308. 20.255 (2) (v) of the statutes is renumbered 20.255 (2) (fx) and amended to read:

20.255 (2) (fx) *Grants for drug abuse resistance education.* ~~From the racing fund, the~~ The amounts in the schedule for grants to school districts for drug abuse resistance education under s. 115.36 (4). ~~No money may be encumbered from the appropriation under this paragraph after June 30, 1993~~ 115.361 (2).

SECTION 309. 20.255 (2) (w) of the statutes is renumbered 20.255 (2) (fy) and amended to read:

20.255 (2) (fy) *Youth alcohol and other drug abuse programs.* ~~From the racing fund, the~~ The amounts in the schedule for youth alcohol and other drug abuse programs under s. 115.362.

Vetoed in Part SECTION 309m. 20.285 (1) (b) of the statutes is created to read:

20.285 (1) (b) *Bear and deer population research.* The amounts in the schedule for research on black bear and white-tailed deer populations under s. 36.25 (8m). ~~No moneys may be encumbered from this appropriation after June 30, 1993.~~

SECTION 309t. 20.285 (1) (eo) of the statutes is created to read:

20.285 (1) (eo) *Extension outreach.* The amounts in the schedule for university of Wisconsin-extension outreach services.

SECTION 310. 20.285 (1) (L) of the statutes is repealed.

SECTION 310m. 20.285 (1) (qt) of the statutes is created to read:

20.285 (1) (qt) *Research on tin-can scrap.* Biennially, from the recycling fund, the amounts in the schedule for the university of Wisconsin-Madison college of engineering to conduct research on the utilization of tin-can scrap by ferrous foundries. The board of regents may not spend any moneys from this appropriation unless the university of Wisconsin-Madison college of engineering has received at least \$50,000 for such research from private sources. No moneys may be encumbered from this appropriation after June 30, 1993.

SECTION 311. 20.285 (1) (v) of the statutes is renumbered 20.285 (1) (fx) and amended to read:

20.285 (1) (fx) *Alcohol and other drug abuse prevention and intervention.* ~~From the racing fund, the~~ The amounts in the schedule for alcohol and other drug abuse prevention and intervention programs under s. 36.48.

SECTION 312. 20.285 (2) (a) 2 of the statutes is repealed.

SECTION 313. 20.285 (4) (de) of the statutes is amended to read:

20.285 (4) (de) *Pilot minority student tuition award program.* The amounts in the schedule for the pilot minority student tuition award program under s. 36.34 (2). No moneys may be encumbered under this paragraph after June 30, 1992 1994.

SECTION 313r. 20.292 (1) (bm) of the statutes is created to read:

20.292 (1) (bm) *Workplace literacy resource center.* The amounts in the schedule for the workplace literacy resource center under s. 38.04 (23).

SECTION 314. 20.292 (1) (c) of the statutes is amended to read:

20.292 (1) (c) (title) *Minority student participation and retention grants.* The amounts in the schedule for minority student participation and retention grants under s. 38.04 (8) 38.26.

Vetoed in Part SECTION 314m. 20.292 (1) (ck) of the statutes is created to read:

20.292 (1) (ck) *College for kids program.* The amounts in the schedule for the college for kids program under s. 38.04 (19).

SECTION 315. 20.292 (1) (d) of the statutes is amended to read:

20.292 (1) (d) *State aid for vocational, technical and adult education.* The amounts in the schedule for state aids for districts and schools of vocational, technical and adult education, including area schools and programs established and maintained under the supervision of the board to be distributed under s. 38.28. Of the amount in the schedule for each year not exceeding \$50,000 may be spent by the board to match federal funds made available for vocational, technical and adult education by any act of congress for the purposes set forth in such act. Of the amounts in the schedule, \$25,800 annually shall be distributed under s. 38.28 for apprenticeship curriculum development. If, in any fiscal year, actual program fees raised under s. 38.24 (4) (1m) exceed board estimates, the increase shall be used to offset actual district aidable cost.

Vetoed in Part SECTION 315m. 20.292 (1) (dc) of the statutes is amended to read:

20.292 (1) (dc) *Incentive grants.* ~~As a continuing appropriation, the~~ The amounts in the schedule for incentive grants to district boards under s. 38.27.

SECTION 315p. 20.292 (1) (dd) of the statutes is created to read:

20.292 (1) (dd) *Farm training program tuition grants.* The amounts in the schedule for farm training program tuition grants under s. 38.272.

SECTION 316. 20.292 (1) (de) of the statutes is created to read:

20.292 (1) (de) *Services for handicapped students; local assistance.* The amounts in the schedule for grants to district boards under s. 38.38.

SECTION 320. 20.292 (1) (L) of the statutes is created to read:

20.292 (1) (L) *Services for district boards.* The amounts in the schedule for services provided to vocational, technical and adult education district boards. All moneys received from vocational, technical and adult education district boards or other persons for services provided to the district boards to pay for the cost of such services shall be credited to this appropriation.

SECTION 322. 20.292 (1) (w) of the statutes is repealed.

Vetoed in Part SECTION 322k. 20.292 (2) (a) of the statutes is amended to read:

20.292 (2) (a) *General program operations.* The amounts in the schedule for general program operations under s. 38.51. ~~This paragraph does not apply after June 30, 1988.~~

Vetoed in Part SECTION 322m. 20.292 (2) (c) of the statutes is created to read:

20.292 (2) (c) *Emergency retraining grants.* Biennially, the amounts in the schedule for emergency retraining grants under 1991 Wisconsin Act ... (this act), section 9159 (4w). ~~This paragraph does not apply after June 30, 1993.~~

SECTION 322md. 20.292 (2) (g) of the statutes is amended to read:

20.292 (2) (g) (title) *Proprietary school programs.* The amounts in the schedule for the examination and approval of proprietary school programs. All moneys received from the issuance of solicitor's permits under s. 38.51 (8) and ~~proprietary school application fees~~ under s. 38.51 (10) shall be credited to this appropriation.

SECTION 323. 20.320 (1) (b) of the statutes is repealed.

SECTION 325. 20.320 (1) (d) of the statutes is repealed.

SECTION 326b. 20.370 (1) (da) of the statutes is amended to read:

20.370 (1) (da) *Water resources — Fox river management; general fund.* As a continuing appropriation from the general fund, the amounts in the schedule for the management and operation of the Fox river locks and facilities, for expenses of the Fox river management commission under s. 30.93 and for sediment sampling and mapping of the Fox river. No moneys may be encumbered under this paragraph after the date on which the governor makes the certification under s. 30.94 (8).

SECTION 327. 20.370 (1) (db) of the statutes is repealed.

SECTION 327c. 20.370 (1) (di) of the statutes is amended to read:

20.370 (1) (di) *Water resources — Fox river management; gifts and contributions.* From the general fund, all moneys received from gifts, grants, bequests,

devises, donations and contributions for the management and operation of the Fox river locks and facilities and for expenses of the Fox river management commission to be used for those purposes. No moneys may be encumbered under this paragraph after the date on which the governor makes the certification under s. 30.94 (8).

SECTION 327g. 20.370 (1) (dj) of the statutes is amended to read:

20.370 (1) (dj) *Water resources — Fox river management; fees.* From the general fund, all moneys received from user fees imposed under s. 30.93 (4) for the management and operation of the Fox river locks and facilities and for expenses of the Fox river management commission under s. 30.93. No moneys may be encumbered under this paragraph after the date on which the governor makes the certification under s. 30.94 (8).

SECTION 327m. 20.370 (1) (dn) of the statutes is amended to read:

20.370 (1) (dn) *Water resources — Fox river management; federal moneys.* From the general fund, all moneys received from the federal government for the management and operation of the Fox river locks and facilities and for expenses of the Fox river management commission, as authorized by the governor under s. 16.54, to be used for these purposes. No moneys may be encumbered under this paragraph after the date on which the governor makes the certification under s. 30.94 (8).

SECTION 327r. 20.370 (1) (dq) of the statutes is amended to read:

20.370 (1) (dq) *Water resources — Fox river management.* Biennially, the amounts in the schedule for the management and operation of the Fox river locks and facilities, for expenses of the Fox river management commission under s. 30.93 and, before July 1, 1991, for the implementation of the April 1989 long-range plan prepared by the east central Wisconsin regional planning commission and the lower Fox river/Winnebago pool long-range plan task force. No moneys may be encumbered under this paragraph after the date on which the governor makes the certification under s. 30.94 (8).

SECTION 327s. 20.370 (1) (ea) of the statutes is amended to read:

20.370 (1) (ea) *Parks — general program operations.* From the general fund, the amounts in the schedule equivalent to the portion of the appropriation under par. (mu) allocated for the operation of the state parks and state recreation areas under s. 23.091 and ch. 27 and the remainder of the amounts in the schedule to be transferred to the state fair park board for the operation of the Olympic ice rink under s. 23.35 1991 Wisconsin Act (this act), section 9242 (3g).

SECTION 327sm. 20.370 (1) (ea) of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

20.370 (1) (ea) *Parks — general program operations.* From the general fund, the amounts in the schedule equivalent to the portion of the appropriation under par. (mu) allocated for the operation of the state parks and state recreation areas under s. 23.091 and ch. 27.

SECTION 327sn. 20.370 (1) (ed) of the statutes is repealed.

SECTION 328. 20.370 (1) (er) of the statutes is created to read:

20.370 (1) (er) *Parks and forests — recycling activities.* From the recycling fund, the amounts in the schedule for the recycling of solid waste generated in state forests, in state parks and on other recreational lands managed by the department.

SECTION 328m. 20.370 (1) (fe) of the statutes is created to read:

20.370 (1) (fe) *Endangered resources — general fund.* 1. From the general fund, a sum sufficient in fiscal year 1992-93 and in each fiscal year thereafter that equals the sum of the amount certified in that fiscal year under s. 71.10 (5) (h) 3 for the previous fiscal year and the amounts received under s. 20.370 (1) (gr) in that fiscal year for the purposes of the endangered resources program, as defined in s. 71.10 (5) (a) 2. The amount appropriated under this subdivision may not exceed \$500,000 in a fiscal year.

2. From the general fund, a sum sufficient in fiscal year 1991-92 that equals the sum of the amount certified in fiscal year 1991-92 under s. 71.10 (5) (h) 3 for fiscal year 1990-91 and the amounts received under s. 20.370 (1) (gr) after the effective date of this subdivision [revisor inserts date], and before July 1, 1992. The amount appropriated under this subdivision may not exceed \$450,000 for the purposes of the endangered resources program, as defined in s. 71.10 (5) (a) 2.

Vetoed in Part SECTION 328n. 20.370 (1) (fr) of the statutes is created to read:

20.370 (1) (fr) *Endangered resources — elk reintroduction.* Biennially, the amounts in the schedule for elk reintroduction under 1991 Wisconsin Act (this act), section 9142 (14c). No moneys may be encumbered under this paragraph after June 30, 1993.

SECTION 328p. 20.370 (1) (fs) of the statutes is amended to read:

Vetoed in Part 20.370 (1) (fs) *Endangered resources — voluntary payments and fees.* As a continuing appropriation, from moneys received from the endangered resources voluntary payments as amounts designated under ss. 71.10 (5) (b), 71.30 (10) (b) and 71.49 (2m) (b), the net amounts certified under s. 71.10 (5) (h) 4 and all moneys received from fees collected under s. 29.092 (11) (g) and (h), for the purposes of the endangered resources program, as defined under s. 71.10 (5) (a) 2. Three-percent of the moneys certified under s. 71.10 (5) (h) 4 in each fiscal year, but not to exceed \$100,000, shall be

allocated for wildlife damage control and payment of claims for damage associated with endangered or threatened species.

SECTION 328s. 20.370 (1) (gr) of the statutes is created to read:

20.370 (1) (gr) *Endangered resources program — gifts and grants.* All moneys received from gifts, grants and bequests for the endangered resources program, as defined under s. 71.10 (5) (a) 2, to be expended for the purposes for which made and received.

SECTION 330m. 20.370 (1) (hn) of the statutes is created to read:

20.370 (1) (hn) *Water resources — Fox-Winnebago restoration; federal moneys.* From the general fund, all moneys received from the federal government for the Fox-Winnebago regional management commission for the restoration and repair of the Fox river navigational system under s. 30.94.

SECTION 331. 20.370 (1) (hq) of the statutes is created to read:

20.370 (1) (hq) *Resource acquisition and development — Mississippi and St. Croix rivers management.* As a continuing appropriation, the amounts in the schedule for river management activities for habitat and recreational projects on the Mississippi and lower St. Croix rivers and for environmental and resource management studies on the Mississippi and lower St. Croix rivers.

SECTION 332. 20.370 (1) (hr) of the statutes is created to read:

20.370 (1) (hr) *Resource acquisition and development — pheasant restoration.* All moneys received under s. 29.1025 for developing, managing, preserving, restoring and maintaining habitat to increase the wild pheasant population in the state.

SECTION 333c. 20.370 (1) (is) of the statutes is amended to read:

20.370 (1) (is) *Lake research; voluntary contributions.* As a continuing appropriation, all moneys received from the fishing and boating voluntary contributions under ss. 29.092 (3r) and 30.52 (3m) to be used for the purposes specified thereunder research conducted by the department to determine methods of improving the quality of the lakes in this state and for promotional activities and materials to encourage voluntary contributions under ss. 29.092 (3r) (b) and 30.52 (3m) (b).

SECTION 333g. 20.370 (1) (jq) of the statutes is created to read:

20.370 (1) (jq) *Dam repair and removal — principal repayment and interest.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of \$3,000,000 of principal plus interest costs incurred in financing the aid program for dams under s. 20.866 (2) (tx).

SECTION 333r. 20.370 (1) (kc) of the statutes is amended to read:

20.370 (1) (kc) *Resource acquisition and development — principal repayment and interest.* From the

general fund, a sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the placement of structures and fill under s. 30.203, in financing the acquisition, construction, development, enlargement or improvement of state recreation facilities under s. 20.866 (2) (tp) and (tr), in financing state aids for land acquisition and development of local parks under s. 20.866 (2) (tq), in financing land acquisition activities under s. 20.866 (2) (ts) and (tt), in financing the aid program for dams under s. 20.866 (2) (tx), in financing ice age trail development under s. 20.866 (2) (tw) and in funding the stewardship program under s. 20.866 (2) (tz), but not including payments made under par. (iq) or sub. (4) (a) or (b).

Vetoed
in Part

SECTION 333w. 20.370 (1) (kd) of the statutes is repealed.

SECTION 334. 20.370 (1) (ku) of the statutes is amended to read:

20.370 (1) (ku) *Resource acquisition and development — Great Lakes trout and salmon.* All moneys received under ss. 29.14 (7) (c), 29.145 (3) (c) and 29.15 to provide additional funding for the trout and salmon rearing and stocking program for outlying waters and to administer s. 29.15.

SECTION 336. 20.370 (1) (mi) of the statutes is amended to read:

20.370 (1) (mi) *General program operations — private and public sources.* From the general fund, all moneys not otherwise appropriated that are received from public or private or public sources, other than state agencies and the federal government, for facilities, materials or services provided by the department relating to resource management to pay for costs and expenses associated with those facilities, materials or services.

SECTION 337. 20.370 (1) (mk) of the statutes is amended to read:

20.370 (1) (mk) *General program operations — service funds.* From the general fund, all moneys received by the department from the department and from other state agencies for facilities, materials or services provided by the department relating to resource management under an agreement or other arrangement with the department or other state agencies to pay for costs and expenses associated with those facilities, materials and or services, including natural resources research projects under s. 23.09 (2) (k).

SECTION 338. 20.370 (1) (mq) of the statutes is amended to read:

20.370 (1) (mq) *General program operations — state snowmobile trails and areas.* The amounts in the schedule from the snowmobile trail aids account in the conservation fund for state snowmobile trails and areas.

SECTION 338m. 20.370 (1) (ms) of the statutes is amended to read:

20.370 (1) (ms) (title) *General program operations — state all-terrain vehicle projects.* The amounts in the

schedule from moneys received from all-terrain vehicle registration fees under s. 23.33 (2) for state all-terrain vehicle areas and trails projects.

SECTION 340. 20.370 (1) (mu) of the statutes is amended to read:

20.370 (1) (mu) *General program operations — state funds.* The amounts in the schedule for general program operations under ss. 23.09 to 23.11 and 27.01 and 30.203, subch. VI of ch. 77 and chs. 26, 28 and 29.

SECTION 341. 20.370 (2) (ae) of the statutes is repealed.

SECTION 341m. 20.370 (2) (af) of the statutes is created to read:

20.370 (2) (af) *Water resources — remedial action.* As a continuing appropriation, the amounts in the schedule for remedial action in the Great Lakes and their tributaries under s. 144.10.

SECTION 342. 20.370 (2) (ag) of the statutes is repealed.

~~SECTION 343m. 20.370 (2) (bh) of the statutes is created to read:~~

~~20.370 (2) (bh) *Air management — vapor control administration.* The amounts in the schedule to administer programs related to vapor control systems for the control of ozone. All moneys transferred under s. 20.445 (1) (j) shall be credited to this appropriation.~~

Vetoed
in Part

SECTION 344. 20.370 (2) (cb) of the statutes is repealed.

SECTION 345. 20.370 (2) (ci) of the statutes is amended to read:

20.370 (2) (ci) *Air management — permit review and enforcement.* The amounts in the schedule for any purpose specified under s. 144.399 (1) and for other activities to reduce air pollution, as provided in s. 144.399 (6). All moneys received from fees imposed under s. 144.399, except moneys appropriated under par. (ei), shall be credited to this appropriation.

SECTION 346. 20.370 (2) (da) of the statutes is repealed.

SECTION 347. 20.370 (2) (dh) of the statutes is repealed.

SECTION 348. 20.370 (2) (dq) of the statutes is amended to read:

20.370 (2) (dq) *Solid waste management — waste management fund.* From the waste management fund, all moneys received in the waste management fund, except moneys appropriated under pars. (ds), (dt), (dy) and (dz), for the purpose of administering a program of corrective action, closure and long-term care of and environmental repairs to solid and hazardous waste facilities under s. 144.441 and for reimbursement under 1991 Wisconsin Act 1, this act, section 9142 (2w).

Vetoed
in Part

SECTION 349. 20.370 (2) (ds) of the statutes is repealed.

SECTION 350. 20.370 (2) (dt) of the statutes is amended to read:

20.370 (2) (dt) *Solid waste management — closure and long-term care.* From the waste management fund, all moneys received under s. 144.443 (1) (a) 1, 3 and 4 for compliance with closure and long-term care requirements under s. 144.443 (1) (b) 1.

SECTION 351. 20.370 (2) (dx) of the statutes is renumbered 20.370 (2) (my), and 20.370 (2) (my) (title), as renumbered, is amended to read:

20.370 (2) (my) (title) *General program operations — environmental fund; federal funds.*

SECTION 352. 20.370 (2) (ei) of the statutes is created to read:

20.370 (2) (ei) *Air management — asbestos abatement permit exemption fees.* All moneys received from fees imposed under s. 144.399 (1) (c) on persons proposing asbestos abatement projects for asbestos abatement inspections and other costs related to exempting those projects from air pollution control permits.

SECTION 353. 20.370 (2) (gr) of the statutes is amended to read:

20.370 (2) (gr) (title) *Solid waste management — mining programs.* From the investment and local impact fund, all moneys received under s. 70.395 (2) (j) for the purpose of making payments for the long-term care of mining waste sites under s. 144.441 (6) and received under s. 70.395 (2) (k) for the purpose of making payments for environmental repair of mining waste sites under s. 144.442.

SECTION 354. 20.370 (2) (gs) of the statutes is repealed.

SECTION 355. 20.370 (2) (hq) of the statutes is amended to read:

20.370 (2) (hq) *Recycling; administration.* From the recycling fund, the amounts in the schedule for the administration of subch. II of ch. 159, other than ss. 159.17, 159.21, ~~159.22~~, 159.23 and 159.25.

SECTION 356. 20.370 (2) (hr) of the statutes is repealed.

SECTION 357. 20.370 (2) (me) of the statutes is repealed.

SECTION 358. 20.370 (2) (mi) of the statutes is amended to read:

20.370 (2) (mi) (title) *General program operations — private and public sources.* All moneys not otherwise appropriated that are received from gifts and grants and under s. 144.025 (2) (n) to carry out the purposes for which made private or public sources, other than state agencies or the federal government, for facilities, materials or services provided by the department relating to its environmental quality functions to pay for expenses associated with those facilities, materials or services.

SECTION 359. 20.370 (2) (mk) of the statutes is amended to read:

20.370 (2) (mk) *General program operations — service funds.* All moneys received by the department from the department and from other state agencies for facilities, materials or services provided by the department relating to its environmental quality functions under an agreement or other arrangement with the department or other state agencies to pay for costs and expenses associated with those facilities, materials and or services.

SECTION 360. 20.370 (2) (mx) of the statutes is amended to read:

20.370 (2) (mx) *General program operations — clean water fund program; federal funds.* ~~From~~ As a continuing appropriation, from the federal revolving loan fund account in the clean water fund, the amounts in the schedule for general program operations under s. 144.241 or 144.2415.

SECTION 361. 20.370 (3) (aq) of the statutes is amended to read:

20.370 (3) (aq) *Law enforcement — snowmobile enforcement and safety training.* The amounts in the schedule from the snowmobile ~~enforcement and administration~~ account in the conservation fund for state law enforcement operations and ss. 350.055, 350.12 (4) (a) 2m, 3 and 3m and 350.155 for safety training and fatality reporting.

SECTION 361m. 20.370 (3) (as) of the statutes is amended to read:

20.370 (3) (as) *Law enforcement — all-terrain vehicle enforcement.* The amounts in the schedule from moneys received from all-terrain vehicle ~~registration fees under s. 23.33 (2)~~, for state law enforcement operations related to all-terrain vehicles, including actual enforcement, safety training, accident reporting and similar activities.

SECTION 362. 20.370 (3) (bh) of the statutes is amended to read:

20.370 (3) (bh) (title) *Water regulation and zoning — dam inspections and safety administration; general fund.* ~~The~~ From the general fund, the amounts in the schedule for dam inspections and safety administration under ch. 31. All moneys received from fees under s. 31.20, 1987 stats., shall be credited to this appropriation.

SECTION 363. 20.370 (3) (br) of the statutes is created to read:

20.370 (3) (br) *Water regulation and zoning — dam inspections and safety administration; conservation fund.* The amounts in the schedule for dam inspections and safety administration under ch. 31.

SECTION 365. 20.370 (3) (mg) of the statutes is repealed.

SECTION 367. 20.370 (3) (mi) of the statutes is created to read:

20.370 (3) (mi) *General program operations — private and public sources.* From the general fund, all moneys not otherwise appropriated that are received from private or public sources, other than state agencies and the federal government, for facilities, materi-

als or services provided by the department relating to enforcement of laws administered by it to pay for expenses associated with those facilities, materials or services.

SECTION 368. 20.370 (3) (mk) of the statutes is amended to read:

20.370 (3) (mk) *General program operations — service funds.* From the general fund, all moneys received by the department from the department and from other state agencies for facilities, materials or services provided by the department relating to enforcement of laws administered by it under an agreement or other arrangement with the department or other state agencies to pay for costs and expenses associated with those facilities, materials and services.

SECTION 370. 20.370 (4) (ar) of the statutes is amended to read:

20.370 (4) (ar) *Resource aids — county forests, forest croplands and managed forest land aids.* A sum sufficient to pay county forest aids under s. 28.11 (8) (a), forest croplands aids under subch. I of ch. 77 and managed forest land aids under ss. 77.85 (2) and 77.89 (1).

SECTION 370e. 20.370 (4) (av) of the statutes is created to read:

20.370 (4) (av) *Resource aids — urban forestry.* The amounts in the schedule for urban forestry grants under s. 23.097 and for planting along state highways under 1991 Wisconsin Act ... (this act), section 9142 (13b).

Vetoed
in Part

SECTION 370ed. 20.370 (4) (av) of the statutes, as created by 1991 Wisconsin Act ... (this act), is repealed and recreated to read:

20.370 (4) (av) *Resource aids — urban forestry.* The amounts in the schedule for urban forestry grants under s. 23.097.

Vetoed
in Part

SECTION 370m. 20.370 (4) (bb) of the statutes is amended to read:

20.370 (4) (bb) *Recreation aids — fish rearing ponds.* From the general fund, the amounts in the schedule to provide funding under 1989 Wisconsin Act 31, section 30.40 (14), no money may be encumbered from the appropriation under this paragraph after June 30, 1991 for grants to restore fish rearing ponds under s. 29.597.

SECTION 371. 20.370 (4) (bs) of the statutes is amended to read:

20.370 (4) (bs) *Recreation aids — county snowmobile trail and area aids.* As a continuing appropriation, the amounts in the schedule from the snowmobile trail aids account in the conservation fund to provide state aid to counties for snowmobile trails and areas consistent with the requirements of ss. 23.09 (26) and 350.12

Vetoed
in Part

(4) (b) and for a bridge under 1991 Wisconsin Act ... (this act), section 9142 (11w).

SECTION 371c. 20.370 (4) (bs) of the statutes, as affected by 1991 Wisconsin Act ... (this act), is repealed and recreated to read:

Vetoed
in Part

20.370 (4) (bs) *Recreation aids — county snowmobile trail and area aids.* As a continuing appropriation, the amounts in the schedule from the snowmobile account in the conservation fund to provide state aid to counties for snowmobile trails and areas consistent with the requirements of ss. 23.09 (26) and 350.12 (4) (b).

SECTION 371f. 20.370 (4) (bt) of the statutes is amended to read:

20.370 (4) (bt) *Recreation aids — snowmobile trail areas.* As a continuing appropriation, from the snowmobile account in the conservation fund an amount equal to the estimated snowmobile gas tax payment, as determined under s. 25.29 (1) (d), for the purposes specified under s. 350.12 (4) (b).

SECTION 371h. 20.370 (4) (bu) of the statutes is amended to read:

20.370 (4) (bu) (title) *Recreation aids — recreational boating projects; Milwaukee river study.* As a continuing appropriation, the amounts in the schedule for recreational boating projects aids under s. 30.92 and for the engineering and environmental study under s. 31.307.

SECTION 371k. 20.370 (4) (by) of the statutes is amended to read:

20.370 (4) (by) *Recreation aids — all-terrain vehicle project aids.* As a continuing appropriation, the amounts in the schedule from moneys received from all-terrain vehicle registration fees under s. 23.33 (2) to provide aid for local nonstate all-terrain vehicle projects.

SECTION 371m. 20.370 (4) (bz) of the statutes is amended to read:

20.370 (4) (bz) (title) *Recreation aids — all-terrain vehicle project aids; gas tax payment.* From the transportation fund, as As a continuing appropriation, an amount equal to the estimated all-terrain vehicle gas tax payment to provide aid for local nonstate all-terrain vehicle projects. The estimated all-terrain vehicle gas tax payment is calculated by multiplying the number of all terrain vehicles registered for public use under s. 23.33 (2) (c) on the last day of February of the previous fiscal year by 25 gallons and multiplying that product by the excise tax imposed under s. 78.01 (1).

SECTION 371p. 20.370 (4) (cd) of the statutes is renumbered 20.370 (4) (cr) and amended to read:

20.370 (4) (cr) *Environmental aids — household hazardous waste.* From the general environmental fund, the amounts in the schedule for grants to municipalities under the household hazardous waste collection and disposal program under s. 144.75.

SECTION 372c. 20.370 (4) (cf) of the statutes is renumbered 20.445 (1) (de) and amended to read:

20.445 (1) (de) (title) *Private sewage system replacement and rehabilitation*. ~~From the general fund, as~~ As a continuing appropriation, the amounts in the schedule for financial assistance under the private sewage system replacement and rehabilitation program. ~~Payments may be made from this appropriation for expenditures and for payment of encumbrances authorized under s. 144.24 (10), 1979 stats., and s. 144.245, regardless of when the encumbrances were incurred under s. 145.245.~~

SECTION 372e. 20.370 (4) (cg) of the statutes is created to read:

20.370 (4) (cg) *Environmental aids — vapor recovery grants*. All moneys received from the petroleum inspection fee under s. 168.12 (1r) for grants under s. 144.405 (5).

SECTION 373m. 20.370 (4) (cs) of the statutes is created to read:

20.370 (4) (cs) *Environmental aids — lake management grants*. From the transportation fund, as a continuing appropriation, the amounts in the schedule for lake management grants under s. 144.254.

Vetoed in Part SECTION 373mm. 20.370 (4) (st) of the statutes is amended to read:

~~20.370 (4) (st) *Environmental aids — waste reduction and recycling demonstration grants*. From the recycling fund, as a continuing appropriation, the amounts in the schedule for waste reduction and recycling demonstration grants under s. 159.25 and for the composting pilot project under 1991 Wisconsin Act ... (this act), section 91.42 (12).~~

SECTION 373nd. 20.370 (4) (cw) of the statutes is renumbered 20.370 (4) (cw) (intro.) and amended to read:

20.370 (4) (cw) *Environmental aids — municipal and county recycling grants*. (intro.) From the recycling fund, ~~as a continuing appropriation, the amounts in the schedule a sum sufficient for municipal and county grants under s. 159.23 and 1989 Wisconsin Act 335, section 85 (5); but not to exceed the following:~~

SECTION 373ne. 20.370 (4) (cw) 1 to 8 of the statutes are created to read:

20.370 (4) (cw) 1. In fiscal year 1991-92, \$18,500,000.

2. In fiscal year 1992-93, \$42,300,000 less the amount encumbered under subd. 1.

3. In fiscal year 1993-94, \$71,500,000 less the amount encumbered under subds. 1 and 2.

4. In fiscal year 1994-95, \$100,700,000 less the amount encumbered under subds. 1 to 3.

5. In fiscal year 1995-96, \$129,900,000 less the amount encumbered under subds. 1 to 4.

6. In fiscal year 1996-97, \$159,100,000 less the amount encumbered under subds. 1 to 5.

7. In fiscal year 1997-98, \$183,100,000 less the amount encumbered under subds. 1 to 6.

8. In fiscal year 1998-99, \$200,100,000 less the amount encumbered under subds. 1 to 7.

SECTION 373p. 20.370 (4) (da) of the statutes is amended to read:

20.370 (4) (da) *Environmental planning aids — local water quality planning*. From the general fund, the amounts in the schedule to provide state assistance to designated local agencies and to local governmental units that are not designated local agencies for water quality planning activities under s. 144.235.

SECTION 377d. 20.370 (4) (ea) of the statutes, as affected by 1989 Wisconsin Act 336, is amended to read:

20.370 (4) (ea) *Aids in lieu of taxes*. From the general fund, a sum sufficient to pay aids to municipalities for state lands under ss. 70.113 and 70.114 and to make payments to the Mercer school district under 1991 Wisconsin Act ... (this act), section 91.42 (13j).

SECTION 377e. 20.370 (4) (ea) of the statutes, as affected by 1989 Wisconsin Act 336 and 1991 Wisconsin Act ... (this act), is repealed and recreated to read:

20.370 (4) (ea) *Aids in lieu of taxes*. From the general fund, a sum sufficient to pay aids to municipalities for state lands under ss. 70.113 and 70.114.

SECTION 379. 20.370 (4) (ft) of the statutes is amended to read:

20.370 (4) (ft) *Enforcement aids — snowmobiling enforcement*. ~~The~~ As a continuing appropriation, the amounts in the schedule from the snowmobile ~~enforcement and administration~~ account in the conservation fund to provide law enforcement aids to counties as authorized under s. 350.12 (4) (a) 4 to be used exclusively for the enforcement of ch. 350.

SECTION 379m. 20.370 (4) (fu) of the statutes is amended to read:

20.370 (4) (fu) *Enforcement aids — all-terrain vehicle enforcement*. The amounts in the schedule from moneys received from all-terrain vehicle ~~registration~~ fees under s. 23.33 (2) for local law enforcement aids.

SECTION 380. 20.370 (4) (ga) of the statutes is amended to read:

20.370 (4) (ga) *Enforcement aids — spearfishing enforcement*. As a continuing appropriation from the general fund, the amounts in the schedule to make payments to counties and municipalities under s. 29.599 to reimburse them for certain law enforcement costs associated with spearfishing. On June 30 of each year, the unencumbered balance shall be transferred to the ~~drought assistance and development loan~~ Wisconsin development reserve fund under s. ~~234.92~~ 234.93.

SECTION 380d. 20.370 (4) (gb) of the statutes is amended to read:

20.370 (4) (gb) *Wildlife damage claims — general fund*. From the general fund, the amounts in the schedule to provide state aid to make wildlife damage claim payments under s. 29.598 (7) (d) for calendar year ~~1989~~ 1990.

SECTION 381. 20.370 (4) (gq) of the statutes is amended to read:

20.370 (4) (gq) *Wildlife damage claims and abatement.* All moneys received under s. ss. 29.092 (14) and 29.1075 (3) and not appropriated under sub. (1) (Ls) to provide state aid under the wildlife damage abatement program under s. 29.598 (5) (c) and the wildlife damage claim program under s. 29.598 (7) (d) and for county administration costs under s. 29.598 (2) (d).

SECTION 381m. 20.370 (4) (iq) of the statutes is amended to read:

20.370 (4) (iq) *Aids administration — all-terrain vehicle recreation.* The amounts in the schedule from moneys received from all-terrain vehicle registration fees under s. 23.33 (2) for the administration of local nonstate all-terrain vehicle aids, for expenses incurred by the off-the-road vehicle council and for related costs.

SECTION 382. 20.370 (4) (is) of the statutes is amended to read:

20.370 (4) (is) *Aids administration — snowmobile recreation.* The amounts in the schedule from the snowmobile enforcement and administration account in the conservation fund for the administration of snowmobile aids under s. 350.12 (4).

SECTION 383. 20.370 (4) (ix) of the statutes is amended to read:

20.370 (4) (ix) *Aids administration — clean water fund program; federal funds.* From As a continuing appropriation, from the federal revolving loan fund account in the clean water fund, the amounts in the schedule for the administration of s. 144.241 or 144.2415.

SECTION 384. 20.370 (4) (iz) of the statutes is repealed.

Vetoed in Part SECTION 384m. 20.370 (4) (ja) of the statutes is created to read:

20.370 (4) (ja) *Principal repayment and interest — urban rivers grants.* From the general fund, a sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in making urban rivers grants to municipalities under s. 30.277.

SECTION 386m. 20.370 (4) (jf) of the statutes is created to read:

20.370 (4) (jf) *Principal repayment and interest — nonpoint source grants.* From the general fund, a sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in making nonpoint source water pollution abatement grants to governmental units under s. 144.25.

SECTION 389. 20.370 (4) (kc) of the statutes is repealed.

SECTION 390. 20.370 (4) (kd) of the statutes is repealed.

SECTION 390m. 20.370 (4) (Lr) of the statutes is created to read:

20.370 (4) (Lr) *Regional visitors center building.* Biennially, the amounts in the schedule for planning and design costs for the regional visitors center under 1991 Wisconsin Act (this act), section 9142 (11g).

No moneys may be encumbered from the appropriation under this paragraph after June 30, 1993.

SECTION 392. 20.370 (8) (dq) of the statutes is amended to read:

20.370 (8) (dq) *Snowmobile registration.* The amounts in the schedule from the snowmobile enforcement and administration account in the conservation fund for snowmobile the registration of snowmobiles and the registration of persons under s. 350.12 (3) (c).

SECTION 392m. 20.370 (8) (ds) of the statutes is amended to read:

20.370 (8) (ds) *All-terrain vehicle administration.* The amounts in the schedule from moneys received from all-terrain vehicle registration fees under s. 23.33 (2) for the administration of the registration program under s. 23.33.

SECTION 393. 20.370 (8) (eq) of the statutes is amended to read:

20.370 (8) (eq) *Natural resources magazine.* All moneys received from subscriptions and other revenues generated by Wisconsin natural resources magazine, to be used for its production, handling and distribution, and for educational and informational activities concerning conservation and the environment.

Vetoed in Part

SECTION 394. 20.370 (8) (ir) of the statutes is amended to read:

20.370 (8) (ir) *Promotional activities and publications.* All moneys received from subscriptions and other revenues generated by promotional activities, photographs, slides, videotapes, artwork, publications and magazines and other periodicals, except the Wisconsin natural resources magazine, to be used for these promotional activities, photographs, slides, videotapes, artwork, publications and magazines. Notwithstanding s. 20.001 (3) (c), if the balance in this appropriation exceeds \$250,000 on June 30 of any fiscal year, the amount in excess of \$250,000 shall lapse to the conservation fund and for educational and informational activities concerning conservation and the environment.

SECTION 396. 20.395 (1) (as) of the statutes is repealed.

SECTION 397. 20.395 (1) (at) of the statutes is repealed.

SECTION 397m. 20.395 (1) (au) of the statutes is created to read:

20.395 (1) (au) *Grant to town of Sanborn; state funds.* The amounts in the schedule for a grant under 1991 Wisconsin Act ... (this act), section 9155 (7i). No moneys may be encumbered from this appropriation after June 30, 1992.

Vetoed in Part

SECTION 398am. 20.395 (1) (bs) of the statutes is created to read:

20.395 (1) (bs) *Demand management and ride-sharing grants, state funds.* The amounts in the schedule

for the demand management and ride-sharing grant program under s. 85.24 (3) (d).

Vetoed in Part SECTION 398a. 20.395 (1) (vc) of the statutes is created to read:

~~20.395 (1) (vc) Milwaukee county transit camera grants. From the general fund, the amounts in the schedule for grants to Milwaukee county for video surveillance equipment under s. 85.45.~~

SECTION 398b. 20.395 (2) (bq) of the statutes is amended to read:

20.395 (2) (bq) *Railroad facilities acquisition and railroad rehabilitation, state funds.* As a continuing appropriation, the amounts in the schedule for abandoned rail property and rail property improvements acquisition under s. 85.09, for grants under s. ~~85.063~~ (3) or 85.08 (4m) (c), (d) and (f), for capital advances under s. 85.08 (4m) (e) and for railroad planning and technical assistance under s. 85.08 (4). The amounts expended for grants under s. 85.08 (4m) (f) may not exceed \$300,000 annually.

SECTION 398c. 20.395 (2) (br) of the statutes is amended to read:

20.395 (2) (br) (title) *Rail passenger service, state funds.* Biennially, the amounts in the schedule for purposes of the ~~Amtrak service demonstration project under 1989 Wisconsin Act 31, section 3053 (7x)~~ rail passenger service assistance and promotion under s. 85.06.

SECTION 398m. 20.395 (2) (dq) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

20.395 (2) (dq) *Local airport development, state funds.* As a continuing appropriation, the amounts in the schedule for the state's share of airport projects under ss. 114.34 and 114.35 and; for developing air marking and other air navigational facilities; ~~for Milwaukee airport promotion; and for the purposes of 1991 Wisconsin Act (this act), section 9155 (5g) and (7j).~~

Vetoed in Part SECTION 398n. 20.395 (2) (dq) of the statutes, as affected by 1989 Wisconsin Act 31 and 1991 Wisconsin Act (this act), is repealed and recreated to read:

~~20.395 (2) (dq) Local airport development, state funds. As a continuing appropriation, the amounts in the schedule for the state's share of airport projects under ss. 114.34 and 114.35, for developing air marking and other air navigational facilities; and for Milwaukee airport promotion.~~

SECTION 398p. 20.395 (2) (fr) of the statutes is created to read:

20.395 (2) (fr) *Local roads improvement program, state funds.* As a continuing appropriation, the amounts in the schedule for the local roads improvement program under s. 86.31.

SECTION 400m. 20.395 (2) (hq) of the statutes is amended to read:

20.395 (2) (hq) (title) *Transportation corridor studies, state funds.* As a continuing appropriation, the

amounts in the schedule to make ~~transit~~ transportation corridor study grants, to pay transportation corridor study contracts entered into under s. 85.022 and for the purpose of 1991 Wisconsin Act (this act), section 9155 (3ug).

SECTION 400n. 20.395 (2) (hq) of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

20.395 (2) (hq) (title) *Transportation corridor studies, state funds.* As a continuing appropriation, the amounts in the schedule to make transportation corridor study grants and to pay transportation corridor study contracts entered into under s. 85.022.

SECTION 401. 20.395 (3) (cq) of the statutes is repealed and recreated to read:

20.395 (3) (cq) *State highway rehabilitation, state funds.* As a continuing appropriation, the amounts in the schedule for improvement of existing state trunk and connecting highways; for improvement of bridges on state trunk or connecting highways and other bridges for which improvement is a state responsibility, for necessary approach work for such bridges and for replacement of such bridges with at-grade crossing improvements; for the construction and rehabilitation of the national system of interstate and defense highways and bridges and related appurtenances; for special maintenance activities under s. 84.04 on roadside improvements; for bridges under s. 84.10; for payment to a local unit of government for a jurisdictional transfer under s. 84.02 (8); and, before July 1, 1995, for the disadvantaged business demonstration and training program under s. 84.076.

SECTION 402. 20.395 (3) (cv) of the statutes is repealed and recreated to read:

20.395 (3) (cv) *State highway rehabilitation, local funds.* All moneys received from any local unit of government or other source for the specific information sign program under s. 86.195; for improvement of existing state trunk and connecting highways; for improvement of bridges on state trunk or connecting highways and other bridges for which improvement is a state responsibility, for necessary approach work for such bridges and for replacement of such bridges with at-grade crossing improvements; for the construction and rehabilitation of the national system of interstate and defense highways and bridges and related appurtenances; for special maintenance activities under s. 84.04 on roadside improvements; for the railroad and utility alteration and relocation loan program under s. 84.065 and, before July 1, 1995, for the disadvantaged business demonstration and training program under s. 84.076, for such purposes.

SECTION 403. 20.395 (3) (cx) of the statutes is repealed and recreated to read:

20.395 (3) (cx) *State highway rehabilitation, federal funds.* All moneys received from the federal government for improvement of existing state trunk and connecting highways; for improvement of bridges on state trunk or connecting highways and other bridges for

which improvement is a state responsibility, for necessary approach work for such bridges and for replacement of such bridges with at-grade crossing improvements; for the construction and rehabilitation of the national system of interstate and defense highways and bridges and related appurtenances; for special maintenance activities under s. 84.04 on roadside improvements and, before July 1, 1995, for the disadvantaged business demonstration and training program under s. 84.076, for such purposes.

SECTION 404. 20.395 (3) (dq) of the statutes is repealed.

SECTION 405. 20.395 (3) (dv) of the statutes is repealed.

SECTION 406. 20.395 (3) (dx) of the statutes is repealed.

SECTION 407. 20.395 (3) (eq) of the statutes is repealed and recreated to read:

20.395 (3) (eq) *Highway maintenance, repair and traffic operations, state funds.* Biennially, the amounts in the schedule for the maintenance and repair of roadside improvements under s. 84.04, state trunk highways under s. 84.07 and bridges that are not on the state trunk highway system under s. 84.10; for highway operations such as permit issuance, pavement marking, highway signing, traffic signalization and highway lighting under ss. 84.04, 84.07, 84.10 and 348.25 to 348.27 and ch. 349; and, before July 1, 1995, for the disadvantaged business demonstration and training program under s. 84.076. This paragraph does not apply to special maintenance activities under s. 84.04 on roadside improvements.

SECTION 408. 20.395 (3) (ev) of the statutes is repealed and recreated to read:

20.395 (3) (ev) *Highway maintenance, repair and traffic operations, local funds.* All moneys received from any local unit of government or other sources for the maintenance and repair of roadside improvements under s. 84.04, state trunk highways under s. 84.07 and bridges that are not on the state trunk highway system under s. 84.10; for signing under s. 86.195; for highway operations such as permit issuance, pavement marking, highway signing, traffic signalization and highway lighting under ss. 84.04, 84.07, 84.10 and 348.25 to 348.27 and ch. 349; and, before July 1, 1995, for the disadvantaged business demonstration and training program under s. 84.076; for such purposes. This paragraph does not apply to special maintenance activities under s. 84.04 on roadside improvements.

SECTION 409. 20.395 (3) (ex) of the statutes is repealed and recreated to read:

20.395 (3) (ex) *Highway maintenance, repair and traffic operations, federal funds.* All moneys received from the federal government for the maintenance and repair of roadside improvements under s. 84.04, state trunk highways under s. 84.07 and bridges that are not on the state trunk highway system under s. 84.10; for highway operations such as permit issuance, pave-

ment marking, highway signing, traffic signalization and highway lighting under ss. 84.04, 84.07, 84.10 and 348.25 to 348.27 and ch. 349; and, before July 1, 1995, for the disadvantaged business demonstration and training program under s. 84.076; for such purposes. This paragraph does not apply to special maintenance activities under s. 84.04 on roadside improvements.

SECTION 410. 20.395 (3) (fq) of the statutes is repealed.

SECTION 411. 20.395 (3) (fv) of the statutes is repealed.

SECTION 412. 20.395 (3) (fx) of the statutes is repealed.

SECTION 413. 20.395 (3) (gq) of the statutes is repealed.

SECTION 414. 20.395 (3) (gv) of the statutes is repealed.

SECTION 415. 20.395 (3) (gx) of the statutes is repealed.

SECTION 416. 20.395 (3) (hq) of the statutes is repealed.

SECTION 417. 20.395 (3) (hv) of the statutes is repealed.

SECTION 418. 20.395 (3) (hx) of the statutes is repealed.

SECTION 419. 20.395 (3) (iq) of the statutes is amended to read:

20.395 (3) (iq) (title) *Administration and planning, state funds.* The amounts in the schedule for the administration and management planning of departmental programs by ~~the division of transportation districts or the division of highways and transportation facilities services~~ under subs. (1) to (3).

SECTION 420. 20.395 (3) (iv) of the statutes is amended to read:

20.395 (3) (iv) (title) *Administration and planning, local funds.* All moneys received from any local unit of government or other source for the administration and management planning of departmental programs by ~~the division of transportation districts or the division of highways and transportation facilities services~~ under subs. (1) to (3).

SECTION 421. 20.395 (3) (ix) of the statutes is amended to read:

20.395 (3) (ix) (title) *Administration and planning, federal funds.* All moneys received from the federal government for the administration and management planning of departmental programs by ~~the division of transportation districts or the division of highways and transportation facilities services~~ under subs. (1) to (3).

SECTION 422. 20.395 (4) (aq) of the statutes is amended to read:

20.395 (4) (aq) *Departmental management and operations, state funds.* The amounts in the schedule for departmental planning and administrative activities and the administration and management of depart-

mental programs except those programs under sub. (3) (iq), including those activities in s. 85.07 and including not less than \$220,000 in each fiscal year to reimburse the department of justice for legal services provided the department under s. 165.25 (4) (a) and including the demand management and ride-sharing program under s. 85.24, the minority civil engineer scholarship and loan repayment incentive grant program under s. 85.107 and the Type 1 motorcycle, moped and motor bicycle safety program under s. 85.30 and to match federal funds for mass transit planning.

SECTION 422d. 20.395 (4) (av) of the statutes is amended to read:

20.395 (4) (av) *Departmental management and operations, local funds.* All moneys received from any local unit of government or other source for departmental planning and administrative activities, for the administration and management of departmental programs except those programs under sub. (3) (iv), and for the demand management and ride-sharing program under s. 85.24, for such purposes.

SECTION 422g. 20.395 (4) (ax) of the statutes is amended to read:

20.395 (4) (ax) *Departmental management and operations, federal funds.* All moneys received from the federal government for the administration and management of departmental programs except those programs under sub. (3) (ix), and for departmental planning and administrative activities including all moneys received as federal aid as authorized by the governor under s. 16.54 to promote highway safety and continue the local traffic safety representatives program and for purposes of s. 85.07 and for the demand management and ride-sharing program under s. 85.24, for such purposes.

SECTION 423. 20.395 (5) (cg) of the statutes is created to read:

20.395 (5) (cg) *Vehicle registration, telephone renewal transactions, state funds.* From the general fund, all moneys received from telephone credit card transaction fees under s. 341.255 (3) for the purpose of administering vehicle registration renewals under s. 341.255 (3).

SECTION 424. 20.395 (5) (cj) of the statutes is repealed.

SECTION 429. 20.395 (9) (td) of the statutes is amended to read:

20.395 (9) (td) *Real estate major cost carry-over.* When a highway, airport or railroad land acquisition project is approved by the secretary under s. 84.09, 85.09 or 114.33, the moneys allocated for the project from subs. (2) (bq), (dq) and (eq) and (3) (bq), (cq), ~~(dq), and (eq), (fq), (gq) and (hq)~~ may be considered encumbered.

SECTION 429g. 20.410 (1) (ai) of the statutes is created to read:

20.410 (1) (ai) *Intensive sanctions.* The amounts in the schedule to administer the intensive sanctions pro-

gram under s. 301.048, the community residential confinement program under s. 301.046 and intensive supervision programs.

SECTION 429mb. 20.410 (1) (cw) of the statutes is created to read:

20.410 (1) (cw) *Mother-young child care program.* The amounts in the schedule for administering the mother-young child care program under s. 301.049.

SECTION 429mc. 20.410 (1) (dt) of the statutes is created to read:

20.410 (1) (dt) *Lease payments.* The amounts in the schedule to pay for the costs of leasing bed space for prisoners.

SECTION 429r. 20.410 (1) (ed) of the statutes is created to read:

20.410 (1) (ed) *Correctional facilities rental.* The amounts in the schedule to make rental payments on any correctional facility pursuant to a lease entered into by the building commission under s. 13.48 (27).

SECTION 430. 20.410 (1) (gr) of the statutes is amended to read:

20.410 (1) (gr) *Home detention services.* The amounts in the schedule to obtain, install, operate and monitor electronic equipment for the home detention program under s. 302.425. All moneys received under s. 302.425 (4) shall be credited to this appropriation. On June 30, 1992, June 30, 1993, and June 30, 1994, \$215,500 one-third of the amount expended in fiscal year 1990-91 from the appropriation under par. (cm) shall lapse to the general fund.

SECTION 431. 20.410 (1) (kc) of the statutes is created to read:

20.410 (1) (kc) *Correctional institution enterprises; inmate activities.* All moneys received from correctional institution enterprises involving the activities of inmates, excluding moneys received from canteen operations, prison industries and correctional farms, to conduct correctional institution enterprises.

SECTION 432. 20.410 (1) (kf) of the statutes is created to read:

20.410 (1) (kf) *Correctional farms.* The amounts in the schedule to operate the correctional farms and for the purchase of institutional farmland, including buildings. All moneys received from the sale of correctional farm services shall be credited to this appropriation.

SECTION 433. 20.410 (1) (kk) of the statutes is amended to read:

20.410 (1) (kk) *Institutional operations and charges.* The amounts in the schedule for the use, production and provision of state institutional facilities, services and products, other than those of prison industries, correctional farms and correctional institution enterprises involving the activities of inmates, and for the purchase of institutional farm land, including buildings, and for the remodeling or construction of buildings. All moneys received from the rental of state institutional facilities and from the sale of institutional services and products, other than those of prison

industries, correctional farms and correctional institution enterprises involving the activities of inmates, shall be credited to this appropriation.

SECTION 434. 20.425 (1) (h) of the statutes is amended to read:

20.425 (1) (h) (title) *Collective bargaining training*. All moneys received from arbitrators and arbitration panel members, and individuals who are interested in serving in such positions, and from individuals and organizations who participate in other collective bargaining training programs conducted by the commission, for the cost of training programs under s. 111.09 (3), 111.71 (5) or 111.94 (3).

SECTION 435. 20.433 (1) (a) of the statutes is repealed.

SECTION 436b. 20.433 (1) (b) of the statutes is amended to read:

20.433 (1) (b) *Early childhood family education center grants*. The amounts in the schedule for early childhood family education center grants under s. 48.982 (6) and (a).

Vetoed
in Part

SECTION 437. 20.433 (1) (g) of the statutes is amended to read:

20.433 (1) (g) *General program operations*. From all moneys received under s. 69.22 (1) (c), the amounts in the schedule to be used for the expenses of the child abuse and neglect prevention board under s. 48.982 (2) and (3) and for the general program operations of the early childhood family education center grant program under s. 48.982 (6).

SECTION 438. 20.433 (1) (h) of the statutes is amended to read:

20.433 (1) (h) *Grants to organizations*. All moneys received under s. 69.22 (1) (c), less the amounts appropriated under par. (g), to be used for grants to organizations under s. 48.982 (4) and (6).

SECTION 439m. 20.434 (1) (a) of the statutes is amended to read:

20.434 (1) (a) (title) *Adolescent pregnancy prevention programs and services*. The amounts in the schedule to be used for the operating expenses of the to provide adolescent pregnancy prevention programs and pregnancy services board under s. ss. 46.93 (3) and 46.935.

SECTION 440b. 20.434 (1) (b) of the statutes is repealed.

SECTION 442m. 20.435 (1) (ar) of the statutes is amended to read:

20.435 (1) (ar) (title) *AZT, pentamidine and other drug reimbursement*. The amounts in the schedule to reimburse or supplement the reimbursement, under s. 49.486, of the cost of AZT and, pentamidine and certain other drugs for individuals who have HIV infections.

SECTION 443. 20.435 (1) (b) of the statutes is amended to read:

20.435 (1) (b) *Medical assistance program benefits*. Biennially, the amounts in the schedule to provide the state share of medical assistance program benefits administered under s. 49.45, to provide medical assistance program benefits administered under s. 49.45 that are not also provided under par. (o), to fund the pilot project under s. 46.27 (9) and (10), and to provide benefits under ss. 46.268 and s. 146.90 (4m) (a) and to make additional payments for services under 1989 Wisconsin Act 53, section 2 (1) (b). Notwithstanding s. 20.002 (1), the department of health and social services may transfer from this appropriation to the appropriation under sub. (7) (b) funds for the purposes specified under ss. 46.266 and 49.45 (6g), the department may transfer from this appropriation to the appropriation under sub. (7) (bc) funds for the purposes specified under s. 46.268 and the department may transfer from this appropriation to the appropriation under sub. (7) (gb) funds in the amount of and for the purposes specified in s. 46.485 (2) (a). Notwithstanding ss. 20.001 (3) (c) and 20.002 (1), the department of health and social services may credit or deposit into this appropriation funds that it transfers from the appropriation under par. (fa) for the purpose specified in s. 46.485 (3). Notwithstanding ss. 20.001 (3) (b) and 20.002 (1), the department may credit or deposit into this appropriation and may transfer between fiscal years funds that it transfers from the appropriation under sub. (7) (gb) for the purposes specified in s. 46.485 (3).

Vetoed
in Part

Vetoed
in Part

SECTION 444. 20.435 (1) (bm) of the statutes is amended to read:

20.435 (1) (bm) *Medical assistance administration*. Biennially, the amounts in the schedule to provide the state share of administrative contract costs for the medical assistance program under s. 49.45 and to reimburse insurers for their costs under s. 49.475. No state positions may be funded in the department of health and social services from this appropriation, except positions for the performance of duties under a contract in effect before January 1, 1987, related to the administration of the medical assistance program between the subunit of the department primarily responsible for administering the medical assistance program and another subunit of the department.

SECTION 445m. 20.435 (1) (cc) of the statutes is amended to read:

20.435 (1) (cc) *Cancer control and prevention*. The amounts in the schedule for cancer control and prevention grants under s. 146.027 and for the breast cancer screening program under 1989 Wisconsin Act 336, section 3023 (3x) s. 146.0275 and 1991 Wisconsin Act ... (this act), section 9125 (13g). Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds for cancer control and prevention grants under s. ss. 146.027 and 146.0275 between fiscal years under this paragraph. All funds allocated by the department under s. 146.027 (2) or 146.0275 but

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not encumbered by December 31 of each year lapse to the general fund on the next January 1 unless transferred to the next calendar year by the joint committee on finance, ~~except that the department may transfer \$100,000 from calendar year 1989 to calendar year 1990.~~

SECTION 446. 20.435 (1) (ce) of the statutes is created to read:

20.435 (1) (ce) *Services for homeless individuals.* As a continuing appropriation, the amounts in the schedule for services for homeless individuals under s. 46.972 (2).

SECTION 447. 20.435 (1) (cf) of the statutes is amended to read:

20.435 (1) (cf) *Rural cervical cancer treatment training.* The amounts in the schedule for grants to applying organizations for the provision of specialized training to perform, in rural areas, colposcopic examinations and follow-up activities under ~~1989 Wisconsin Act 31, section 3023 (24z) s. 146.0277.~~

SECTION 448b. 20.435 (1) (ch) of the statutes is repealed.

Vetoed in Part SECTION 448g. 20.435 (1) (ci) of the statutes is created to read:

20.435 (1) (ci) *Health care device safety grants.* The amounts in the schedule for health care device safety grants under ~~1991 Wisconsin Act ... (this act), section 9125 (15d).~~

SECTION 448m. 20.435 (1) (cp) of the statutes is created to read:

20.435 (1) (cp) *Public health aids.* The amounts in the schedule to provide funding for a grant to a volunteer health care provider under 1991 Wisconsin Act ... (this act), section 9125 (15p) and primary health care services grants under s. 140.03, and a grant to health organization for public ethics (HOPE), inc., under 1991 Wisconsin Act ... (this act), section 9125 (13f). Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds for primary health care services grants under s. 140.03 between fiscal years under this paragraph. All funds allocated by the department under s. 140.03 but not encumbered by December 31 of each year lapse to the general fund on the next January 1 unless transferred to the next calendar year by the joint committee on finance.

SECTION 449. 20.435 (1) (cs) of the statutes is repealed.

SECTION 450. 20.435 (1) (cu) of the statutes is repealed.

SECTION 451. 20.435 (1) (dr) of the statutes is amended to read:

20.435 (1) (dr) *Rural hospital loan program.* The amounts in the schedule to fund initial rural hospital loans under s. 146.62 (2) and (3), 1989 stats. No moneys may be encumbered under this paragraph after June 30, 1992.

SECTION 452. 20.435 (1) (dt) of the statutes is repealed.

SECTION 452m. 20.435 (1) (ef) of the statutes is amended to read:

20.435 (1) (ef) *Lead-poisoning or lead-exposure services.* The amounts in the schedule for the purposes of providing ~~hematofluorometers and X-ray fluorescence instruments grants~~ under s. 151.09 (7).

SECTION 453. 20.435 (1) (f) of the statutes is amended to read:

20.435 (1) (f) *Family planning.* The amounts in the schedule to provide family planning services under s. 146.80 ~~and under 1989 Wisconsin Act 31, section 3023 (22b) and under 1991 Wisconsin Act ... (this act), section 9125 (21q).~~ Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds between fiscal years under this paragraph. All funds allocated by the department under s. 146.80 (2) (b) and (4) but not encumbered by December 31 of each year lapse to the general fund on the next January 1 unless transferred to the next calendar year by the joint committee on finance.

SECTION 454b. 20.435 (1) (fa) of the statutes is amended to read:

20.435 (1) (fa) *State health insurance pilot projects benefits.* As a continuing appropriation, the amounts in the schedule to make subsidies available for persons enrolled in the state health insurance pilot projects conducted under s. 146.90 (4m) ~~and (4p).~~ Notwithstanding s. 20.002 (1), the department of health and social services may transfer from this appropriation to the appropriation under par. (b) funds for the purposes specified in s. 146.90 (4m) (a) 3.

Vetoed in Part

Vetoed in Part

SECTION 455b. 20.435 (1) (fb) of the statutes is amended to read:

20.435 (1) (fb) *State health insurance pilot projects administration.* As a continuing appropriation, the amounts in the schedule to pay the costs of administering the state health insurance pilot projects conducted under s. 146.90 (4m), ~~including the costs of local administrative contracts and (4p).~~

Vetoed in Part

SECTION 456. 20.435 (1) (gm) of the statutes is amended to read:

20.435 (1) (gm) *Licensing, review and certifying activities.* The amounts in the schedule for the purposes specified in ss. 50.50 to 50.85, 140.05 (17), 140.051, 140.06 (5) and (8), 140.45 (6), 140.50 to 140.60, 140.86, 141.15 (2) (b), 143.15 (7) and 146.24, subch. IV of ch. 50 and ch. 150. All moneys received under ss. 50.50 to 50.85, 50.93 (1) (c), 140.05 (17), 140.051 (3), 140.06 (5) and (8), 140.45 (6), 140.50 to 140.60, ~~140.85,~~ 140.86, 141.15 (2) (b), 143.15 (7), 146.24 and 150.13 shall be credited to this appropriation.

~~SECTION 458m. 20.435 (1) (gg) of the statutes is amended to read:~~

~~20.435 (1) (gg) *Health care operations.* From all moneys received under s. 146.99, the amounts in the schedule to be used for certain administrative costs for the state health insurance program under s. 146.90,~~

Vetoed in Part

Vetoed in Part ~~including the costs of a local administrative contract in Portage county.~~

SECTION 459. 20.435 (1) (gr) of the statutes is repealed.

SECTION 460. 20.435 (1) (im) of the statutes is created to read:

20.435 (1) (im) *Medical assistance; recovery of correct payments.* All moneys received from the recovery of correct medical assistance payments under ss. 49.496 and 867.035 for payments to counties and tribal governing bodies under s. 49.496 (4), payment of claims under s. 867.35 (3), payments to the federal government for its share of medical assistance benefits recovered and for the state share of medical assistance benefits administered under s. 49.45 as provided in ss. 49.496 (5) and 867.035 (4).

SECTION 461. 20.435 (1) (p) of the statutes is amended to read:

20.435 (1) (p) *Federal aid; medical assistance contracts administration.* All federal moneys received for the federal share of the cost of contracting for payment and services administration and reporting, and to reimburse insurers for their costs under s. 49.475.

SECTION 462. 20.435 (1) (r) of the statutes is amended to read:

20.435 (1) (r) *Emergency medical services.* From the transportation fund, the amounts in the schedule to pay ~~50%~~ of the costs for emergency medical technician — basic training and examination aid under s. 146.55 (5) and for ambulance service vehicles or vehicle equipment, emergency medical services supplies or equipment or emergency medical training for personnel under s. 146.55 (4).

Vetoed in Part ~~SECTION 463d. 20.435 (3) (cd) of the statutes is repealed.~~

Vetoed in Part ~~SECTION 464d. 20.435 (3) (cs) of the statutes is created to read:~~

~~20.435 (3) (cs) *Juvenile restitution and community service work projects.* The amounts in the schedule for juvenile restitution and community service work projects under s. 46.267.~~

SECTION 465. 20.435 (3) (hm) of the statutes is amended to read:

20.435 (3) (hm) *Juvenile correctional services.* Except as provided in sub. (3) (ho), the amounts in the schedule for juvenile correctional services specified in s. 46.26 (4) (c) and (d). Except as provided in s. 20.410 (1) (hx), all moneys received in payment for juvenile correctional services specified in s. 46.26 (4) (d) shall be credited to this appropriation. If moneys generated by the monthly rate exceed actual fiscal year institutional costs by 2% or more, all moneys in excess of 2% shall be remitted to the counties during the subsequent calendar year. Each county shall receive a proportionate share of the remittance depending on the total number of days of placement at juvenile correctional institutions. Counties shall use the funds for purposes specified in s. 46.26.

SECTION 467. 20.435 (4) (title) of the statutes is created to read:

20.435 (4) (title) ECONOMIC SUPPORT.

SECTION 468. 20.435 (4) (a) of the statutes is created to read:

20.435 (4) (a) *General program operations.* The amounts in the schedule for general program operations relating to economic support, including field services and administrative services.

SECTION 469. 20.435 (4) (cc) of the statutes, as affected by 1991 Wisconsin Act (this act), is renumbered 20.505 (7) (fm) and amended to read:

20.505 (7) (fm) (title) *Shelter for homeless and transitional housing.* The amounts in the schedule for grants to agencies and shelter facilities for homeless individuals and families as provided under s. 46.97 16.352 and for operating costs of transitional housing under s. 16.354. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds between fiscal years under this paragraph. All funds allocated but not encumbered by December 31 of each year lapse to the general fund on the next January 1 unless transferred to the next calendar year by the joint committee on finance.

SECTION 470. 20.435 (4) (ce) of the statutes is created to read:

20.435 (4) (ce) *Services for homeless individuals.* As a continuing appropriation, the amounts in the schedule for services for homeless individuals under s. 46.972 (1).

SECTION 472. 20.435 (4) (cn) of the statutes, as affected by 1991 Wisconsin Act (this act), is amended to read:

20.435 (4) (cn) (title) *Child care for recipients and former recipients of aid to families with dependent children.* As a continuing appropriation, the amounts in the schedule for paying child care costs of individuals who secure unsubsidized employment and lose eligibility for aid to families with dependent children as provided under s. 49.50 (6g), ~~(7e) (e), (7j) (e) and (7m) (jm) and for paying child care costs of certain recipients of aid to families with dependent children as provided under s. 49.50 (6e) for child care and related transportation costs under s. 49.50 (7) (e) and for child care costs under s. 49.50 (6e) (b).~~

SECTION 473. 20.435 (4) (d) of the statutes, as affected by 1991 Wisconsin Act (this act), is amended to read:

20.435 (4) (d) *Income maintenance payments to individuals.* A sum sufficient to provide state aid for county administered public assistance programs under s. 49.52, ~~child care and related transportation payments under s. 49.50 (7) (e) and the cost of foster care provided by nonlegally responsible relatives under state or county administered programs, if the relatives are licensed to operate foster homes under ss. 48.62 to 48.64.~~ Disbursements for public assistance may be made directly from this appropriation includ-

ing the state and county share under s. 46.03 (20) (a). Refunds received relating to payments made under s. 46.03 (20) (a) shall be returned to this appropriation. The receipt of the counties' payments for their share under s. 46.03 (20) shall be returned to this appropriation.

SECTION 474. 20.435 (4) (df) of the statutes, as affected by 1991 Wisconsin Act (this act), is amended to read:

20.435 (4) (df) *Employment and training programs.* As a continuing appropriation, the amounts in the schedule for the work incentive demonstration program under s. 49.50 (7), the job opportunities and basic skills program under s. 49.50 (7b), the employment search program under s. 49.50 (7c), ~~the work experience program under s. 49.50 (7d), the work~~ and job training program under s. 49.50 (7j), grant diversion projects under s. 49.50 (7g), community work experience programs under ss. 46.253 and 49.50 (7m), ~~the guaranteed jobs program under s. 49.50 (7p)~~ and the food stamp employment and training project under s. 49.124 and, after December 31, 1991, paying child care costs under s. 49.50 (6e) (a). Moneys appropriated under this paragraph may be used to match federal funds received under par. (ps).

SECTION 474h. 20.435 (4) (dk) of the statutes is created to read:

20.435 (4) (dk) *New hope project.* As a continuing appropriation, the amounts in the schedule for the new hope project under s. 46.31. No funds may be encumbered from the appropriation under this paragraph after December 31, 1994.

SECTION 474j. 20.435 (4) (dg) of the statutes is created to read:

20.435 (4) (dg) *Food stamp outreach.* The amounts in the schedule for food stamp outreach grants under s. 46.78.

SECTION 475. 20.435 (4) (i) of the statutes is created to read:

20.435 (4) (i) *Gifts and grants.* See sub. (9) (i).

SECTION 476. 20.435 (4) (jb) of the statutes is created to read:

20.435 (4) (jb) *Fees for administrative services.* All moneys received from fees charged for providing state mailings, special computer services, training programs, printed materials and publications, for the purpose of providing state mailings, special computer services, training programs, printed materials and publications relating to economic support.

SECTION 477. 20.435 (4) (kx) of the statutes is created to read:

20.435 (4) (kx) *Interagency and intra-agency programs.* All moneys received from other state agencies and all moneys received by the department from the department for the administration of programs and projects relating to economic support for which received.

SECTION 478. 20.435 (4) (ky) of the statutes is created to read:

20.435 (4) (ky) *Interagency and intra-agency aids.* All moneys received from other state agencies and all moneys received by the department from the department for aids to individuals and organizations relating to economic support.

SECTION 479. 20.435 (4) (kz) of the statutes is created to read:

20.435 (4) (kz) *Interagency and intra-agency local assistance.* All moneys received from other state agencies and all moneys received by the department from the department for local assistance relating to economic support.

SECTION 480. 20.435 (4) (m) of the statutes is created to read:

20.435 (4) (m) *Federal project operations.* See sub. (9) (m).

SECTION 481. 20.435 (4) (ma) of the statutes is created to read:

20.435 (4) (ma) *Federal project aids.* See sub. (9) (ma).

SECTION 482. 20.435 (4) (mb) of the statutes is created to read:

20.435 (4) (mb) *Federal project local assistance.* See sub. (9) (mb).

SECTION 483. 20.435 (4) (mc) of the statutes is created to read:

20.435 (4) (mc) *Federal block grant operations.* See sub. (9) (mc).

SECTION 484. 20.435 (4) (md) of the statutes is created to read:

20.435 (4) (md) *Federal block grant aids.* See sub. (9) (md).

SECTION 485. 20.435 (4) (n) of the statutes is created to read:

20.435 (4) (n) *Federal program operations.* See sub. (9) (n).

SECTION 486. 20.435 (4) (na) of the statutes is created to read:

20.435 (4) (na) *Federal program aids.* See sub. (9) (na).

SECTION 487. 20.435 (4) (nL) of the statutes is created to read:

20.435 (4) (nL) *Federal program local assistance.* See sub. (9) (nL), except that the following amounts shall be transferred from this appropriation to the appropriation under s. 20.475 (1) (g): in calendar year 1992, 45% of the federal moneys made available to support prosecution of welfare fraud in this state, as determined by the secretary of administration, and in each subsequent calendar year, 55% of the federal moneys made available to support prosecution of welfare fraud in this state, as determined by the secretary of administration.

SECTION 488. 20.435 (5) (c) of the statutes is repealed.

SECTION 489. 20.435 (5) (h) of the statutes is amended to read:

Vetoed
in Part

Vetoed
in Part

20.435 (5) (h) (title) *Enterprises and services for blind and visually impaired*. All moneys received from charges on net proceeds from the sale of products and services through the supervised business enterprise program under s. 47.03 (4) and the placement of vending machines under s. 47.03 (7), to support the supervised business enterprise program under s. 47.03 (4); and all moneys received from charges on net proceeds from the operation of vending machines under s. 47.03 (7), to support the supervised business enterprise program under s. 47.03 (4) and to support services provided under s. 47.03 (1).

SECTION 490. 20.435 (6) (a) of the statutes is amended to read:

20.435 (6) (a) *General program operations*. The amounts in the schedule for general program operations, including regulatory activities, field services, and administrative services, solicitation of grant applications and providing technical assistance to grantees under the adolescent choices project grants program under s. 46.997 (2) and for activities to assist in enabling the increase of child day care services that are licensed under s. 48.65, certified under s. 48.651, or established or contracted for under s. 120.13 (14).

Vetoed in Part SECTION 491b. 20.435 (6) (bg) of the statutes is renumbered 20.435 (4) (bg) and amended to read:

~~20.435 (4) (bg) *Employment and training programs administration*. The amounts in the schedule for the administrative costs associated with the work incentive demonstration program under s. 49.50 (7), the job opportunities and basic skills program under s. 49.50 (7b), the work experience and job training program under s. 49.50 (7i), the employment search program under s. 49.50 (7c), the work first program under s. 49.50 (7d), and grant diversion projects under s. 49.50 (7g).~~

SECTION 492b. 20.435 (6) (br) of the statutes is renumbered 20.435 (4) (br).

SECTION 493. 20.435 (6) (j) of the statutes is renumbered 20.435 (4) (j).

SECTION 494. 20.435 (6) (jb) of the statutes is amended to read:

20.435 (6) (jb) (title) *Fees for administrative services*. All moneys received from fees charged for providing state mailings, special computer services, training programs, printed materials and publications, for the purpose of providing state mailings, special computer services, training programs, printed materials and publications.

SECTION 495. 20.435 (6) (jm) of the statutes is repealed and recreated to read:

20.435 (6) (jm) *Licensing and support services*. The amounts in the schedule for the costs of inspecting, licensing and approving facilities, issuing permits and providing technical assistance that are not specified under any other paragraph in this subsection. All moneys received from fees for these activities shall be credited to this appropriation.

SECTION 496. 20.435 (6) (k) of the statutes is repealed.

SECTION 497. 20.435 (6) (kx) of the statutes is amended to read:

20.435 (6) (kx) *Interagency and intra-agency programs*. All moneys received from other state agencies and all moneys received by the department from the department not directed to be deposited under par. (k) ~~or (km) or sub. (7) (ke)~~ for the administration of programs or projects for which received.

SECTION 498. 20.435 (6) (L) of the statutes is renumbered 20.435 (4) (L).

SECTION 499. 20.435 (6) (mc) of the statutes is amended to read:

20.435 (6) (mc) *Federal block grant operations*. See sub. (9) (mc). ~~All federal community services block grant funds received under 42 USC 9903 shall be allocated as provided under s. 46.30. All amounts transferred from sub. (7) (md) for state administration of the low income energy assistance program shall be allocated as provided under s. 49.80 (3) (c).~~

SECTION 500b. 20.435 (6) (pm) of the statutes is renumbered 20.435 (4) (pm) and amended to read:

~~20.435 (4) (pm) *Employment programs administration*. All federal moneys reserved for the administrative costs associated with the work incentive demonstration program under s. 49.50 (7), the job opportunities and basic skills program under s. 49.50 (7b), the employment search program under s. 49.50 (7c), the work first program under s. 49.50 (7d), the grant diversion program under s. 49.50 (7g), the work experience and job training program under s. 49.50 (7i), community work experience programs under s. 49.50 (7m) and the food stamp employment and training program under s. 49.124.~~

Vetoed
in Part

SECTION 501d. 20.435 (7) (b) of the statutes, as affected by 1991 Wisconsin Act 6, is amended to read:

20.435 (7) (b) *Community aids*. A sum sufficient ~~not to exceed \$239,811,400 in fiscal year 1990-91 and in each fiscal year thereafter, which shall consist of the amounts received under par. (of) plus amounts from the general fund sufficient to equal \$239,811,400 in fiscal year 1990-91 and in each fiscal year thereafter~~ The amounts in the schedule for the provision or purchase of mental health and developmental disabilities services under ss. 51.42 and 51.437, for reimbursement to counties having a population of less than 500,000 for the cost of court attached intake services under s. 48.06 (4) and for shelter care under ss. 48.22 and 48.58, for reimbursement for the provision or purchase of social services under ss. 46.215 (1) and (2) and 46.22 (1), including foster care under s. 49.19 (10), child care under s. 46.98 (2) (a) 1 and (2g) and services under ss. 46.57, 46.87 and 46.985. Social services disbursements under s. 46.03 (20) (b) may be made from this appropriation. Distributions to private nonprofit child care providers under s. 46.98 (2) (a) 2 and to county aging units and private nonprofit organiza-

tions under s. 46.87 (3) (c) 4 and (4) may be made from this appropriation. Refunds received relating to payments made under s. 46.03 (20) (b) for the provision of services for which moneys are appropriated under this paragraph shall be returned to this appropriation. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department of health and social services may transfer funds between fiscal years under this paragraph. The department shall deposit into this appropriation funds it recovers under ss. 49.52 (2) (b) and 51.423 (15) from prior year audit adjustments including those resulting from audits of services under s. 46.26 or 46.27. Except for amounts authorized to be carried forward under s. 46.45, all funds recovered under ss. 49.52 (2) (b) and 51.423 (15) and all funds allocated under ss. 46.87 (3) (c) 4 and (4), 46.98 (2) (a) 2, 49.52 (1) (d) and 51.423 (2) and not spent or encumbered by counties, governing bodies of federally recognized American Indian tribes or nonprofit organizations by December 31 of each year shall lapse to the general fund on the succeeding January 1 unless carried forward to the next calendar year by the joint committee on finance. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may credit or deposit into this appropriation and may transfer between calendar years funds it transfers from the appropriation under sub. (1) (b) for the purposes specified under ss. 46.266 and 49.45 (6g).

SECTION 501f. 20.435 (7) (b) of the statutes, as affected by 1991 Wisconsin Acts 6 and (this act), is repealed and recreated to read:

20.435 (7) (b) *Community aids.* The amounts in the schedule for human services under s. 46.40, for reimbursement to counties having a population of less than 500,000 for the cost of court attached intake services under s. 48.06 (4), for shelter care under ss. 48.22 and 48.58 and for foster care under s. 49.19 (10). Social services disbursements under s. 46.03 (20) (b) may be made from this appropriation. Refunds received relating to payments made under s. 46.03 (20) (b) for the provision of services for which moneys are appropriated under this paragraph shall be returned to this appropriation. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department of health and social services may transfer funds between fiscal years under this paragraph. The department shall deposit into this appropriation funds it recovers under ss. 49.52 (2) (b) and 51.423 (15) from prior year audit adjustments including those resulting from audits of services under s. 46.26 or 46.27. Except for amounts authorized to be carried forward under ss. 46.26 (3) (dm) and (e) and 46.45, all funds recovered under ss. 49.52 (2) (b) and 51.423 (15) and all funds allocated under s. 46.40 and not spent or encumbered by December 31 of each year shall lapse to the general fund on the succeeding January 1 unless carried forward to the next calendar year by the joint committee on finance. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may credit or deposit into this appropriation and may transfer between calendar years funds it transfers

from the appropriation under sub. (1) (b) for the purposes specified under ss. 46.266 and 49.45 (6g).

SECTION 502. 20.435 (7) (bb) of the statutes is created to read:

20.435 (7) (bb) *Severely emotionally disturbed children.* The amounts in the schedule for allocation under s. 46.485 as matching funds to the Robert Wood Johnson Foundation grant for severely emotionally disturbed youths.

Vetoed
in Part

SECTION 503b. 20.435 (7) (bc) of the statutes is amended to read:

Vetoed
in Part

20.435 (7) (bc) *Grants for community programs.* The amounts in the schedule for grants for community programs under s. 46.48 and 1989 Wisconsin Act 31, section 3023 (31x) 1991 Wisconsin Act (this act), section 9125 (3d), (4), (4w), (12c), (12d), (12e) and (12f), and for funding of community services under s. 46.268. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds between fiscal years under this paragraph. Except for amounts authorized to be carried forward under s. 46.48 and 1991 Wisconsin Act (this act), section 9125 (3d), all funds allocated but not encumbered by December 31 of each year lapse to the general fund on the next January 1 unless transferred to the next calendar year by the joint committee on finance. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may credit or deposit into this appropriation and may transfer between fiscal years funds that it transfers from the appropriation under sub. (1) (b) for the purposes specified under s. 46.268.

Vetoed
in Part

Vetoed
in Part

Vetoed
in Part

Vetoed
in Part

Vetoed
in Part

SECTION 504m. 20.435 (7) (bt) of the statutes is created to read:

20.435 (7) (bt) *Early intervention services for infants and toddlers with disabilities.* The amounts in the schedule for the early intervention services under s. 51.44.

SECTION 505. 20.435 (7) (ca) of the statutes is repealed.

SECTION 506. 20.435 (7) (cc) of the statutes is renumbered 20.435 (4) (cc).

SECTION 507. 20.435 (7) (ce) of the statutes is amended to read:

20.435 (7) (ce) *Services for homeless individuals.* As a continuing appropriation, the amounts in the schedule for services for homeless individuals under s. 46.972 (3).

SECTION 508. 20.435 (7) (ch) of the statutes is renumbered 20.435 (4) (ch).

SECTION 509. 20.435 (7) (cj) of the statutes is renumbered 20.435 (4) (cj).

SECTION 510. 20.435 (7) (cm) of the statutes is repealed.

SECTION 511. 20.435 (7) (cn) of the statutes is renumbered 20.435 (4) (cn).

SECTION 514b. 20.435 (7) (cr) of the statutes is renumbered 20.435 (4) (cr) and amended to read:

Vetoed
in Part

Vetoed
in Part

~~20.435 (4) (er) State supplement to employment opportunity demonstration projects. The amounts in the schedule for the purpose of providing state funds to supplement, on a one-to-one matching basis, federal employment opportunity demonstration project funds received under 42 USC 1315 or from other federal or private foundation sources, to be allocated under s. 46.30 (4) and for providing funds under 1991 Wisconsin Act ... (this act), section 9125 (4p).~~

Vetoed
in Part

~~SECTION 514n. 20.435 (7) (en) of the statutes is created to read:~~

~~20.435 (7) (cu) Community service jobs. The amounts in the schedule for the community service jobs program under s. 46.35.~~

SECTION 515m. 20.435 (7) (cx) of the statutes is renumbered 20.435 (3) (cx).

SECTION 516. 20.435 (7) (d) of the statutes is renumbered 20.435 (4) (d) and amended to read:

20.435 (4) (d) *Income maintenance payments to individuals.* A sum sufficient to provide state aid for county administered public assistance programs under s. 49.52, ~~child support supplement payments under s. 46.257, child care and related transportation payments under s. 49.50 (7) (e) and the cost of foster care provided by nonlegally responsible relatives under state or county administered programs, if the relatives are licensed to operate foster homes under ss. 48.62 to 48.64.~~ Disbursements for public assistance may be made directly from this appropriation including the state and county share under s. 46.03 (20) (a). Refunds received relating to payments made under s. 46.03 (20) (a) shall be returned to this appropriation. The receipt of the counties' payments for their share under s. 46.03 (20) shall be returned to this appropriation.

Vetoed
in Part

~~SECTION 517b. 20.435 (7) (dc) of the statutes is renumbered 20.435 (4) (dc) and amended to read:~~

~~20.435 (4) (dc) Emergency assistance program. The As a continuing appropriation, the amounts in the schedule for emergency assistance for families with needy children under s. 49.19 (1) (b). Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds between fiscal years under this paragraph. All funds allocated but not encumbered by December 31 of each year lapse to the general fund on the next January 1 unless transferred to the next calendar year by the joint committee on finance.~~

SECTION 518. 20.435 (7) (de) 1 of the statutes is renumbered 20.435 (4) (de) and amended to read:

20.435 (4) (de) *Income maintenance county administration.* The amounts in the schedule for payment distribution under s. 49.52 (1) for county administration of public assistance benefits and medical assistance eligibility determination and payments to American Indian tribes for administration of public assistance programs. Payments may be made from this appropriation to agencies under contract with the department for administration of relief to needy Indian

persons under ss. 49.046 and 49.047. Payments may be made from this appropriation to counties for fraud investigation and error reduction under s. 49.197 (1m) and (4), and for the cost of the case management pilot project under s. 49.50 (7w) (e) and for administration of the child support supplement program under s. 46.257. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds between fiscal years under this paragraph. The department may transfer funds returned to this appropriation between calendar years.

SECTION 519. 20.435 (7) (de) 2 of the statutes is repealed.

SECTION 520. 20.435 (7) (df) of the statutes is renumbered 20.435 (4) (df) and amended to read:

20.435 (4) (df) *Employment and training programs.* As a continuing appropriation, the amounts in the schedule for the work incentive demonstration program under s. 49.50 (7), the job opportunities and basic skills program under s. 49.50 (7b), the employment search program under s. 49.50 (7c), ~~the work first program under s. 49.50 (7d),~~ the work experience and job training program under s. 49.50 (7j), grant diversion projects under s. 49.50 (7g), community work experience programs under ss. 46.253 and 49.50 (7m), the guaranteed jobs program under s. 49.50 (7p) and the food stamp employment and training project under s. 49.124 and, after December 31, 1991, paying child care costs under s. 49.50 (6e) (a). Moneys appropriated under this paragraph may be used to match federal funds received under par. (ps) ~~or sub. (6) (pm).~~

Vetoed
in Part

SECTION 521. 20.435 (7) (dg) of the statutes is renumbered 20.435 (4) (dg).

~~SECTION 521m. 20.435 (7) (dh) of the statutes is amended to read:~~

~~20.435 (7) (dh) Programs for senior citizens and elder abuse services. The amounts in the schedule for the programs for senior citizens, including but not limited to the purposes of ss. 46.80 (5) and 46.85 and 46.87, and for direct services for elder persons and other individuals under s. 46.90 (5m). Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department of health and social services may transfer funds between fiscal years under this paragraph. All funds allocated under ss. 46.80 (5) and 46.85 and 46.87 but not encumbered by December 31 of each year lapse to the general fund on the next January 1, unless transferred to the next calendar year by the joint committee on finance, but the department may carry forward funds allocated under s. 46.90 (5m) that are not encumbered by June 30 of each year for allocation under s. 46.90 (5m) in the following state fiscal year. For the purposes of this paragraph, funds are encumbered by December 31 if allocated for services received or for goods ordered by December 31.~~

Vetoed
in Part

SECTION 522. 20.435 (7) (dn) of the statutes is renumbered 20.435 (4) (dn).

SECTION 523. 20.435 (7) (dp) of the statutes is renumbered 20.435 (4) (dp).

SECTION 524. 20.435 (7) (e) of the statutes is renumbered 20.435 (4) (e).

SECTION 525. 20.435 (7) (eb) of the statutes is renumbered 20.435 (4) (eb).

SECTION 526. 20.435 (7) (ec) of the statutes is repealed.

SECTION 527g. 20.435 (7) (ej) of the statutes is renumbered 20.435 (3) (ej).

SECTION 528. 20.435 (7) (er) of the statutes is amended to read:

20.435 (7) (er) *Adolescent services*. The amounts in the schedule to provide the services specified under 1989 Wisconsin Act 31, section 3023 (22e) s. 46.996.

Vetoed in Part SECTION 529. 20.435 (7) (ew) of the statutes is amended to read:

20.435 (7) (ew) *Runaway services*. The amounts in the schedule for the allocations specified under 1989 Wisconsin Act 31, section 3023 (28w) s. 46.263.

SECTION 530. 20.435 (7) (g) of the statutes is renumbered 20.435 (4) (g) and amended to read:

20.435 (4) (g) *Child support collections*. All moneys received for the support of dependent children to be distributed in accordance with federal and state laws, rules and regulations. In fiscal year 1989-90, \$77,400 1991-92, \$151,000 shall be transferred to the appropriation under par. (ga) and in fiscal year 1990-91, \$77,400 1992-93, \$245,200 shall be transferred to the appropriation under par. (ga).

SECTION 531. 20.435 (7) (ga) of the statutes is renumbered 20.435 (4) (ga).

SECTION 532. 20.435 (7) (gb) of the statutes is amended to read:

20.435 (7) (gb) *Severely emotionally disturbed children*. As a continuing appropriation, all moneys transferred from the appropriation under sub. (1) (b) to this appropriation to provide, under s. 46.485, mental health care and treatment and community-based mental health services for severely emotionally disturbed children. Notwithstanding s. 20.002 (1), the department of health and social services may transfer from this appropriation to the appropriation under sub. (1) (b) funds as specified in s. 46.485 (3).

SECTION 533. 20.435 (7) (gd) of the statutes is renumbered 20.435 (6) (gd).

SECTION 533m. 20.435 (7) (gg) of the statutes is amended to read:

20.435 (7) (gg) *Collection remittances to local units of government*. All moneys received under ss. 46.03 (18) and 46.10 for the purposes of remitting departmental collections under s. 46.03 (18) (g) or 46.10 (8m) (b) and (e) (a) 3 and 4.

SECTION 533r. 20.435 (7) (hh) of the statutes is amended to read:

20.435 (7) (hh) (title) *Domestic abuse assessment grants*. ~~The amounts in the schedule for the purposes of s. 46.95.~~ All moneys received from the domestic

abuse assessment surcharge on court fines, as authorized under s. 971.37 (1m) (c) 1 or 973.055, ~~shall be credited to this appropriation to provide grants to domestic abuse services organizations under s. 46.95.~~

Vetoed in Part SECTION 533v. 20.435 (7) (im) of the statutes is created to read:

20.435 (7) (im) *Gifts and grants, family preservation program*. All moneys received from gifts, grants, bequests and trust funds to provide assistance for the family preservation program under s. 46.987, consistent with the purpose of the gift, grant, bequest or trust fund.

SECTION 534b. 20.435 (7) (jk) of the statutes is renumbered 20.435 (3) (jk) and amended to read:

20.435 (3) (jk) *Youth diversion program*. Biennially, the amounts in the schedule for youth diversion services under s. 46.265 (1) and (3). All moneys transferred from s. 20.505 (6) (g) shall be credited to this appropriation.

SECTION 535. 20.435 (7) (ky) of the statutes is amended to read:

20.435 (7) (ky) *Interagency and intra-agency aids*. All moneys received from other state agencies and all moneys received by the department from the department not directed to be deposited under par. (kc) or sub. (6) (k) or (km) for aids to individuals and organizations.

SECTION 536. 20.435 (7) (kz) of the statutes is amended to read:

20.435 (7) (kz) *Interagency and intra-agency local assistance*. All moneys received from other state agencies and all moneys received by the department from the department not directed to be deposited under par. (kc) or sub. (6) (k) or (km) for local assistance.

SECTION 537. 20.435 (7) (L) of the statutes is renumbered 20.435 (4) (Lm) and amended to read:

20.435 (4) (Lm) *Welfare fraud and error reduction; local assistance*. From the moneys received as the state's share of the recovery of overpayments and incorrect payments under ss. 49.125 (2), 49.195 and 49.497 (1), all moneys not appropriated under sub. (6) par. (L) for county and tribal activities to reduce error and fraud in the food stamp, aid to families with dependent children and medical assistance program.

SECTION 538. 20.435 (7) (md) of the statutes is amended to read:

20.435 (7) (md) *Federal block grant aids*. See sub. (9) (md). All federal community services block grant funds received under 42 USC 9903 shall be allocated as provided under s. 46.30. All moneys received under 42 USC 8621 to 8629 less the amount transferred to the appropriation under par. (o) for distribution under s. 49.52 (1) (d), as provided under s. 49.80 (3) (a) and less the amount transferred to the appropriation under sub. (6) (me), for state administration of the low income energy assistance program as provided under s. 49.80 (3) (e).

SECTION 539d. 20.435 (7) (o) of the statutes, as affected by 1991 Wisconsin Act 6, is amended to read:

20.435 (7) (o) *Federal aid; community aids.* All federal moneys received in amounts pursuant to allocation plans developed by the department for the provision or purchase of services authorized under par. (b) and s. 46.70, all federal moneys received as child welfare funds under 42 USC 620 to 626 as limited under s. 48.985, all federal child care and development block grant funds received under 42 USC 9858 as allocated under s. 46.40 (4) (a) 2 for distribution under s. 46.98 (2) and as allocated under 1991 Wisconsin Act (this act), section 9125 (2j), all federal moneys received as child care grants under 42 USC 603 (n) as allocated under s. 46.40 (4) (b) and distributed under s. 46.98 (2g) and all amounts transferred from par. (md) for distribution under s. 49.52 (1) (d) as provided under s. 49.80 (3) (a). Disbursements from this appropriation may be made directly to counties for social and mental hygiene services under s. 46.03 (20) (b) or 46.031 or directly to counties in accordance with federal requirements for the disbursal of federal funds or directly to tribal governing bodies under s. 46.70. The department shall, on December 31 of any year, transfer to sub. (6) (n) all of the funds allocated for day care services under s. 49.52 (1) (d), that are not spent or encumbered as of December 31 of any year by county departments under s. 46.215, 46.22 or 46.23.

SECTION 539e. 20.435 (7) (o) of the statutes, as affected by 1991 Wisconsin Acts 6 and (this act), is repealed and recreated to read:

20.435 (7) (o) *Federal aid; community aids.* All federal moneys received in amounts pursuant to allocation plans developed by the department for the provision or purchase of services authorized under par. (b) and s. 46.70, all federal moneys received as child welfare funds under 42 USC 620 to 626 as limited under s. 48.985, all federal child care and development block grant funds received under 42 USC 9858 as allocated under s. 46.40 (4) (a) 2 for distribution under s. 46.98 (2) and as allocated under 1991 Wisconsin Act (this act), section 9125 (2j), all federal moneys received as child care grants under 42 USC 603 (n) as allocated under s. 46.40 (4) (b) 2 and distributed under s. 46.98 (2g) and all amounts transferred from par. (md) for distribution under s. 49.52 (1) (d) as provided under s. 49.80 (3) (a). Disbursements from this appropriation may be made directly to counties for social and mental hygiene services under s. 46.03 (20) (b) or 46.031 or directly to counties in accordance with federal requirements for the disbursal of federal funds or directly to tribal governing bodies under s. 46.70. The department shall, on December 31 of any year, transfer to sub. (6) (n) all of the funds allocated for day care services under s. 49.52 (1) (d), that are not spent or encumbered as of December 31 of any year by county departments under s. 46.215, 46.22 or 46.23.

SECTION 540. 20.435 (7) (of) of the statutes is repealed.

SECTION 541. 20.435 (7) (p) of the statutes is renumbered 20.435 (4) (p) and amended to read:

20.435 (4) (p) *Federal aid; income maintenance payments.* All federal moneys received for meeting costs of county administered public assistance programs under s. 49.52, the cost of foster care provided by nonlegally responsible relatives under state or county administered programs, the costs of the child and spousal support and establishment of paternity program under s. 46.25; and the cost of child care and related transportation under s. 49.50 (7) (e) and the costs of child support supplement payments under s. 46.257. Disbursements under s. 46.03 (20) may be made from this appropriation. Any disbursement made under this appropriation to carry out a contract under ss. 46.25 (7) and 59.07 (97) shall be in accordance with the formula established by the department of health and social services under s. 46.25 (7).

SECTION 542b. 20.435 (7) (ps) of the statutes is renumbered 20.435 (4) (ps).

SECTION 543. 20.435 (7) (q) of the statutes is renumbered 20.435 (7) (f) and amended to read:

20.435 (7) (f) *Community alcohol and other drug abuse prevention pilot program.* ~~From the racing fund,~~ The amounts in the schedule for the community alcohol and other drug abuse prevention pilot program under s. 51.45 (5).

~~SECTION 545m. 20.445 (1) (c) of the statutes is amended to read:~~

~~20.445 (1) (c) (title) *Job center networks.* Biennially, the amounts in the schedule for job center pilot projects networks under 1989 Wisconsin Act 41, section 3028 (2a) s. 101.235. No money may be encumbered from this appropriation after June 30, 1991 1995.~~

Vetoed
in Part

SECTION 545r. 20.445 (1) (cm) of the statutes is created to read:

20.445 (1) (cm) *Wisconsin service corps member compensation and support.* As a continuing appropriation, the amounts in the schedule for the payment of Wisconsin service corps member compensation and for other costs of projects under the Wisconsin service corps program under s. 101.38 if those costs are not paid by project sponsors. Corps member compensation includes the cost of salaries, benefits and education vouchers.

SECTION 545t. 20.445 (1) (e) of the statutes is amended to read:

20.445 (1) (e) *Wisconsin job opportunity business subsidy program.* Biennially, the amounts in the schedule for the Wisconsin job opportunity business subsidy program under s. 101.35. This paragraph does not apply after June 30, 1994 1993.

SECTION 545v. 20.445 (1) (em) of the statutes is created to read:

20.445 (1) (em) *Youth apprenticeship program.* The amounts in the schedule for the youth apprenticeship program under s. 101.265.

SECTION 547. 20.445 (1) (ga) of the statutes is amended to read:

20.445 (1) (ga) (title) *Auxiliary services*. All moneys received from fees collected under s. ss. 101.02 (18) and 101.23 (7) for the delivery of services under s. ss. 101.02 (18) and 101.23 and ch. 108.

SECTION 548. 20.445 (1) (j) of the statutes is amended to read:

20.445 (1) (j) *Safety and building operations*. The amounts in the schedule for the purposes of subchs. I, II, III and VI of ch. 101, chs. 145 and 168 and ss. 236.12 (2) (a), 236.13 (1) (d) and (2m) and 236.335. All moneys received under ch. 145 and ss. 101.177 (4) (a) 4, 101.19, 101.63 (9), 101.73 (12), 101.82 (4), 168.12 (1) and (2) to (6) and 236.12 (7) shall be credited to this appropriation. From the amounts received under s. 168.12, ~~\$66,000~~ the amount specified in the schedule under s. 20.115 (1) (im) shall be transferred from the appropriation under this paragraph to the appropriation under s. 20.115 (1) (im) in each fiscal year. ~~From the amounts received under s. 168.12, the amount specified in the schedule under s. 20.370 (2) (bh) shall be transferred from the appropriation under this paragraph to the appropriation under s. 20.370 (2) (bh) in each fiscal year.~~ From the amounts received under s. 168.12, ~~\$35,000~~ \$22,000 shall be transferred to the appropriation under s. 20.115 (1) (j) in fiscal year ~~1989-90~~ 1991-92 and ~~\$11,200~~ \$31,000 in fiscal year ~~1990-91~~ 1992-93, for equipment to test the accuracy of fuel measuring devices. From the amounts received under s. 168.12, \$353,800 in fiscal year 1991-92 and \$400,700 in fiscal year 1992-93 shall be transferred to the appropriation under s. 20.465 (3) (jp). Beginning in fiscal year 1989-90, from the amounts received under s. 168.12, \$500,000 shall be credited to the environmental fund for environmental repair in each fiscal year.

SECTION 548g. 20.445 (1) (jr) of the statutes is created to read:

20.445 (1) (jr) *Wisconsin service corps member compensation and support; sponsor contribution*. All moneys received under agreements entered into under s. 101.38 (7) (c) with local units of government and non-profit organizations for the payment of the sponsor's share of costs for projects including the payment of any corps member compensation as specified in those agreements. Corps member compensation includes the cost of salaries, benefits, incentive payments and vouchers.

SECTION 548m. 20.445 (1) (ka) of the statutes is amended to read:

20.445 (1) (ka) *Interagency agreements*. All moneys received through contracts or financial agreements for provision of services to other state agencies, except moneys appropriated under par. (k) or (kc), for the purpose of providing the services.

SECTION 549. 20.445 (1) (kb) of the statutes is created to read:

20.445 (1) (kb) *Data center operations*. All moneys received by the department from the department for services provided to the department by the depart-

mental data center under s. 101.02 (17), for the purpose of financing the operation of the center.

SECTION 549b. 20.445 (1) (kc) of the statutes is created to read:

20.445 (1) (kc) *Administrative services*. The amounts in the schedule for administrative and support services for programs administered by the department. All moneys received by the department from the department, not directed to be deposited under par. (kb), as payment for administrative and support services for programs administered by the department shall be credited to this appropriation.

SECTION 549g. 20.445 (1) (km) of the statutes is created to read:

20.445 (1) (km) *Wisconsin service corps member compensation and support; service funds*. All moneys received under agreements entered into under s. 101.38 (7) (c) with state agencies for the payment of the sponsor's share of costs for projects including the payment of any corps member compensation as specified in those agreements. Corps member compensation includes the cost of salaries, benefits, incentive payments and vouchers.

SECTION 549p. 20.445 (1) (v) of the statutes is amended to read:

20.445 (1) (v) *Petroleum storage environmental remedial action; awards*. From the petroleum storage environmental cleanup fund, the amounts in the schedule to pay awards under s. 101.143 and legal costs incurred under s. 101.143 (7m).

SECTION 550. 20.455 (1) (cm) of the statutes is repealed.

SECTION 551. 20.455 (1) (km) of the statutes is created to read:

20.455 (1) (km) *Interagency and intra-agency assistance*. The amounts in the schedule to provide legal services to state agencies. All moneys received from the department or any other state agency for legal services shall be credited to this appropriation.

SECTION 553. 20.455 (2) (cm) of the statutes is repealed.

~~SECTION 553m. 20.455 (2) (dm) of the statutes is amended to read:~~

~~20.455 (2) (dm) *Drug abatement teams; local assistance*. Biennially, the amounts in the schedule A sum sufficient for a grant to a 1st class city for a drug abatement team pilot project under 1989 Wisconsin Act 122, section 3058.41 s. 165.28 equal to \$900,000 in fiscal year 1991-92, minus the amounts received in that fiscal year under par. (k) for a drug abatement team pilot project, and equal to \$900,000 in fiscal year 1992-93, minus the amounts received in that fiscal year under par. (k) for a drug abatement team pilot project. No money may be encumbered from the appropriation under this paragraph after June 30, 1994 1993.~~

SECTION 554. 20.455 (2) (e) of the statutes is amended to read:

Vetoed
in Part

Vetoed
in Part

20.455 (2) (e) *Drug enforcement.* A sum sufficient not to exceed \$1,757,500 in fiscal year 1990-91 and in each fiscal year thereafter, which shall consist of the amounts received under par. (ma) plus amounts from the general fund sufficient to equal \$1,757,500 in fiscal year 1990-91 and in each fiscal year thereafter for drug law enforcement programs to work with local law enforcement agencies in a coordinated effort, for operating costs of the crime laboratory in the city of Wausau, and to match federal funds under par. (ma) if matching funds under s. 20.505 (6) (h) are insufficient. No moneys may be encumbered under this paragraph after June 30, 1993.

SECTION 554g. 20.455 (2) (f) of the statutes is created to read:

20.455 (2) (f) *Grant for police substations.* The amounts in the schedule for payments under s. 165.99.

SECTION 554m. 20.455 (2) (gr) of the statutes is created to read:

20.455 (2) (gr) *Handgun purchaser record check.* ~~Biennially, the amounts in the schedule to provide services under s. 175.35. All moneys received as fee payments under s. 175.35 (2i) shall be credited to this appropriation.~~

Vetoed
in Part

Vetoed
in Part

~~SECTION 554n. 20.455 (2) (gr) of the statutes, as amended by 1991 Wisconsin Acts 11 and ... (this act), is repealed and recreated to read:~~

~~20.455 (2) (gr) *Handgun purchaser record check.* Biennially, the amounts in the schedule to provide services under s. 175.35. All moneys received as fee payments under s. 175.35 (2i) shall be credited to this appropriation.~~

SECTION 555. 20.455 (2) (h) of the statutes is amended to read:

20.455 (2) (h) *Terminal charges.* The amounts in the schedule for the transaction information for management of enforcement system. All moneys collected under s. 165.827 from law enforcement agencies for rentals, terminal fees and related charges associated with the transaction information for management of enforcement system shall be credited to this appropriation.

SECTION 556c. 20.455 (2) (i) of the statutes is amended to read:

20.455 (2) (i) *Penalty assessment surcharge, receipts.* The amounts in the schedule for the purposes of s. 165.85 (5) (b) and (5m), for crime laboratory equipment and for equipment used for an automated fingerprint identification system. All moneys received from the penalty assessment surcharge on court fines and forfeitures as allocated under s. 165.87 (1) and all moneys transferred from s. 20.505 (6) (h) shall be credited to this appropriation. ~~These moneys~~ Moneys may be transferred from this paragraph to pars. (j) and (ja) by the secretary of administration for expenditures based upon determinations by the department of justice, except ~~\$235,100 shall be transferred to par. (jb) in fiscal year 1989-90, \$250,000 shall be trans-~~

~~ferred to par. (jb) in fiscal year 1990-91 and \$550,000 shall be transferred to par. (jc) in fiscal year 1990-91 the secretary of administration shall transfer not more than \$375,000 to par. (jb) in fiscal year 1991-92, not more than \$375,000 to par. (jb) in fiscal year 1992-93 and not more than \$390,600 to par. (jc) in fiscal year 1992-93.~~

SECTION 557. 20.455 (2) (k) (title) of the statutes is amended to read:

20.455 (2) (k) (title) *Interagency and intra-agency assistance; investigations.*

~~SECTION 557m. 20.455 (2) (kd) of the statutes is created to read:~~

~~20.455 (2) (kd) *Drug agent grants; local assistance.* The amounts in the schedule for payments under s. 165.97. All moneys received from any state agency other than the department for payments under s. 165.97 shall be credited to this appropriation.~~

Vetoed
in Part

SECTION 558. 20.455 (2) (kg) of the statutes is created to read:

20.455 (2) (kg) *Interagency and intra-agency assistance; fingerprint identification.* The amounts in the schedule for the purchase of an automated fingerprint system. All moneys received from the department or any other state agency for the purchase of an automated fingerprint identification system shall be credited to this appropriation.

SECTION 562. 20.455 (2) (ma) of the statutes is amended to read:

20.455 (2) (ma) *Federal aid, drug enforcement.* From federal moneys received under subtitle K of title I of P.L. 99-570 for state programs, except as provided under s. 20.505 (6) (pc), not to exceed \$1,025,000 in fiscal year 1990-91 and in each fiscal year thereafter for drug law enforcement programs to work with local law enforcement agencies in a coordinated effort and for operating costs of the crime laboratory in the city of Wausau. No moneys may be encumbered under this paragraph after June 30, 1993.

SECTION 562m. 20.455 (2) (q) of the statutes is created to read:

20.455 (2) (q) *Computers for transaction information for management of enforcement system.* From the transportation fund, the amounts in the schedule for payments for a lease with option to purchase regarding computers for the transaction information for the management of enforcement system.

SECTION 564. 20.455 (3) (k) of the statutes is created to read:

20.455 (3) (k) *Interagency and intra-agency assistance.* The amounts in the schedule to provide administrative services to state agencies. All moneys received from the department or any other state agency for administrative services shall be credited to this appropriation.

SECTION 565. 20.455 (3) (m) of the statutes is created to read:

20.455 (3) (m) *Federal aid, state operations.* All moneys received as federal aid as authorized by the governor under s. 16.54, for state operations relating to administrative services.

SECTION 566. 20.455 (4) (k) of the statutes is created to read:

20.455 (4) (k) *Interagency and intra-agency assistance.* The amounts in the schedule to provide services to state agencies relating to trust lands and investments. All moneys received from the department or any other state agency for services relating to trust lands and investments shall be credited to this appropriation.

SECTION 568. 20.455 (5) (k) of the statutes is created to read:

20.455 (5) (k) *Interagency and intra-agency assistance.* The amounts in the schedule to provide services to state agencies relating to victims and witnesses. All moneys received from the department or any other state agency for services relating to victims and witnesses shall be credited to this appropriation.

SECTION 568m. 20.465 (1) (h) of the statutes is created to read:

20.465 (1) (h) *Intergovernmental services.* The amounts in the schedule to provide services to local units of government for fire, crash and rescue emergencies. All moneys received from local units of government for services provided for fire, crash and rescue emergencies shall be credited to this appropriation.

SECTION 569. 20.465 (3) (e) of the statutes is amended to read:

20.465 (3) (e) *Disaster recovery aid.* ~~As a continuing appropriation, the amounts in the schedule A sum sufficient to reimburse the federal government for any required pay the state share of grants to individuals and to make pay 8-4ts to local governments as defined in 42 USC 5122 (6) under federal disaster recovery programs as authorized in s. 166.03 (2) (b) 8.~~

SECTION 569k. 20.465 (3) (jp) of the statutes is created to read:

20.465 (3) (jp) *State emergency response board; petroleum inspection fee.* All moneys transferred from the appropriation under s. 20.445 (1) (j) for the payment of emergency planning grants under s. 166.21.

SECTION 570m. 20.475 (1) (c) of the statutes is amended to read:

20.475 (1) (c) *Other employees; general fund.* The amounts in the schedule to reimburse the county for the costs of 2 clerks and for the one-time purchase of office equipment for prosecution of felony drug cases under s. 978.13 (1) (b) and to pay the costs of clerks necessary for the prosecution of violent crime cases under s. 978.13 (1) (c).

SECTION 571. 20.475 (1) (g) of the statutes is amended to read:

20.475 (1) (g) *County payments, applied receipts.* All moneys received from county payments under s.

978.14 (2) or transferred from s. 20.435 (4) (nL) for salaries and fringe benefits of district attorneys and state employees of the office of district attorney. The amounts appropriated under this paragraph reduce the amounts in the schedule for the appropriation under par. (†) (d), as described in par. (†) (d).

SECTION 572g. 20.475 (1) (r) of the statutes is renumbered 20.475 (1) (d) and amended to read:

20.475 (1) (d) *Salaries and fringe benefits.* ~~From the lottery fund, the~~ The amounts in the schedule for salaries and fringe benefits of district attorneys and state employees of the office of the district attorney and for payments under ss. 757.27 and 978.045 (2) (b), less the amounts appropriated as applied receipts under par. (g).

SECTION 572r. 20.475 (1) (v) of the statutes is repealed.

SECTION 574. 20.485 (1) (fa) of the statutes is repealed.

SECTION 575. 20.485 (1) (gk) of the statutes is amended to read:

20.485 (1) (gk) *Institutional operations.* The amounts in the schedule for the care of the Wisconsin veterans home, including maintenance of state-owned housing. All moneys received under par. (m) and s. 45.37 (9) (d) and (9d) and (16) (b) and all moneys received from the rental of state-owned housing shall be credited to this appropriation.

SECTION 576. 20.485 (1) (h) of the statutes is amended to read:

20.485 (1) (h) *Gifts and bequests.* All moneys received under s. 45.37 (2) (g), (10), and (11) and (16) (†), or any moneys received by gifts or bequests, to carry out the purposes of ss. 45.365 and 45.37.

SECTION 577. 20.485 (1) (i) of the statutes is repealed.

SECTION 577m. 20.485 (1) (t) of the statutes is created to read:

20.485 (1) (t) *Veterans home member accounts.* From the Wisconsin veterans home members fund, all moneys received under s. 25.37 to make payments as provided under s. 45.37 (9c), (10) and (11).

SECTION 578. 20.485 (2) (b) of the statutes is amended to read:

20.485 (2) (b) (title) *Wisconsin veterans museum space rental.* From the general fund, the amounts in the schedule to finance the costs of space rental for the G.A.R. memorial hall Wisconsin veterans museum.

~~SECTION 578g. 20.485 (2) (rc) of the statutes is created to read:~~

~~20.485 (2) (rc) *Homeless veterans reintegration.* The amounts in the schedule for grants under s. 45.43 (7) (d) for the long-term transitional housing program of the minority homeless veterans reintegration project operating in Milwaukee county on June 30, 1991, and for grants to organizations in other counties providing long-term transitional housing to homeless veterans.~~

Vetoed
in Part

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Vetoed in Part SECTION 578r. 20.485 (2) (rs) of the statutes is created to read:

20.485 (2) (rs) *Retired senior volunteer program grants.* The amounts in the schedule for grants under s. 45.352 to retired senior volunteer programs.

SECTION 579. 20.485 (2) (t) of the statutes is created to read:

20.485 (2) (t) *Trust fund supplement to institutional operations.* From the veterans trust fund, the amounts in the schedule to supplement the appropriation under sub. (1) (gk), for the care of the Wisconsin veterans home. All moneys received from the veterans housing loan fund under s. 234.41 (3) and from the veterans housing bond redemption fund under s. 234.43 (2) (e) shall be credited to this appropriation. Moneys may not be spent from this appropriation without the approval of the joint committee on finance.

SECTION 580. 20.485 (2) (t) of the statutes, as created by 1991 Wisconsin Act (this act), is repealed.

SECTION 581. 20.485 (2) (tm) of the statutes is amended to read:

20.485 (2) (tm) *Facilities.* As a continuing appropriation, the amounts in the schedule to acquire, construct, develop, enlarge or improve facilities for the G.A.R. memorial hall Wisconsin veterans museum and the department of veterans affairs.

SECTION 582. 20.485 (2) (v) of the statutes is amended to read:

20.485 (2) (v) (title) *Wisconsin veterans museum sales receipts.* All moneys received from the sale of items in the G.A.R. memorial hall Wisconsin veterans museum for general program operations.

SECTION 583. 20.485 (2) (vo) of the statutes is created to read:

20.485 (2) (vo) *Veterans of World War I.* The amounts in the schedule to help defray the cost of the annual convention, operations and publications of the veterans of World War I.

SECTION 584. 20.485 (2) (wd) of the statutes is amended to read:

20.485 (2) (wd) (title) *Operation of Wisconsin veterans museum.* The amounts in the schedule for the operation of the G.A.R. memorial hall Wisconsin veterans museum under s. 45.01.

SECTION 585. 20.485 (2) (y) of the statutes is amended to read:

20.485 (2) (y) *Veterans loans and expense.* After deducting the appropriations made under pars. (u) to (wd), the amounts in the schedule for the payment of loans granted to veterans under s. 45.352, 1971 stats., 45.351 (2) or 45.80 and the payment of expense and other payments as a consequence of being mortgagee or owner under s. 45.351 (2), s. 45.352, 1971 stats., 45.351 (2) or s. 45.80, 1989 stats. All repayments of loans and payments of interest made on loans under s. 45.351 (2), s. 45.352, 1971 stats., 45.351 (2) or s.

45.80, 1989 stats., shall revert to the veterans trust fund.

SECTION 586. 20.490 (3) (title) of the statutes is repealed.

SECTION 587. 20.490 (3) (a) of the statutes, as affected by 1991 Wisconsin Act 4, is repealed.

SECTION 588. 20.490 (3) (b) of the statutes, as affected by 1991 Wisconsin Act 4, is repealed.

SECTION 589. 20.490 (5) (title) of the statutes is amended to read:

20.490 (5) (title) WISCONSIN DEVELOPMENT LOAN GUARANTEES.

SECTION 590. 20.490 (5) (a) of the statutes is amended to read:

20.490 (5) (a) (title) *Wisconsin development reserve fund.* As a continuing appropriation, the amounts in the schedule to be transferred to the drought assistance and development loan Wisconsin development reserve fund under s. 234.92 234.93.

SECTION 591. 20.490 (5) (q) of the statutes is created to read:

20.490 (5) (q) *Recycling fund transfer to Wisconsin development reserve fund.* From the recycling fund, as a continuing appropriation, the amounts in the schedule to be transferred to the Wisconsin development reserve fund under s. 234.93.

SECTION 592. 20.490 (7) (title) of the statutes is repealed.

SECTION 593. 20.490 (7) (q) of the statutes is repealed.

SECTION 593q. 20.505 (1) (e) of the statutes is created to read:

20.505 (1) (e) *Clean energy rebate program.* The amounts in the schedule for the general program operations of the clean energy rebate program and to make clean energy rebate payments under s. 16.937.

SECTION 593r. 20.505 (1) (f) of the statutes is created to read:

20.505 (1) (f) *Badger state games assistance.* The amounts in the schedule to provide financial assistance to the badger state games.

SECTION 593rg. 20.505 (1) (f) of the statutes, as created by 1991 Wisconsin Act (this act), is repealed.

SECTION 593t. 20.505 (1) (fe) of the statutes is repealed.

~~SECTION 593w. 20.505 (1) (fn) of the statutes is created to read.~~

~~20.505 (1) (fn) *Racine zoo grant.* The amounts in the schedule for a special grant to the city of Racine zoo under 1991 Wisconsin Act (this act), section 9101 (112).~~

~~SECTION 593z. 20.505 (1) (fn) of the statutes, as created by 1991 Wisconsin Act (this act), is repealed.~~

~~SECTION 593y. 20.505 (1) (fa) of the statutes is created to read:~~

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part 20.505 (1) (fo) *National aerial photography program.* The amounts in the schedule for participation by this state in the national aerial photography program under 1991 Wisconsin Act ... (this act), section 91.01 (12g).

SECTION 593z. 20.505 (1) (fo) of the statutes is repealed.

SECTION 594c. 20.505 (1) (gm) of the statutes is renumbered 20.370 (2) (ah) and amended to read:

20.370 (2) (ah) (title) *Water resources — Great Lakes protection fund.* All moneys received from the Great Lakes protection fund for Great Lakes protection, research and cleanup of the Great Lakes activities under s. 144.11.

SECTION 594m. 20.505 (1) (im) of the statutes is amended to read:

20.505 (1) (im) *Services to nonstate governmental units.* The amounts in the schedule to provide services and to repurchase inventory items that are provided primarily to purchasers outside state government. All moneys received from the sale of services, other than services provided under par. (is), and inventory items which are provided primarily to purchasers outside state government shall be credited to this appropriation.

SECTION 594p. 20.505 (1) (is) of the statutes is created to read:

Vetoed in Part 20.505 (1) (is) *Information technology services to nonstate entities.* The amounts in the schedule to provide computer services, telecommunications services and supercomputer services to local governmental units under s. 16.973 (2) and (3) and to provide supercomputer services to entities in the private sector. All moneys received from local governmental units and entities in the private sector for provision of computer services, telecommunications services and supercomputer services shall be credited to this appropriation.

Vetoed in Part

SECTION 595. 20.505 (1) (ka) of the statutes is amended to read:

20.505 (1) (ka) *Materials and services to state agencies.* The amounts in the schedule to provide services primarily to state agencies, to repurchase inventory items sold primarily to state agencies and to transfer the proceeds of document sales to state agencies publishing documents. All moneys received from the provision of services primarily to state agencies, from the sale of inventory items primarily to state agencies and from documents sold on behalf of state agencies, other than moneys received and disbursed under pars. (kb) to (ki) (kL) and sub. (2) (k), shall be credited to this appropriation.

SECTION 596a. 20.505 (1) (ke) of the statutes is amended to read:

20.505 (1) (ke) *Telecommunications and data processing services.* The amounts in the schedule to provide state telecommunications services and data processing oversight and management services and telecommunications and data processing inventory

items primarily to state agencies and to provide for the initial costs of establishment and operation of the division of information technology services. All moneys received from the provision of state telecommunications and data processing services and sale of telecommunications and data processing inventory items primarily to state agencies, other than moneys received and disbursed under par. (kL), and all reimbursements of advances received by the division of information technology services shall be credited to this appropriation.

SECTION 597. 20.505 (1) (kg) of the statutes is amended to read:

20.505 (1) (kg) (title) *Records, microfilm, optical imaging and forms services.* The amounts in the schedule to provide records storage and, microfilm and optical imaging services primarily to state agencies, and to fund services of the public records and forms board under s. 16.61. All moneys received from the provision of records storage and, microfilm and optical imaging services primarily to state agencies and from services provided to state agencies by the public records and forms board shall be credited to this appropriation.

SECTION 598. 20.505 (1) (ki) of the statutes is renumbered 20.505 (2) (ki) and amended to read:

20.505 (2) (ki) (title) *Risk management administration.* The amounts in the schedule from moneys transferred under par. (k) for the administration of state risk management programs for worker's compensation claims, losses of and damage to state property and state liability. All moneys received for this purpose from program supplements under s. 20.865 (1) shall be credited to this appropriation. Notwithstanding s. 20.001 (3) (a), the unencumbered balance of this appropriation at the end of each fiscal year shall be transferred to the appropriation under par. (k).

SECTION 599. 20.505 (1) (kj) of the statutes is created to read:

20.505 (1) (kj) *Financial services.* The amounts in the schedule to provide accounting, auditing, payroll and other financial services to state agencies. All moneys received from the provision of accounting, auditing, payroll and other financial services to state agencies shall be credited to this appropriation.

SECTION 599g. 20.505 (1) (kL) of the statutes is created to read:

20.505 (1) (kL) *Information technology services to agencies.* The amounts in the schedule to provide information technology processing services to state agencies under ss. 16.973 and 16.974. All moneys received from state agencies for the provision of information technology processing services shall be credited to this appropriation. The unencumbered balance of moneys in this appropriation account on June 30 of each fiscal year shall be transferred to the appropriation account under par. (l).

Vetoed in Part

Vetoed in Part

SECTION 599s. 20.505 (1) (L) of the statutes is created to read:

Vetoed
in Part

~~20.505 (1) (L) Information technology capital expenses. All moneys transferred from the account under par. (kL) to be used for the acquisition of information technology processing operational facilities and capital equipment, for the use of the division of information technology services.~~

SECTION 600. 20.505 (1) (md) of the statutes is amended to read:

20.505 (1) (md) *Oil overcharge restitution funds.* All federal moneys received as oil overcharge funds, as defined in s. 14.065 (1), for expenditure under proposals approved by the joint committee on finance under s. 14.065 and for transfers under ~~1989 Wisconsin Act 31, section 3101 (1z)~~ 1991 Wisconsin Act (this act), section 9101 (1q).

SECTION 601. 20.505 (1) (x) of the statutes is amended to read:

20.505 (1) (x) *General program operations — clean water fund program; federal funds.* ~~From As a continuing appropriation, from the federal revolving loan fund account in the clean water fund, the amounts in the schedule for general program operations under s. 144.241 or 144.2415.~~

SECTION 602. 20.505 (2) of the statutes is created to read:

20.505 (2) **RISK MANAGEMENT.** (a) *General fund supplement — risk management claims.* A sum sufficient to supplement the appropriation under par. (k) whenever the amounts collected under par. (k) are insufficient to pay all claims under that paragraph and all administrative costs under par. (ki) in any fiscal year.

(k) *Risk management costs.* All moneys received from agencies under s. 16.865 (8) and all moneys transferred from the appropriation under par. (ki) for the costs of paying claims for losses of and damage to state property, settlements of state liability under ss. 165.25 (6), 775.04, 895.46 (1) and 895.47, and state employer costs for worker's compensation claims of state employees under ch. 102, and for related administrative costs under par. (ki).

SECTION 602r. 20.505 (4) (title) of the statutes is amended to read:

20.505 (4) (title) **ATTACHED DIVISIONS, BOARDS, COUNCILS AND COMMISSIONS.**

SECTION 603. 20.505 (4) (cm) of the statutes is repealed.

SECTION 603m. 20.505 (4) (fz) of the statutes is created to read:

20.505 (4) (fz) *Privacy council and privacy advocate.* The amounts in the schedule for the general operations of the privacy council and privacy advocate.

SECTION 604. 20.505 (4) (ie) of the statutes is created to read:

20.505 (4) (ie) *Land information board; general program operations.* From the moneys received by the land information board under s. 59.88 (5) (a), the

amounts in the schedule for general program operations of the board under s. 16.967.

SECTION 605. 20.505 (4) (im) of the statutes is amended to read:

20.505 (4) (im) (title) *Land information board; aids to counties.* ~~All From the moneys received by the land information board under s. 59.88 (5) (a), for the general program operations of the land information board, including systems integration, and for aid all moneys not appropriated under par. (ie) for the purpose of providing aids to counties for land information projects under s. 16.967 (7).~~

SECTION 606g. 20.505 (5) (ka) of the statutes is amended to read:

20.505 (5) (ka) *Facility operations and maintenance.* The amounts in the schedule for the purpose of financing the costs of operation of state-owned or operated facilities that are not funded from other appropriations, including protective services; custodial and maintenance services; minor projects; utilities, fuel, heat and air conditioning ~~and~~ costs incurred under s. 16.895 by or on behalf of the department; and supplementing the costs of operation of child care facilities for children of state employees under s. 16.841. All moneys received from state agencies for the operation of such facilities, parking rental fees under s. 16.843 (2) and miscellaneous other sources, all moneys received from assessments under s. 16.895, and all moneys transferred from the appropriation under s. 20.865 (2) (e) for this purpose shall be credited to this appropriation.

SECTION 606h. 20.505 (5) (kb) of the statutes is repealed.

SECTION 607. 20.505 (6) (b) of the statutes is repealed.

SECTION 608. 20.505 (6) (g) of the statutes is amended to read:

20.505 (6) (g) *Anti-drug enforcement program, penalty assessment — local.* All moneys received from the penalty assessment surcharge on court fines and forfeitures as allocated under s. 165.87 (1) to match federal funds made available under subtitle K of title I of P.L. 99-570, except as provided in par. (h) and s. 20.435 ~~(7) (3)~~ (jk). The executive staff director of the office of justice assistance may transfer moneys not needed as matching funds under this paragraph to par. (h). The secretary of administration shall transfer ~~\$250,000~~ \$450,000 from this paragraph to s. 20.435 ~~(7) (3)~~ (jk) in each fiscal year.

SECTION 608m. 20.505 (6) (h) of the statutes is amended to read:

20.505 (6) (h) *Anti-drug enforcement program, penalty assessment — state.* All moneys transferred from par. (g) to match federal funds made available under subtitle K of title I of P.L. 99-570 regarding allocations to state agencies for planning, programs and administration regarding anti-drug abuse law enforcement assistance. The secretary of administration shall

transfer \$500,000 in fiscal year 1991-92 from this paragraph to s. 20.455 (2) (i).

SECTION 609. 20.505 (6) (pd) of the statutes is repealed.

SECTION 609m. 20.505 (7) (b) of the statutes is amended to read:

20.505 (7) (b) *Housing grants and loans.* Biennially, the amounts in the schedule for grants and loans under ss. 16.32 and 16.33.

SECTION 610. 20.505 (7) (c) of the statutes is amended to read:

20.505 (7) (c) *Payments to designated agents.* The amounts in the schedule for payments for services provided by agents designated under s. 16.34 16.334 (2), in accordance with agreements entered into under s. 16.34 16.334 (1).

SECTION 611. 20.505 (7) (d) of the statutes is amended to read:

20.505 (7) (d) *Grants to local housing organizations.* Biennially, the amounts in the schedule to make grants to community-based organizations or housing authorities under s. 16.36 16.336 and for the purpose of 1991 Wisconsin Act ... (this act), section 9191 (6b).

Vetoed
in Part

SECTION 611b. 20.505 (7) (d) of the statutes, as affected by 1991 Wisconsin Act ... (this act), is repealed and recreated to read:

20.505 (7) (d) *Grants to local housing organizations.* Biennially, the amounts in the schedule to make grants to community-based organizations or housing authorities under s. 16.336.

SECTION 611m. 20.505 (7) (dm) of the statutes is created to read:

20.505 (7) (dm) *Transitional housing grants.* The amounts in the schedule for transitional housing grants under s. 16.339.

SECTION 612. 20.505 (7) (e) of the statutes is amended to read:

20.505 (7) (e) *Mortgage insurance assistance.* Biennially, the amounts in the schedule for the mortgage insurance assistance program under s. 16.37 16.337, subject to s. 16.37 16.337 (2) (b). No money may be encumbered under this paragraph after June 30, 1991.

Vetoed
in Part

SECTION 612j. 20.505 (7) (j) of the statutes is created to read:

20.505 (7) (j) *Regulation of manufacturers of manufactured homes and mobile homes.* The amounts in the schedule for the regulation of manufacturers of manufactured homes and mobile homes. All moneys received from the review of plans, construction inspections, department labels and licensing of manufacturers of manufactured homes and mobile homes under s. 16.36 to 16.365 shall be credited to this appropriation.

SECTION 612jf. 20.505 (7) (jf) of the statutes is created to read:

20.505 (7) (jf) *Mobile home parks.* The amounts in the schedule for the licensing and regulation of mobile

home parks under s. 16.366. All moneys received under s. 16.366 shall be credited to this appropriation.

SECTION 612ji. 20.505 (7) (ji) of the statutes is created to read:

20.505 (7) (ji) *Regulation of mobile home dealers and salespersons.* The amounts in the schedule for the regulation of mobile home dealers and salespersons under subch. VI of ch. 218. All moneys received under subch. VI of ch. 218 shall be credited to this appropriation.

SECTION 613. 20.505 (7) (kg) of the statutes is created to read:

20.505 (7) (kg) *Housing program services.* All moneys received from other state agencies for housing program services, for that purpose.

SECTION 614. 20.505 (7) (km) of the statutes is created to read:

20.505 (7) (km) *Weatherization assistance.* All moneys transferred from the appropriation under s. 20.435 (4) (md) and all moneys received from other state agencies or the department, for the weatherization program under s. 16.39, for that purpose.

SECTION 614m. 20.505 (8) (b) of the statutes is created to read:

Vetoed
in Part

20.505 (8) (b) *Witness fees.* The amounts in the schedule to pay witness fees under ss. 814.67 (1) (b) 1 and (c), 907.06 and 979.06 (2) and (6) for witnesses called by, or subpoenaed at the request of, district attorneys or assistant district attorneys.

SECTION 617. 20.512 (1) (bm) of the statutes is repealed.

SECTION 618. 20.521 (intro.) of the statutes is amended to read:

20.521 Ethics board. (intro.) There is appropriated to the ethics board for the following programs program:

SECTION 619. 20.521 (1) (title) of the statutes is amended to read:

20.521 (1) (title) ETHICS AND LOBBYING REGULATION.

SECTION 620. 20.521 (1) (a) of the statutes is amended to read:

20.521 (1) (a) (title) *General program operations; general purpose revenue.* The amounts in the schedule for general program operations under subch. III of ch. 13 and subch. III of ch. 19.

SECTION 621. 20.521 (1) (g) of the statutes is renumbered 20.521 (1) (h) and amended to read:

20.521 (1) (h) *Gifts and grants.* All moneys received by the board from gifts, grants, bequests and devises to carry out the purposes, not inconsistent with subch. III of ch. 13 or subch. III of ch. 19, for which made or received.

SECTION 622. 20.521 (2) (title) of the statutes is repealed.

SECTION 623. 20.521 (2) (a) of the statutes is repealed.

SECTION 624. 20.521 (2) (g) of the statutes is renumbered 20.521 (1) (g) and amended to read:

20.521 (1) (g) (title) *General program operations; program revenue*. The amounts in the schedule for the administration of general program operations under subch. III of ch. 13. All and subch. III of ch. 19. Ninety percent of all moneys received from fees collected under s. 13.75 shall be credited to this appropriation.

Vetoed in Part SECTION 624m. 20.534 of the statutes is created to read:

~~20.534 Health care access board. There is appropriated to the health care access board for the following programs:~~

~~(1) HEALTH CARE ACCESS. (a) General program operations. The amounts in the schedule for the general program operations of the health care access board under ch. 54. No funds may be encumbered under this paragraph after June 30, 1994.~~

~~(b) Health care access program grants. Biennially, the amounts in the schedule to fund the health care access program grants under s. 54.15. No funds may be encumbered under this paragraph after June 30, 1994.~~

SECTION 627. 20.550 (1) (a) of the statutes is amended to read:

20.550 (1) (a) *Program administration*. The amounts in the schedule for program administration costs of the office of the state public defender, except for the costs under pars. (e) and (ja).

SECTION 628. 20.550 (1) (e) of the statutes is created to read:

20.550 (1) (e) *Private bar and investigator payments; administration costs*. The amounts in the schedule for the administration costs of appointing private attorneys to act as counsel for indigent persons under s. 977.08 and of contracting for the services of private investigators.

Vetoed in Part SECTION 628m. 20.550 (1) (f) of the statutes is created to read:

~~20.550 (1) (f) Witness fees. The amounts in the schedule to pay witness fees under s. 814.67 (1) (b) 1 and (c) or under s. 907.06 for witnesses called by the office of the state public defender or by private attorneys appointed to act as counsel for indigent persons under s. 977.08.~~

SECTION 630. 20.550 (1) (ja) of the statutes is created to read:

20.550 (1) (ja) *Payments from clients*. The amounts in the schedule for the costs of determining, collecting and processing the payments received from persons who are found indigent in part under s. 977.07 (2) (a). All moneys received from persons who are found indigent in part under s. 977.07 (2) (a) shall be credited to this appropriation.

SECTION 631m. 20.566 (1) (a) of the statutes is amended to read:

20.566 (1) (a) *General program operations*. The amounts in the schedule for the administration of income, franchise, sales, excise and inheritance tax laws. From this appropriation, there are allotted, subject to the approval of the joint committee on finance, such sums as are necessary to be used as contingent funds to redeem bad checks, share drafts or other drafts returned to the state treasurer or state depositories and for establishing change funds in the amount deemed necessary by the department.

SECTION 631n. 20.566 (1) (a) of the statutes, as affected by 1987 Wisconsin Act 27 and 1991 Wisconsin Act (this act), is repealed and recreated to read:

20.566 (1) (a) *General program operations*. The amounts in the schedule for the administration of income, franchise, sales, excise and death tax laws. From this appropriation, there are allotted, subject to the approval of the joint committee on finance, such sums as are necessary to be used as contingent funds to redeem bad checks, share drafts or other drafts returned to the state treasurer or state depositories and for establishing change funds in the amount considered necessary by the department.

~~SECTION 631w. 20.566 (1) (h) of the statutes is amended to read:~~

~~20.566 (1) (h) Debt collection. From moneys received from the collection of debts owed to state agencies and counties under ss. 71.93 and 565.30 (5), the amounts in the schedule to pay the administrative expenses of the department of revenue for the collection of those debts.~~

SECTION 632. 20.566 (1) (hq) of the statutes is amended to read:

20.566 (1) (hq) *Delinquent tax collection fees*. All moneys received from fees collected under s. 73.03 (33) and from the reimbursement by delinquent taxpayers of costs incurred by the department of revenue under ch. 814, to pay costs incurred by the department of revenue under ch. 814 and computer programming, mailing and other costs associated with the collection of delinquent taxes.

SECTION 633. 20.566 (1) (hq) of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

20.566 (1) (hq) *Delinquent tax collection fees*. All moneys received from the fees collected under s. 73.03 (33m), to pay costs incurred by the department of revenue in collecting delinquent taxes.

~~SECTION 633m. 20.566 (1) (j) of the statutes is created to read:~~

~~20.566 (1) (j) Delinquent property tax collections. All moneys received for the payment of delinquent property taxes under s. 565.30 (5), to be distributed to the appropriate county treasurers.~~

SECTION 633r. 20.566 (1) (q) of the statutes is amended to read:

20.566 (1) (q) (title) *Recycling surcharge administration*. From the recycling fund, the amounts in the

Vetoed in Part

Vetoed in Part

schedule for the cost of administering the recycling fees surcharge under subch. VII of ch. 77.

SECTION 634. 20.566 (2) (c) of the statutes is amended to read:

20.566 (2) (c) *Assessor education program.* The amounts in the schedule for the educational program under s. 73.08 (3), beginning in fiscal year 1992-93 1993-94.

SECTION 634m. 20.566 (3) (q) of the statutes is amended to read:

20.566 (3) (q) (title) *Recycling surcharge support.* From the recycling fund, the amounts in the schedule for support services relating to the recycling fees surcharge under subch. VII of ch. 77.

SECTION 635. 20.566 (7) (v) of the statutes is amended to read:

20.566 (7) (v) *Investment and local impact fund.* From the investment and local impact fund, all moneys received under s. 70.395 (1) (a) and (1g) (b), less the moneys appropriated under ~~ss. 20.143 (1) (v) and 20.370 (2) (gr) and (gs)~~, to be disbursed under ss. 70.395 (2) (d) to (g), 144.855 (5) (a) and 144.838 (4).

SECTION 640m. 20.575 (1) (a) of the statutes is repealed.

SECTION 641. 20.575 (1) (g) of the statutes is amended to read:

20.575 (1) (g) *Program fees.* The amounts in the schedule for the purpose of carrying out general program operations. Except as provided under pars. (gb), (h) and (ka), \$4 of each amount collected under ss. 180.0122 (1) (x) and (y), 181.653 (4), 181.68 (1) (gm), 185.48 (4) and (6) and 185.83 (1) (e) plus ~~23%~~ 27.5% of the fees collected by the secretary of state, other than fees forwarded by registers of deeds under ss. 409.403 (5) (a), 409.405 (1) and (2) and 409.406 and other than \$2 of the fees collected by the secretary of state for each filing under ss. 409.403 (5) (b), 409.405 (1) and (2) and 409.406 and other than \$4 of each amount collected under ss. 180.0122 (1) (x) and (y), 181.653 (4), 181.68 (1) (gm), 185.48 (4) and (6) and 185.83 (1) (e), shall be credited to this appropriation. Notwithstanding s. 20.001 (3) (a), any unencumbered balance at the close of a fiscal year exceeding 10% of the previous fiscal year's expenditures under this appropriation shall lapse to the general fund.

SECTION 642. 20.575 (1) (gb) of the statutes is amended to read:

20.575 (1) (gb) *Expedited service and telephone application for reservation of name.* The amounts in the schedule for processing of a document, request for information or certification in an expeditious manner under s. 14.38 (9), 179.16 (5), 180.0122 (4), 181.68 (1) (k) or 185.83 (1) (h) and for taking telephone applications to reserve a name under s. 179.03 (2), 180.0402, 181.07 (2) or 185.045. All expedited service fees collected under ss. 14.38 (9), 179.16 (5), 180.0122 (4), 181.68 (1) (k) and 185.83 (1) (h) and all fees for telephone application to reserve a name collected under s.

179.03 (2), 180.0122 (1) (e) or (f), 181.68 (1) (g) or 185.045 shall be credited to this appropriation. Notwithstanding s. 20.001 (3) (a), any unencumbered balance at the close of a fiscal year exceeding 10% of the previous fiscal year's expenditures under this appropriation shall lapse to the general fund.

SECTION 643. 20.575 (1) (h) of the statutes is amended to read:

20.575 (1) (h) *Search fees.* The amounts in the schedule for conducting searches under s. 409.407 (2). All moneys received by the office for search fees collected under s. 409.407 (2) shall be credited to this appropriation. Notwithstanding s. 20.001 (3) (a), any unencumbered balance at the close of a fiscal year exceeding 10% of the previous fiscal year's expenditures under this appropriation shall lapse to the general fund.

SECTION 644. 20.575 (1) (i) of the statutes is amended to read:

20.575 (1) (i) *Uniform commercial code statewide lien system fees.* The amounts in the schedule for the purpose of establishing and maintaining support services under s. 14.38 (13) for the uniform commercial code statewide lien system under s. 409.410. All moneys received from fees forwarded by registers of deeds under ss. 409.403 (5) (a), 409.405 (1) and (2) and 409.406 plus \$2 of the fees collected by the secretary of state for each filing under ss. 409.403 (5) (b), 409.405 (1) and (2) and 409.406 shall be credited to this appropriation. Notwithstanding s. 20.001 (3) (a), any unencumbered balance at the close of a fiscal year exceeding 10% of the previous fiscal year's expenditures under this appropriation shall lapse to the general fund.

SECTION 645. 20.575 (1) (ka) of the statutes is amended to read:

20.575 (1) (ka) *Agency collections.* The amounts in the schedule for photocopying, and microfilm copying of documents, generation of copies of documents from optical disk storage, publication of books and other such services provided in carrying out the functions of the office. All moneys received by the office as fees or other charges for photocopying, microfilm copying, sale generation of copies of documents from optical disk storage, sales of books and other such services provided in carrying out the functions of the office shall be credited to this appropriation.

SECTION 646. 20.585 (1) (km) of the statutes is amended to read:

20.585 (1) (km) *Credit card use charges.* All moneys received under ss. 59.20 (8) and (8m) and 85.14 (1) (b), to pay charges under ss. 23.49 and 85.14 (1) (b) and (2).

SECTION 646d. 20.625 (1) (as) of the statutes is created to read:

20.625 (1) (as) *Violent crime court costs.* ~~As soon as possible, the amounts in the schedule for reimbursement under s. 753.061 (5) for the costs of~~ **Vetoed in Part**

Vetoed in Part operating 2 circuit court branches in the 1st judicial administrative district that primarily handle violent crime cases, to pay one-time court construction costs, to pay the costs of the 4 court commissioners appointed under s. 753.016 (6) and to pay the costs of court staff necessary to assist those 4 court commissioners.

Vetoed in Part SECTION 647e. 20.625 (1) (d) of the statutes is created to read:

20.625 (1) (d) *Juror fees.* The amounts in the schedule for reimbursement to counties for juror fees under s. 758.19 (6) (a).

Vetoed in Part SECTION 647g. 20.625 (1) (dm) of the statutes is created to read:

20.625 (1) (dm) *Court coordination.* As a continuing appropriation, the amounts in the schedule for reimbursement under s. 753.061 (4) for the costs of a person to assist in coordination and evaluation duties in the 1st judicial administrative district.

Vetoed in Part SECTION 647m. 20.625 (1) (e) of the statutes is created to read:

20.625 (1) (e) *Guardian ad litem fees.* The amounts in the schedule to pay guardian ad litem fees under s. 758.19 (6) (b).

SECTION 647p. 20.625 (1) (f) of the statutes is created to read:

20.625 (1) (f) *Witness fees.* The amounts in the schedule to pay witness fees under s. 758.19 (6) (c).

SECTION 647w. 20.625 (1) (k) of the statutes is created to read:

20.625 (1) (k) *Drug court costs; local assistance.* All moneys received from the department of administration or any other state agency to reimburse the county for costs incurred in operating one circuit court branch in the 1st judicial administrative district that primarily handles drug-related cases. No moneys may be encumbered under this paragraph after June 30, 1993.

SECTION 649. 20.680 (2) (j) of the statutes is amended to read:

20.680 (2) (j) *Automated information systems.* All moneys received under ss. 814.61, 814.62 and 814.63 that are required to be credited to this appropriation under those sections shall be credited to this appropriation, and 66.7% of the moneys received under s. 814.635, for the establishment of a court automated information system.

SECTION 650. 20.680 (2) (k) of the statutes is amended to read:

20.680 (2) (k) *Data processing services.* The amounts in the schedule for data processing services. All moneys received from providing those services to the board of attorneys professional competence bar examiners, the board of attorneys professional responsibility and the mediation system under ch. 655 shall be credited to this appropriation.

SECTION 651. 20.680 (3) (g) of the statutes is amended to read:

20.680 (3) (g) (title) *Board of bar examiners.* 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 bar examiners.

SECTION 652. 20.680 (4) (g) of the statutes is amended to read:

20.680 (4) (g) *Library collections and services.* The amounts in the schedule for photocopying, and microfilm copying, of documents, generation of copies of documents from optical disk storage, publication of books, computer services and other services provided by the state law library in carrying out its functions. All moneys received by the library as fees or other charges for photocopying, microfilm copying, generation of copies of documents from optical disk storage, computer services, sales of books and other services provided in carrying out the functions of the library under s. 758.01 (2) shall be credited to this appropriation.

SECTION 652d. 20.765 (1) (e) of the statutes is created to read:

20.765 (1) (e) *Public participation in redistricting process.* Biennially, the amounts in the schedule to facilitate public participation in the congressional and legislative redistricting process in this state as provided in 1991 Wisconsin Act ... (this act), section 91.36 (5).

SECTION 652e. 20.765 (1) (e) of the statutes, as created by 1991 Wisconsin Act ... (this act), is repealed.

SECTION 652m. 20.765 (2) (ab) of the statutes is amended to read:

20.765 (2) (ab) *Retirement actuarial studies.* For the joint survey committee on retirement systems and retirement research committee, biennially, the amount amounts in the schedule for actuarial studies contracted and approved by the joint survey committee on retirement systems or the retirement research committee and for actuarial opinions ordered under s. 13.50 (6) (am).

SECTION 653m. 20.835 (1) (b) of the statutes is created to read:

20.835 (1) (b) *Small municipalities shared revenue.* The amounts in the schedule to make the payments under s. 79.03 (3c).

SECTION 655. 20.835 (1) (e) of the statutes is repealed.

SECTION 657g. 20.835 (2) (ci) of the statutes is created to read:

20.835 (2) (ci) *Development zones investment credit.* A sum sufficient to make the payments under ss. 71.07 (2di) (b) 2, 71.28 (1di) (b) 2 and 71.47 (1di) (b) 2.

SECTION 657k. 20.835 (2) (cL) of the statutes is created to read:

Vetoed in Part

20.835 (2) (cL) *Development zones location credit.* A sum sufficient to make the payments under ss. 71.07 (2dL) (c) 2, 71.28 (1dL) (c) 2 and 71.47 (1dL) (c) 2.

Vetoed
in Part

~~SECTION 657km. 20.835 (2) (fm) of the statutes is created to read:~~

~~20.835 (2) (fm) *Farmland tax relief credit.* A sum sufficient to pay the aggregate claims approved under ss. 71.07 (3m) (c), 71.28 (2m) (c) and 71.47 (2m) (c).~~

~~SECTION 657ks. 20.835 (2) (g) of the statutes is repealed.~~

~~SECTION 657t. 20.835 (3) (a) of the statutes is repealed.~~

Vetoed
in Part

~~SECTION 657v. 20.835 (3) (b) of the statutes is repealed.~~

~~SECTION 657w. 20.835 (3) (c) of the statutes is created to read:~~

~~20.835 (3) (c) *Supplemental state school property tax credit.* The amounts in the schedule to make the payments under s. 79.10 (4) on the 4th Monday in March.~~

~~SECTION 658. 20.835 (3) (d) of the statutes is repealed.~~

Vetoed
in Part

~~SECTION 658b. 20.835 (3) (e) of the statutes is created to read:~~

~~20.835 (3) (e) *State school property tax credit.* A sum sufficient to make the payments under s. 79.10 (4) on the 4th Monday in July and to make payments in the amount of any deficiency under s. 79.10 (5).~~

~~SECTION 658g. 20.835 (3) (q) of the statutes is created to read:~~

Vetoed
in Part

~~20.835 (3) (q) *Lottery school property tax credit.* 1998. From the lottery fund, a sum sufficient to make the payments under s. 79.10 (5) in March and August.~~

Vetoed
in Part

~~SECTION 658h. 20.835 (3) (r) of the statutes is created to read:~~

~~20.835 (3) (r) *Lottery school property tax credit.* From the lottery fund, the amounts in the schedule to make the payments under s. 79.10 (5) in March 1993 and thereafter.~~

~~SECTION 659m. 20.835 (7) (title) of the statutes is created to read:~~

~~20.835 (7) (title) SUPPLEMENTAL STATE SCHOOL AID.~~

~~SECTION 665. 20.855 (2) of the statutes is repealed.~~

~~SECTION 667. 20.855 (4) (fa) of the statutes is repealed.~~

~~SECTION 669. 20.855 (4) (t) of the statutes is amended to read:~~

~~20.855 (4) (t) *Transfer to conservation fund; snowmobile formula.* On July 1 of each fiscal year, from the transportation fund, a sum sufficient in an amount as determined under s. 25.29 (1) (d) to be paid into the snowmobile trail aids account in the conservation fund.~~

~~SECTION 669m. 20.855 (4) (u) of the statutes is created to read:~~

~~20.855 (4) (u) *Transfer to conservation fund; all-terrain vehicle formula.* From the transportation fund, a~~

sum sufficient in an amount equal to the amount to be paid into the conservation fund as determined under s. 25.29 (1) (dm). The amounts may be paid at such intervals during each fiscal year as the secretary of administration deems appropriate or necessary.

SECTION 670. 20.855 (6) (k) of the statutes is created to read:

20.855 (6) (k) *Aids to individuals and organizations.* All moneys received by any state agency from any other state agency for the purpose of providing aids to individuals and organizations under any program authorized by law that are not directed to be deposited in any other appropriation account, to be used for the purpose of providing such aids. The department of administration may establish numeric subunits from the appropriation made under this paragraph for each state agency or division thereof which receives moneys for the purpose of providing aids to individuals or organizations under any program authorized by law that are not directed to be deposited in any other appropriation account. For internal accounting purposes only, the department may reflect the amounts in each subunit under the appropriation totals for the respective state agencies administering the programs for which the moneys are used.

SECTION 671. 20.855 (6) (ka) of the statutes is created to read:

20.855 (6) (ka) *Local assistance.* All moneys received by any state agency from any other state agency for the purpose of providing assistance to local governmental units under any program authorized by law that are not directed to be deposited in any other appropriation account, to be used for the purpose of providing such assistance. The department of administration may establish numeric subunits from the appropriation made under this paragraph for each state agency or division thereof which receives moneys for the purpose of providing assistance to local governmental units under any program authorized by law that are not directed to be deposited in any other appropriation account. For internal accounting purposes only, the department may reflect the amounts in each subunit under the appropriation totals for the respective state agencies administering the programs for which the moneys are used.

~~SECTION 672m. 20.855 (10) of the statutes is created to read:~~

~~20.855 (10) *MILWAUKEE PUBLIC MUSEUM. (a) Large-screen theater.* The amounts in the schedule for the department of administration to reimburse the Milwaukee public museum for the costs incurred by the museum in constructing a large-screen theater, as provided in 1991 Wisconsin Act ... (this act) section 9101 (9x).~~

SECTION 673. 20.865 (intro.) of the statutes 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 appro-

Vetoed
in Part

priations are financed, the amounts provided in this section as ~~released~~ approved by the department of administration under ss. 16.50 and 20.928, but only after the amounts included in the respective program appropriations for the purposes ~~indicated~~ specified in this section have been exhausted. Every expenditure under this section for purposes normally financed by a program revenue appropriation or segregated revenue appropriation from program receipts shall be charged to the appropriate account, but if there are insufficient moneys available in that account, the expenditure shall be charged to the fund from which the appropriation is made. Those general fund expenditures paid from general purpose revenues for purposes financed by program revenues shall be separately accounted for and the general fund, except as otherwise provided in sub. (2) (d), (j) and (t) and s. 20.285 (1) (g), shall be reimbursed for those expenditures as soon as moneys become available in the appropriate account.

SECTION 673ab. 20.865 (intro.) of the statutes, as affected by 1991 Wisconsin Act (this act), 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, the amounts provided in this section as approved by the department of administration under ss. 16.50 and 20.928, but only after the amounts included in the respective program appropriations for the purposes specified in this section have been exhausted. Every expenditure under this section for purposes normally financed by a program revenue appropriation or segregated revenue appropriation from program receipts shall be charged to the appropriate account, but if there are insufficient moneys available in that account, the expenditure shall be charged to the fund from which the appropriation is made. Those general fund expenditures paid from general purpose revenues for purposes financed by program revenues shall be separately accounted for and the general fund, except as otherwise provided in sub. (2) (d), (j) and (t) and ~~s.~~ ss. 20.285 (1) (g) and 36.52, shall be reimbursed for those expenditures as soon as moneys become available in the appropriate account.

SECTION 673h. 20.865 (1) (c) of the statutes is amended to read:

20.865 (1) (c) *Compensation and related adjustments.* A sum sufficient to supplement the appropriations to state agencies for the cost of compensation and related adjustments approved by the legislature under s. 111.92 for represented employees and by the joint committee on employment relations under s. 230.12 and by the legislature, when required, for nonrepresented employees in the classified service and comparable adjustments for nonrepresented employees in the unclassified service, except those nonrepresented employees specified in ss. 20.923 (5) and (6) (c) and (m) and 230.08 (2) (d) and (f), as deter-

mined under s. 20.928, other than adjustments funded under par. (c). Unclassified employees included under s. 20.923 (2) need not be paid comparable adjustments.

SECTION 673p. 20.865 (1) (ci) of the statutes is amended to read:

20.865 (1) (ci) *Nonrepresented university system faculty and academic pay adjustments.* A sum sufficient to pay the cost of pay and related adjustments approved by the joint committee on employment relations under s. 230.12 (3) (e) for university of Wisconsin system employees under ss. 20.923 (5) and (6) (m) and 230.08 (2) (d) who are not included within a collective bargaining unit for which a representative is certified under subch. V of ch. 111, as determined under s. 20.928, other than adjustments funded under par. (c).

SECTION 673t. 20.865 (1) (cj) of the statutes is created to read:

20.865 (1) (cj) *Pay adjustments for certain university employees.* The amounts in the schedule to finance the cost of pay and related adjustments approved or provided by law, by the legislature under s. 111.92, by the joint committee on employment relations under s. 230.12 or by the governor, the joint committee on finance or the legislature in budget determinations for employees of the university of Wisconsin system in the unclassified service whose positions are wholly or partly funded from federal revenue under 7 USC 343, whenever federal revenue is not provided to finance this cost, but not including any adjustments provided by the board of regents of the university of Wisconsin system to correct salary inequities or to recognize competitive factors from moneys not allocated for that purpose by law or in budget determinations. Moneys from this appropriation may be used to finance the cost of adjustments for a position that is partly funded from federal revenue only in proportion to the part funded from federal revenue.

SECTION 674. 20.865 (1) (cq) of the statutes is repealed.

SECTION 675. 20.865 (1) (dm) of the statutes is amended to read:

20.865 (1) (dm) *Risk management — worker's compensation.* A sum sufficient to supplement the appropriations of state agencies for costs assessed under s. 16.865 (8) to pay for the state employer's employer costs for state employees' worker's compensation claims of state employees under ch. 102, including but not limited to any investigative and adjustment fees, data processing and support staff costs, program administration costs, litigation costs and the cost of insurance contracts arranged by the department of administration to protect the state against risk of loss as provided under s. 16.865 (5) incurred in programs financed with general purpose revenue.

SECTION 676. 20.865 (1) (em) of the statutes is created to read:

20.865 (1) (em) *Financial services*. The amounts in the schedule to supplement the general purpose revenue appropriations of state agencies for charges assessed by the department of administration for financial services performed on behalf of the agencies under s. 16.53 (13).

SECTION 677. 20.865 (1) (f) of the statutes is amended to read:

20.865 (1) (f) *Risk management — state property*. A sum sufficient to supplement the appropriations of state agencies for costs assessed under s. 16.865 (8) to pay for losses of and damage to state property under s. 16.865 (4) including, but not limited to, any investigative and adjustment fees, program administration costs and the cost of insurance contracts arranged by the department of administration to protect the state against risk of loss as provided under s. 16.865 (5) incurred in programs financed with general purpose revenue.

SECTION 678. 20.865 (1) (fm) of the statutes is amended to read:

20.865 (1) (fm) *Risk management — liability*. A sum sufficient to supplement the appropriations of state agencies for costs assessed under s. 16.865 (8) to pay for state liability arising from judgments and settlements made under ss. 165.25 (6), the costs incurred under ss. 775.04, 895.46 (1) and 895.47 including any judgments, investigative and adjustment fees, program administration costs and the cost of insurance contracts arranged by the department of administration to protect the state against risk of loss as provided under s. 16.865 incurred in programs financed with general purpose revenue.

SECTION 678g. 20.865 (1) (i) of the statutes is amended to read:

20.865 (1) (i) *Compensation and related adjustments; program revenues*. From the appropriate program revenue and program revenue-service accounts, a sum sufficient to supplement the appropriations to state agencies for the cost of compensation and related adjustments approved by the legislature under s. 111.92 for represented employees and by the joint committee on employment relations under s. 230.12 and the legislature, when required for nonrepresented employees in the classified service and comparable adjustments for nonrepresented employees in the unclassified service, except those nonrepresented employees specified in ss. 20.923 (5) and (6) (c) and (m) and 230.08 (2) (d) and (f), as determined under s. 20.928, other than adjustments funded under par. (ci). Unclassified employees included under s. 20.923 (2) need not be paid comparable adjustments.

SECTION 678r. 20.865 (1) (ic) of the statutes is amended to read:

20.865 (1) (ic) *Nonrepresented university system faculty and academic pay adjustments*. From the appropriate program revenue and program revenue-service accounts, a sum sufficient to supplement the appropriations to the university of Wisconsin system

to pay the cost of pay and related adjustments approved by the joint committee on employment relations under s. 230.12 (3) (e) for university of Wisconsin system employees under ss. 20.923 (5) and (6) (m) and 230.08 (2) (d) who are not included within a collective bargaining unit for which a representative is certified under subch. V of ch. 111, as determined under s. 20.928, other than adjustments funded under par. (ci).

SECTION 679. 20.865 (1) (iq) of the statutes is repealed.

SECTION 680. 20.865 (1) (js) of the statutes is created to read:

20.865 (1) (js) *Financial services; program revenues*. From the appropriate program revenue and program revenue-service appropriations, a sum sufficient to supplement the program revenue appropriations to state agencies for charges assessed by the department of administration for financial services performed on behalf of the agencies under s. 16.53 (13).

SECTION 681. 20.865 (1) (k) of the statutes is amended to read:

20.865 (1) (k) *Risk management — worker's compensation; program revenues*. From the appropriate program revenue and program revenue-service accounts, a sum sufficient to supplement the program revenue appropriations to state of state agencies when the department of administration allocates a proportionate share of the estimated total cost for employees' for costs assessed under s. 16.865 (8) to pay for state employer costs of worker's compensation claims of state employees under ch. 102 to state agencies under par. (dm) incurred in programs financed with program revenue.

SECTION 682. 20.865 (1) (kg) of the statutes is amended to read:

20.865 (1) (kg) *Risk management — state property; program revenues*. From the appropriate program revenue and program revenue-service accounts, a sum sufficient to supplement the program revenue appropriations to state of state agencies when the department of administration allocates a proportionate share of the estimated total cost for payment of damages for costs assessed under s. 16.865 (8) to pay for losses of and damage to state property to state agencies under par. (f) incurred in programs financed with program revenue.

SECTION 683. 20.865 (1) (kr) of the statutes is amended to read:

20.865 (1) (kr) *Risk management — liability; program revenues*. From the appropriate program revenue and program revenue-service accounts, a sum sufficient to supplement the program revenue appropriations to state of state agencies when the department of administration allocates a proportionate share of the estimated total cost for payment of for costs assessed under s. 16.865 (8) to pay for state liability arising from judgments, and settlements and other costs specified in par. (fm) to state agencies

~~under that paragraph~~ under ss. 165.25 (6), 775.04, 895.46 (1) and 895.47 incurred in programs financed with program revenue.

SECTION 684. 20.865 (1) (sq) of the statutes is repealed.

SECTION 685. 20.865 (1) (ts) of the statutes is created to read:

20.865 (1) (ts) *Financial services; segregated revenues.* From the appropriate segregated funds, a sum sufficient to supplement the appropriations to state agencies for charges assessed by the department of administration for financial services performed on behalf of the agencies under s. 16.53 (13).

SECTION 686. 20.865 (1) (u) of the statutes is amended to read:

20.865 (1) (u) *Risk management — worker's compensation; segregated revenues.* From the appropriate segregated funds, a sum sufficient to supplement the segregated revenue appropriations to state of state agencies ~~when the department of administration allocates a proportionate share of the estimated total cost for employees' for costs assessed under s. 16.865 (8) to pay for state employer costs of worker's compensation claims of state employees under ch. 102 to state agencies under par. (dm) incurred in programs financed with segregated revenue.~~

SECTION 687. 20.865 (1) (ug) of the statutes is amended to read:

20.865 (1) (ug) *Risk management — state property; segregated revenues.* From the appropriate segregated funds, a sum sufficient to supplement the segregated revenue appropriations to state of state agencies ~~when the department of administration allocates a proportionate share of the estimated total cost for payment of damages for costs assessed under s. 16.865 (8) to pay for losses of and damage to state property to state agencies under par. (f) incurred in programs financed with segregated revenue.~~

SECTION 688. 20.865 (1) (ur) of the statutes is amended to read:

20.865 (1) (ur) *Risk management — liability; segregated revenues.* From the appropriate segregated funds, a sum sufficient to supplement the segregated revenue appropriations to state of state agencies ~~when the department of administration allocates a proportionate share of the estimated total cost for payment of for costs assessed under s. 16.865 (8) to pay for state liability arising from judgments, and settlements and other costs specified in par. (fm) to state agencies under that paragraph under ss. 165.25 (6), 775.04, 895.46 (1) and 895.47 incurred in programs financed with segregated revenue.~~

SECTION 689. 20.865 (2) (e) of the statutes is amended to read:

20.865 (2) (e) *Maintenance of capitol and executive residence.* The amounts in the schedule for the cost of operations, protective services and maintenance of the

capitol building and the executive residence, including minor projects approved under s. 13.48 (3) or (10) or 16.855 (16) (b), to be paid into the appropriation made under s. 20.505 (5) (ka).

SECTION 690b. 20.866 (1) (u) of the statutes is amended to read:

20.866 (1) (u) *Principal repayment and interest.* A sum sufficient from moneys appropriated under ss. 20.190 (1) (j), 20.225 (1) (c), 20.245 (2) (e) and (j), (4) (e) and (5) (e), 20.250 (1) (e), 20.255 (1) (d), 20.285 (1) (d), (db) and (gb), 20.320 (1) (c) and (t), 20.370 (1) (iq), (kc) and (kw), (2) (jc), (4) ~~(ka)~~ (if), (jb), (jc), (jd) and (je) and (8) (Lb) and (Ls), 20.395 (6) (aq) and (ar), 20.410 (1) (e), (ec) and (ko), 20.435 (2) (ee), (3) (e) and (5) (e), ~~20.455 (2) (em)~~, 20.465 (1) (d), 20.485 (1) (f) and (3) (t), 20.505 (5) (kc) and 20.867 (1) (a) and (b) and (3) (a), (b), (g), (h), (i) and (q) for the payment of principal and interest on public debt contracted under subchs. I and IV of ch. 18.

SECTION 690g. 20.866 (2) (s) of the statutes is amended to read:

20.866 (2) (s) *University of Wisconsin; academic facilities.* From the capital improvement fund, a sum sufficient 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 ~~\$647,320,100~~ \$643,230,900 for this purpose.

SECTION 690r. 20.866 (2) (t) of the statutes is amended to read:

20.866 (2) (t) *University of Wisconsin; self-amortizing facilities.* From the capital improvement fund, a sum sufficient for the board of regents of the university of Wisconsin system to acquire, construct, develop, enlarge or improve university self-amortizing educational facilities. The state may contract public debt in an amount not to exceed ~~\$180,742,100~~ \$224,766,600 for this purpose. Of this amount, \$4,500,000 is allocated only for the university of Wisconsin-Madison indoor practice facility for athletic programs and only at the time that ownership of the facility is transferred to the state.

SECTION 691. 20.866 (2) (tc) of the statutes is amended to read:

20.866 (2) (tc) *Clean water fund.* From the capital improvement fund, a sum sufficient to be transferred to the clean water fund for the purposes of ss. 144.241 and 144.2415. The state may contract public debt in an amount not to exceed ~~\$304,204,000~~ \$392,494,000 for this purpose. Of this amount, the amount needed to meet the requirements for state deposits under 33 USC 1382 is allocated for those deposits. Of this amount, \$8,250,000 is allocated to fund the minority business development and training program under s. 66.905 (2) (b).

SECTION 691m. 20.866 (2) (te) of the statutes is created to read:

Vetoed
in Part

20.866 (2) (te) *Natural resources; nonpoint source grants.* From the capital improvement fund, a sum sufficient for the department of natural resources to provide nonpoint source water pollution abatement grants under s. 144.25 to governmental units, as defined in s. 144.25 (2) (am), for construction projects in priority watersheds. The state may contract public debt in an amount not to exceed \$11,500,000 for this purpose.

SECTION 692. 20.866 (2) (tg) of the statutes is amended to read:

20.866 (2) (tg) *Natural resources; environmental repair.* From the capital improvement fund, a sum sufficient for the department of natural resources to take remedial action under s. 144.442 (6) for sites and facilities subject to s. 144.442 (6) (cm) and for payment of this state's share of environmental repair that is funded under 42 USC 9601 to 9675. The state may contract public debt in an amount not to exceed ~~\$7,500,000~~ \$22,500,000 for this purpose.

~~SECTION 692b. 20.866 (2) (ti) of the statutes is created to read:~~

Vetoed
in Part

~~20.866 (2) (ti) *Natural resources; urban rivers grants.* From the capital improvement fund, a sum sufficient for the department of natural resources to provide grants to municipalities under the urban rivers grant program in s. 30.277. The state may contract public debt for this purpose in an amount not to exceed \$750,000.~~

~~SECTION 692d. 20.866 (2) (tl) of the statutes is created to read:~~

Vetoed
in Part

~~20.866 (2) (tl) *Natural resources; Lake Winnebago comprehensive project.* From the capital improvement fund, a sum sufficient for the placement of structures and fill under the Lake Winnebago comprehensive project as provided in s. 30.203. The state may contract public debt in an amount not to exceed \$81,500 for this purpose.~~

SECTION 692g. 20.866 (2) (tr) of the statutes is amended to read:

20.866 (2) (tr) *Natural resources; recreation development.* From the capital improvement fund, a sum sufficient for the department of natural resources to acquire, construct, develop, enlarge or improve state recreation facilities and state fish hatcheries. The state may contract public debt in an amount not to exceed ~~\$9,934,500~~ \$12,561,500 for this purpose.

SECTION 692k. 20.866 (2) (tu) of the statutes is amended to read:

20.866 (2) (tu) *Natural resources; segregated revenue supported facilities.* From the capital improvement fund, a sum sufficient for the department of natural resources to acquire, construct, develop, enlarge or improve natural resource administrative office, laboratory, equipment storage or maintenance facilities and to construct, develop, enlarge or improve recreation facilities. The state may contract public debt in an amount not to exceed ~~\$4,771,500~~ \$6,466,200 for this purpose.

SECTION 692L. 20.866 (2) (tw) of the statutes is amended to read:

20.866 (2) (tw) *Natural resources; ice age trail.* From the capital improvement fund, as a part of the outdoor recreation land acquisition program, a sum sufficient for the department of natural resources for the acquisition and development of the ice age trail under s. 23.17. The state may contract public debt in an amount not to exceed \$750,000 for this purpose. Moneys expended from this appropriation ~~may be expended in each fiscal year only in~~ may not exceed an amount to match funds equal to the sum of the amount received under s. 20.370 (1) (gg) from gifts, grants or and bequests or for that fiscal year plus an amount equal to the fair market value of the land donated for the acquisition or development of the ice age trail, at the ratio of 1 to 1.5 valuation of the land accepted for dedication under s. 23.293 (5) in that fiscal year.

SECTION 692m. 20.866 (2) (tx) of the statutes is amended to read:

20.866 (2) (tx) *Natural resources; dam maintenance, repair, modification, abandonment and removal.* From the capital improvement fund, a sum sufficient for the department of natural resources to provide financial assistance to counties, cities, villages, towns and public inland lake protection and rehabilitation districts in conducting dam maintenance, repair, modification, abandonment and removal under s. 31.385. The state may contract public debt in an amount not to exceed ~~\$2,500,000~~ \$5,500,000 for this purpose.

SECTION 693. 20.866 (2) (tz) of the statutes is amended to read:

20.866 (2) (tz) *Natural resources, stewardship program.* From the capital improvement fund a sum sufficient for the purposes specified in s. 23.0915 (1). The state may contract public debt in an amount not to exceed \$250,000,000 for this purpose. The Except as provided in s. 23.0915 (2), the amounts expended under this paragraph and the amounts received and expended by the state for land acquisition under 16 USC 669-669i, 777-777i and 4601-4601-22, other than the amount expended for Henry Aaron state park, may not exceed \$25,000,000 in each fiscal year.

Vetoed
in Part

Vetoed
in Part

SECTION 694. 20.866 (2) (uv) of the statutes is amended to read:

20.866 (2) (uv) *Transportation, harbor improvements.* From the capital improvement fund, a sum sufficient for the department of transportation to provide grants for harbor improvements. The state may contract public debt in an amount not to exceed ~~\$4,000,000~~ \$6,000,000 for this purpose.

SECTION 694g. 20.866 (2) (ux) of the statutes is amended to read:

20.866 (2) (ux) *Corrections; correctional facilities.* From the capital improvement fund, a sum sufficient for the department of corrections to acquire, construct, develop, enlarge or improve adult correctional

facilities. The state may contract public debt in an amount not to exceed ~~\$211,970,300~~ \$357,353,700 for this purpose.

SECTION 694h. 20.866 (2) (v) of the statutes is amended to read:

20.866 (2) (v) *Health and social services; mental health facilities.* From the capital improvement fund, a sum sufficient 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 ~~\$60,012,800~~ \$58,721,000 for this purpose.

SECTION 694i. 20.866 (2) (w) of the statutes is amended to read:

20.866 (2) (w) *Health and social services; juvenile correctional facilities.* From the capital improvement fund, a sum sufficient for the department of health and social services to acquire, construct, develop, enlarge or improve juvenile correctional facilities. The state may contract public debt in an amount not to exceed ~~\$4,842,000~~ \$7,313,400 for this purpose.

SECTION 694ig. 20.866 (2) (xa) of the statutes is repealed.

SECTION 694ir. 20.866 (2) (xb) of the statutes is amended to read:

20.866 (2) (xb) *Building commission; refunding corporation self-amortizing debt.* From the capital improvement fund, a sum sufficient to fund or refund the whole or any part of any unpaid indebtedness used to finance self-amortizing facilities in which program revenues or corresponding segregated revenues from program receipts reimburse lease rental payments advanced by general purpose revenue, and incurred prior to January 1, 1970, by the Wisconsin state agencies building corporation, Wisconsin state colleges building corporation or Wisconsin university building corporation. The state may contract public debt in an amount not to exceed ~~\$8,866,700~~ \$5,967,200 for this purpose. Such indebtedness shall be construed to include any premium payable with respect thereto. Debt incurred by this paragraph shall be repaid under the appropriations providing for the retirement of public debt incurred under par. (t), (u), (ur) or (zz) in proportional amounts to the purposes for which the debt was refinanced. The refunding authority provided in this paragraph may be used only if the true interest costs to the state can be reduced thereby.

SECTION 694j. 20.866 (2) (y) of the statutes is amended to read:

20.866 (2) (y) *Building commission; housing state departments and agencies.* From the capital improvement fund, a sum sufficient 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 ~~\$87,257,400~~ \$112,859,200 for this purpose.

SECTION 694k. 20.866 (2) (yg) of the statutes is created to read:

20.866 (2) (yg) *Building commission; project contingencies.* From the capital improvement fund, a sum sufficient to the building commission for the purpose of funding project contingencies for projects enumerated in the authorized state building program for state departments and agencies. The state may contract public debt in an amount not to exceed \$5,619,600 for this purpose.

SECTION 694L. 20.866 (2) (ym) of the statutes is amended to read:

20.866 (2) (ym) *Building commission; capital equipment acquisition.* From the capital improvement fund, a sum sufficient to the state building commission to acquire capital equipment for state departments and agencies. The state may contract public debt in an amount not to exceed ~~\$43,500,000~~ \$48,522,900 for this purpose.

SECTION 694m. 20.866 (2) (z) of the statutes is renumbered 20.866 (2) (z) (intro.) and amended to read:

20.866 (2) (z) *Building commission; other public purposes.* (intro.) From the capital improvement fund, a sum sufficient 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 ~~\$310,006,000~~ \$495,029,000 for this purpose. Of this amount, \$111,673,000 is allocated for the Wisconsin initiative for state technology and applied research program. The total amount of debt authorized for this program may not exceed the following amounts on the following dates:

SECTION 694mb. 20.866 (2) (z) 1 to 7 of the statutes are created to read:

- 20.866 (2) (z) 1. Prior to July 1, 1992, \$10,000,000.
2. July 1, 1992, to June 30, 1993, \$30,000,000.
3. July 1, 1993, to June 30, 1994, \$50,000,000.
4. July 1, 1994, to June 30, 1995, \$70,000,000.
5. July 1, 1995, to June 30, 1996, \$90,000,000.
6. July 1, 1996, to June 30, 1997, \$110,000,000.
7. July 1, 1997, or thereafter, \$111,673,000.

SECTION 694n. 20.866 (2) (zd) of the statutes is amended to read:

20.866 (2) (zd) (title) *Educational communications board; educational communications facilities.* From the capital improvement fund, a sum sufficient for the educational communications board to acquire, construct, develop, enlarge or improve educational communications facilities. The state may contract public debt in an amount not to exceed ~~\$5,879,600~~ \$6,629,600 for this purpose.

SECTION 694nm. 20.866 (2) (zh) (title) of the statutes is amended to read:

20.866 (2) (zh) (title) *Public instruction, state schools and library facilities.*

SECTION 694p. 20.866 (2) (zj) of the statutes is amended to read:

20.866 (2) (zj) (title) *Military affairs; armories and military facilities*. From the capital improvement fund, a sum sufficient for the department of military affairs to acquire, construct, develop, enlarge, or improve armories and other military facilities. The state may contract public debt in an amount not to exceed ~~\$15,629,200~~ \$15,091,200 for this purpose.

SECTION 694q. 20.866 (2) (zm) of the statutes is amended to read:

20.866 (2) (zm) *Veterans affairs, Wisconsin veterans home*. From the capital improvement fund, a sum sufficient for the department of veterans affairs to acquire, construct, develop, enlarge or improve facilities at the Wisconsin veterans home. The state may contract public debt in an amount not to exceed ~~\$9,893,000~~ \$9,113,600 for this purpose.

SECTION 695. 20.866 (2) (zn) of the statutes is amended to read:

20.866 (2) (zn) *Veterans affairs, self-amortizing mortgage loans*. From the capital improvement fund, a sum sufficient for the department of veterans affairs for loans to veterans under s. 45.79 (6) (a). The state may contract public debt in an amount not to exceed ~~\$1,340,000,000~~ \$1,450,000,000 for this purpose.

SECTION 695m. 20.866 (2) (zz) of the statutes is amended to read:

20.866 (2) (zz) *State fair park board; self-amortizing facilities*. From the capital improvement fund, a sum sufficient to the state fair park board to acquire, construct, develop, enlarge or improve facilities at the state fair park in West Allis. The state may contract public debt not to exceed ~~\$9,000,000~~ \$17,000,000 for this purpose.

SECTION 696. 20.867 (2) (d) of the statutes is repealed.

SECTION 697. 20.903 (2) (b) of the statutes is amended to read:

20.903 (2) (b) Notwithstanding sub. (1), liabilities may be created and moneys expended from the appropriations under ss. ~~20.255 (1) (kw)~~, 20.395 (4) (er) and (es), 20.505 (1) (im), (ka), (kb), (kc), (kd) and (kg) and 20.855 (8) (k), (ka) and (kb) in an additional amount not exceeding the depreciated value of equipment for operations financed under ss. ~~20.255 (1) (kw)~~, 20.395 (4) (er) and (es), 20.505 (1) (im), (ka), (kb), (kc), (kd) and (kg) and 20.855 (8) (k), (ka) and (kb). The secretary of administration may require such statements of assets and liabilities as he or she deems necessary before approving expenditure estimates in excess of the unexpended moneys in the appropriation account.

SECTION 697m. 20.903 (2) (bn) of the statutes is amended to read:

20.903 (2) (bn) Notwithstanding sub. (1), liabilities may be created and moneys expended from the appropriations under s. 20.410 (1) (kf), (kk) and (km) in an additional amount not exceeding the value of the

equipment and buildings for operations financed under s. 20.410 (1) (kf), (kk) and (km).

SECTION 698. 20.913 (1) (b) of the statutes is amended to read:

20.913 (1) (b) *Excess tax payments*. Taxes collected in excess of lawful taxation, when claims therefor have been established as provided in ss. 71.30 (4), 71.74 (13), 71.75, 71.89 (1), 72.24, 74.35, 74.37, 76.13 (3), 76.38, 76.39, 78.19, 78.20, ~~78.68 (10)~~, 78.75, ~~139.12~~ 78.80 (1m), 139.092, 139.25 (1), 139.36, 139.365, 139.39 (4) and 168.12 (2), (3) and (4).

SECTION 699. 20.916 (4m) of the statutes is amended to read:

20.916 (4m) *USE OF PRIVATE MOTORCYCLES*. Except as otherwise provided in this subsection, if any state agency determines that the duties of an employee require the use of a motor vehicle, and use of a personal ~~automobile~~ motor vehicle is authorized by the agency under similar circumstances, the agency shall authorize the employee to use a personal motorcycle for such duties and shall reimburse the employee for such use at rates determined biennially by the secretary of employment relations under sub. (8), subject to the approval of the joint committee on employment relations. No state agency may authorize an employee to use or reimburse an employee for the use of a personal motorcycle under this subsection if more than one individual is transported on the motorcycle. All allowances for the use of a motorcycle shall be paid upon approval and certification of the amounts payable by the head of the state agency for which the employee performs duties to the department of administration. In this subsection, "motorcycle" has the meaning given under s. 340.01 (32).

SECTION 700. 20.916 (7) of the statutes is amended to read:

20.916 (7) (title) *PERSONAL USE OF STATE VEHICLES AND AIRCRAFT*. ~~A state officer or employee who is assigned a state-owned automobile may use such automobile for personal use.~~ With the approval of the secretary of administration, a state officer or employee may use a state-owned motor vehicle or state-owned aircraft for personal use. ~~The An~~ An officer or employee shall reimburse the state for personal use of a state-owned automobile use motor vehicle at the same reimbursement rate provided an employee by the state for the use of his or her personal automobile on state business as approved in the schedule under sub. (8). ~~The An~~ An officer or employee shall reimburse the state for personal use of a state-owned aircraft use at a rate determined by the secretary of administration which covers all costs associated with the operation of the aircraft.

SECTION 702. 20.923 (4) (d) 1 of the statutes is amended to read:

20.923 (4) (d) 1. Administration, department of; tax appeals commission: chairperson and members. The chairperson of the commission and the governor, at the time a new member is appointed, shall jointly

determine the salary of the new member within the range for this group, ~~and shall also establish the minimum number of hours per week the new member is expected to serve if the new member is appointed on a part-time basis.~~

Vetoed
in Part

~~SECTION 703m. 20.923 (4) (f) 2 of the statutes is amended to read:~~

~~20.923 (4) (f) 2. Agriculture, food and trade and consumer protection, department of secretary.~~

SECTION 703p. 20.923 (4) (j) 1 of the statutes is repealed.

SECTION 703r. 20.923 (4m) of the statutes is amended to read:

20.923 (4m) UNIVERSITY OF WISCONSIN SYSTEM EXECUTIVE POSITIONS. The board of regents of the university of Wisconsin system shall set the salaries of the president of the university of Wisconsin system at a point no higher than 15% above the maximum dollar value of the salary range for executive salary group 10, based on the competitive market for comparable positions at comparable institutions of higher education. The board shall set the salaries of the vice presidents, the chancellors of the university of Wisconsin system campuses at Eau Claire, Green Bay, La Crosse, Oshkosh, Parkside, Platteville, River Falls, Stevens Point, Stout, Superior and Whitewater, the chancellors of the university of Wisconsin-center system and the university of Wisconsin-extension, the vice chancellor for health sciences of the university of Wisconsin-Madison and the vice chancellor who is serving as a deputy at each university of Wisconsin campus and the university of Wisconsin-center system and the university of Wisconsin-extension. ~~The board shall set the salaries to reflect the hierarchical structure of the system, to recognize merit, to permit orderly salary progression and to recognize competitive factors. No such salary for a position other than president may be set at a point lower than the minimum dollar value of the salary range for executive salary group 7 nor at a point equal to or higher than the salary paid to the president of the university of Wisconsin system maximum dollar value of the salary range for executive salary group 10.~~

SECTION 704. 20.923 (6) (n) of the statutes is amended to read:

20.923 (6) (n) Veterans affairs, department of: superintendent of ~~memorial hall~~ Wisconsin veterans museum.

SECTION 705. 20.928 (1) of the statutes is amended to read:

20.928 (1) Each state agency head shall certify to the department of administration, at such time and in such manner as the secretary of administration prescribes, the sum of money needed by the state agency from the appropriations under s. 20.865 (1) (c), (ci), ~~(eq)~~, (d), (i), (ic), ~~(iq)~~, (j), (s), (si), ~~(sq)~~ and (t). Upon receipt of the certifications together with such additional information as the secretary of administration prescribes, the secretary shall determine the

amounts required from the respective appropriations to supplement state agency budgets.

SECTION 705ab. 20.928 (1) of the statutes, as affected by 1991 Wisconsin Act (this act), is amended to read:

20.928 (1) Each state agency head shall certify to the department of administration, at such time and in such manner as the secretary of administration prescribes, the sum of money needed by the state agency from the appropriations under s. 20.865 (1) (c), (ci), ~~(cj)~~, (d), (i), (ic), (j), (s), (si) and (t). Upon receipt of the certifications together with such additional information as the secretary of administration prescribes, the secretary shall determine the amounts required from the respective appropriations to supplement state agency budgets.

SECTION 705d. 20.928 (4) of the statutes is created to read:

20.928 (4) If insufficient moneys are available from the appropriation under s. 20.865 (1) (cj) to fund the costs of pay and related adjustments for employees of the university of Wisconsin system that are payable from that appropriation in any fiscal year, the secretary of administration shall prorate payments made on behalf of each employee in the proportion that the moneys available bears to the total amount payable to all employees.

SECTION 706. 21.49 (1) (a) of the statutes is renumbered 21.49 (1) (ar).

SECTION 707. 21.49 (1) (ae) of the statutes is created to read:

21.49 (1) (ae) "Department" means the department of military affairs.

SECTION 708. 21.49 (1) (am) of the statutes is created to read:

21.49 (1) (am) "Full-time study" means a credit load of 12 or more academic credits in an academic term.

SECTION 709. 21.49 (1) (c) of the statutes is amended to read:

21.49 (1) (c) "Tuition grant" means any tuition cost reimbursement payment made by the department of ~~military affairs~~ under sub. (3).

SECTION 709g. 21.49 (2) (a) and (c) of the statutes are repealed.

SECTION 709i. 21.49 (2) (b) of the statutes is created to read:

21.49 (2) (b) Absent without cause from more than 9 unit training assemblies in a 12-month period.

SECTION 709k. 21.49 (2) (d) of the statutes is created to read:

21.49 (2) (d) Failing to meet the national guard service eligibility criteria established by the department by rule.

SECTION 710. 21.49 (2) (e) of the statutes is amended to read:

21.49 (2) (e) Delinquent in child support or maintenance payments, as established by the receipt by the department of ~~military affairs~~ of a certification under s. 46.255 (7).

SECTION 711. 21.49 (3) (a) of the statutes is amended to read:

21.49 (3) (a) Any eligible guard member upon satisfactory completion of a full-time or part-time course in a qualifying school is eligible for a tuition grant equal to ~~25%~~ 50% of the actual tuition charged by the school or ~~25%~~ 50% of the maximum resident undergraduate tuition charged by the university of Wisconsin-Madison for a comparable number of credits ~~for a comparable portion of the academic year, whichever amount is less.~~

SECTION 712. 21.49 (3) (b) 1 of the statutes is amended to read:

21.49 (3) (b) 1. Be submitted to the department of ~~veterans affairs~~ for approval of payment no later than 6 months after the completion date of the course;

SECTION 713. 21.49 (3) (b) 2 of the statutes is amended to read:

21.49 (3) (b) 2. Contain such information and be in such form as the department of ~~veterans affairs~~ requires to establish that the applicant qualifies for the grant; and

SECTION 714. 21.49 (3) (c) of the statutes is amended to read:

21.49 (3) (c) Upon Except as provided under par. (d), upon determination that the applicant is eligible to receive the payment, ~~the department of veterans affairs shall certify to the department of military affairs that the tuition grant shall be awarded. Except as provided in par. (d), after receiving the certification, the department of military affairs shall make payment of the tuition grant to the applicant in the amount determined under par. (a) by the department of veterans affairs.~~

SECTION 715. 21.49 (3) (d) of the statutes 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 but may deny grants. In such cases, the department of ~~veterans affairs~~ shall determine eligibility on the basis of the dates on which applications for tuition grants are received by the department of ~~veterans affairs~~.

SECTION 715m. 21.49 (3m) of the statutes is created to read:

21.49 (3m) REPAYMENT OF GRANTS. The department may require a guard member who has received a grant under this section to repay the amount of the grant to the department if the national guard member, within 12 months of receipt of the grant, fails to meet any of the national guard service eligibility criteria established by the department by rule.

SECTION 716. 21.49 (4) (a) of the statutes is amended to read:

21.49 (4) (a) No guard member is eligible for benefits under this section for more than 120 credits of part-time study or 8 full semesters of full-time study or the equivalent thereof, as measured in terms of credits earned and class time spent.

SECTION 717. 21.49 (4) (b) of the statutes is amended to read:

21.49 (4) (b) If the U.S. congress establishes a an active draft after July 1, 1977, no new grants may be authorized under this section. The department of ~~veterans affairs~~ shall determine if a an active draft has been established. Any termination of the grant program under this paragraph shall allow persons receiving grants prior to the establishment of a an active draft to receive full benefits subject to sub. (3) (d) and par. (a).

SECTION 718. 23.09 (2p) (b) of the statutes is amended to read:

23.09 (2p) (b) Beginning July 1, 1990, and except as provided in par. (c), an amount of money equal to the value of the donation shall be released from the appropriation under s. 20.866 (2) (tz) to be used for land acquisition activities for the same project for which any donation was made on or after August 9, 1989. This paragraph does not apply to transfers of land from agencies other than the department.

SECTION 719. 23.09 (2p) (c) of the statutes is repealed and recreated to read:

23.09 (2p) (c) If the moneys to be released to match a donation under par. (b) will exceed the expenditure limit under sub. (2q) (a) for a given fiscal year, as adjusted under s. 23.0915 (2), the department shall release from the moneys appropriated under s. 20.866 (2) (tz) the remaining amount available under the expenditure limit under sub. (2q) (a), as adjusted under s. 23.0915 (2) and after deducting the allocation under sub. (2dm) (b), for the given fiscal year and shall release in each following fiscal year from the moneys appropriated under s. 20.866 (2) (tz) an amount equal to the expenditure limit under sub. (2q) (a), as adjusted under s. 23.0915 (2) and after deducting the allocation under sub. (2dm) (b), or equal to the amount still needed to match the donation, whichever is less, until the entire amount necessary to match the donation is released.

SECTION 720. 23.09 (2q) (intro.) of the statutes is amended to read:

23.09 (2q) STEWARDSHIP PROGRAM. (intro.) In each fiscal year Except as provided in s. 23.0915 (2), the department in each fiscal year may not expend from the appropriation under s. 20.866 (2) (tz):

SECTION 721. 23.09 (19) (k) of the statutes is amended to read:

23.09 (19) (k) The Except as provided in s. 23.0915 (2), the department may not expend more than \$750,000 in each fiscal year for urban green space

under this subsection and for grants for urban green space under s. 23.096.

SECTION 722. 23.09 (20) (d) of the statutes is amended to read:

23.09 (20) (d) The Except as provided in s. 23.0915 (2), the department may not expend under s. 20.866 (2) (tz) more than \$2,250,000 each fiscal year for local park aids under this subsection and for grants for this purpose under s. 23.096.

SECTION 723. 23.0915 of the statutes is renumbered 23.0915 (1), and 23.0915 (1) (intro.), as renumbered, is amended to read:

23.0915 (1) (title) DESIGNATED AMOUNTS. (intro.) The legislature intends that the department will expend the following designated amounts under the stewardship program from the appropriation under s. 20.866 (2) (tz) for the following purposes in each fiscal year, the expenditures beginning with fiscal year 1990-91 and ending in fiscal year 1999-2000, except as provided in pars. (dm) and (L):

Vetoed
in Part

~~SECTION 723m. 23.0915 (1) (dm) of the statutes is created to read:~~

~~23.0915 (1) (dm) Milwaukee river restoration, \$1,900,000, beginning in fiscal year 1991-92 and ending in fiscal year 1999-2000.~~

SECTION 723p. 23.0915 (1) (L) of the statutes is created to read:

Vetoed
in Part

23.0915 (1) (L) Henry Aaron state park, a total of ~~\$3,400,000~~ to be expended during a period beginning on the effective date of this paragraph [revisor inserts date], and ending on June 30, 2000.

SECTION 724c. 23.0915 (2) of the statutes is created to read:

23.0915 (2) ADJUSTED EXPENDITURE LIMITS. (a) Beginning with fiscal year 1990-91, if the department expends in a given fiscal year an amount from the moneys appropriated under s. 20.866 (2) (tz) for a purpose under sub. (1) (a) or (c) to (k) that is less than the amount designated for that purpose under sub. (1) (a) or (c) to (k), the department may adjust the expenditure limit under the stewardship program for that purpose by raising the expenditure limit, as it may have been previously adjusted under this paragraph and par. (b), for the next fiscal year by the amount that equals the difference between the amount designated for that purpose and the amount expended for that purpose in that given fiscal year.

(b) Beginning with fiscal year 1990-91, if the department expends in a given fiscal year an amount from the moneys appropriated under s. 20.866 (2) (tz) for a purpose under sub. (1) (a) or (c) to (k) that is more than the amount designated for that purpose under sub. (1) (a) or (c) to (k), the department shall adjust the expenditure limit under the stewardship program for that purpose by lowering the expenditure limit, as it may have been previously adjusted under this paragraph and par. (a), for the next fiscal year by an amount equal to the remainder calculated by sub-

tracting the amount designated for that purpose from the amount expended, as it may be affected under par. (c) or (d), for that purpose in the given fiscal year.

(c) The department may not expend in a fiscal year an amount from the moneys appropriated under s. 20.866 (2) (tz) for a purpose under sub. (1) (a) or (c) to (k) that exceeds the amount equal to the expenditure limit for that purpose as it may have been previously adjusted under pars. (a) and (b), except as provided in par. (d).

(d) In a given fiscal year, in addition to expending the amount designated for a purpose under sub. (1) (a) or (c) to (k), or the amount equal to the expenditure limit for that purpose, as adjusted under pars. (a) and (b), whichever amount is applicable, the department may also expend for that purpose up to 50% of the designated amount for a project or activity if the natural resources board determines all of the following:

1. That moneys appropriated for that purpose to the department under s. 20.370 and the moneys appropriated under s. 20.866 (2) (tp) to (tw), (ty) and (tz) do not provide sufficient funding for the project or activity.

2. That the property involved in the project or activity covers a large area or the property is uniquely valuable in conserving the natural resources of the state.

3. That delaying or deferring all or part of the cost to a subsequent fiscal year is not reasonably possible.

SECTION 724d. 23.0915 (2m) of the statutes is created to read:

23.0915 (2m) MONEYS FOR HENRY AARON STATE PARK. (a) From the moneys appropriated under s. 20.866 (2) (tz), the department shall set aside for the period of time specified in sub. (1) (L) ~~\$3,400,000~~ to be used only for the establishment and development of a state park to be located in the Menomonee valley in the city of Milwaukee and to be designated as the Henry Aaron State Park.

Vetoed
in Part

(b) Before spending any of the moneys set aside under par. (a), the department, in consultation with the city of Milwaukee and other interested parties, shall develop a plan to finance the completion of the state park without using any additional moneys appropriated under s. 20.866 (2) (tz).

Vetoed
in Part

(c) 1. As part of the development of the state park, the department shall include the removal of concrete from, and the restoration of the natural channel of, the Menomonee river in the city of Milwaukee.

2. None of the moneys set aside under par. (a) may be expended for stadium parking or for any other purpose not directly related to the establishment or development of the state park.

Vetoed
in Part

(d) For purposes of adjusting expenditure limits under sub. (2) (a) to (c), of the amount set aside under par. (a), ~~\$1,000,000~~ shall be treated as moneys that were expended in fiscal year 1990-91 for stream bank easements under s. 23.094 and ~~\$500,000~~ shall be

Vetoed
in Part

treated as moneys that were expended in fiscal year 1990-91 for wildlife habitat restoration under s. 23.092.

Vetoed
in Part

~~SECTION 724b. 23.0915 (3) of the statutes is created to read:~~

~~23.0915 (3) PRORATED AMOUNTS. (a) If on July 1, 2000, there has been expended less than \$250,000,000 from the appropriation under s. 20.866 (2) (tz), it is the intent of the legislature that expenditures may be continued to be made from that appropriation until a total amount of \$250,000,000 is expended.~~

~~(b) On the July 1 following the date on which the total amount expended from the appropriation under s. 20.866 (2) (tz) exceeds \$250,000,000, the department shall prorate the remaining amount available under the appropriation among the purposes under sub. (1) (a) to (c). Subsection (2) does not apply to these prorated amounts.~~

SECTION 725. 23.092 (5) of the statutes is renumbered 23.092 (5) (a) and amended to read:

23.092 (5) (a) The department shall determine the value of an easement donated to the department that is within a habitat restoration area and is dedicated for purposes of habitat restoration. The valuation shall be based on the extent to which the fair market value of the land is diminished by that transfer. Beginning July 1, 1990, and except as provided in par. (b), an amount of money equal to the value of the donation shall be released from the appropriation under s. 20.866 (2) (tz) to be used for habitat restoration activities for the same habitat restoration area in which any donation was made on or after August 9, 1989. ~~If the appropriation under s. 20.866 (2) (tz) in any fiscal year is insufficient to make an expenditure under this subsection, the department shall make the expenditure in the following fiscal year.~~

SECTION 726. 23.092 (5) (b) of the statutes is created to read:

23.092 (5) (b) If the moneys to be released to match a donation under par. (a) will exceed the expenditure limit under sub. (6) for a given fiscal year, as adjusted under s. 23.0915 (2), the department shall release from the moneys appropriated under s. 20.866 (2) (tz) the remaining amount available under the expenditure limit under sub. (6), as adjusted under s. 23.0915 (2), for the given fiscal year and shall release in each following fiscal year from the moneys appropriated under s. 20.866 (2) (tz) an amount equal to the expenditure limit under sub. (6) or to the amount still needed to match the donation, whichever is less, until the entire amount necessary to match the donation is released.

SECTION 727. 23.092 (6) of the statutes is amended to read:

23.092 (6) ~~The~~ Except as provided in s. 23.0915 (2), the department may not expend more than \$1,500,000 under this section for fisheries, for habitat restoration areas and for grants for this purpose under s. 23.096 in each fiscal year. Of this amount the department may

not expend more than \$75,000 for fisheries in each fiscal year.

SECTION 728. 23.094 (4) of the statutes is renumbered 23.094 (4) (a) and amended to read:

23.094 (4) (a) The department shall determine the value of an easement donated to the department for purposes of this section. The valuation shall be based on the extent to which the fair market value of the land is diminished by that transfer. Beginning July 1, 1990, and except as provided in par. (b), an amount of money equal to the value of the donation shall be released from the appropriation under s. 20.866 (2) (tz) to be used for stream protection activities under this section for the same stream for which any donation was made on or after August 9, 1989. ~~If the appropriation under s. 20.866 (2) (tz) in any fiscal year is insufficient to make the expenditure under this subsection, the department shall make the expenditure in the following fiscal year.~~

SECTION 729. 23.094 (4) (b) of the statutes is created to read:

23.094 (4) (b) If the moneys to be released to match a donation under par. (a) will exceed the expenditure limit under sub. (8) for a given fiscal year, as adjusted under s. 23.0915 (2), the department shall release from the moneys appropriated under s. 20.866 (2) (tz) the remaining amount available under the expenditure limit under sub. (8), as adjusted under s. 23.0915 (2), for the given fiscal year and shall release in each following fiscal year from the moneys appropriated under s. 20.866 (2) (tz) an amount equal to the expenditure limit under sub. (8) or to the amount still needed to match the donation, whichever is less, until the entire amount necessary to match the donation is released.

SECTION 730. 23.094 (8) of the statutes is amended to read:

23.094 (8) APPROPRIATION. The costs of acquiring easements under sub. (3), shall be paid from the appropriation under s. 20.866 (2) (tz). The Except as provided in s. 23.0915 (2), the department may not expend more than \$1,000,000 for fisheries, for stream bank easements under this section, and for grants for this purpose under s. 23.096 in each fiscal year.

SECTION 730e. 23.097 of the statutes is created to read:

23.097 Urban forestry grants. (1) The department shall award grants to cities for up to 50% of the cost of tree management plans, tree inventories, brush residue projects, the development of tree management ordinances, tree disease evaluations, public education concerning trees in urban areas and other tree projects.

(2) The department shall promulgate rules establishing criteria for awarding grants under this section.

SECTION 730m. 23.098 of the statutes is created to read:

23.098 Grants for state park development. (1) In this section, "friends group" means a nonstock, non-profit corporation described under section 501 (c) (3)

or (4) of the internal revenue code and exempt from taxation under section 501 (a) of the internal revenue code organized to raise funds for state parks.

(2) The department shall establish a program to expend in each fiscal year up to \$100,000 from the appropriation under s. 20.866 (2) (tz) for grants to friends groups for projects for property development activities in state parks.

(3) The department shall promulgate rules to establish criteria to be used in determining which property development activities are eligible for these grants.

(4) (a) The department shall periodically prepare a list of projects in state parks that are eligible for grants under this section and shall include in the list the estimated cost of each project.

(b) The department may not expend more than \$10,000 as grants under this section for a state park in each fiscal year.

(5) Each friends group receiving a grant under this section shall provide matching funds that are equal to 50% of the estimated cost of the project for which a grant is being provided.

(6) For purposes of s. 23.0915 (1), moneys expended as grants under this section shall be treated as moneys expended for general property development.

SECTION 730r. 23.15 (1) of the statutes is amended to read:

23.15 (1) The natural resources board may sell, at public or private sale, lands and structures owned by the state under the jurisdiction of the department of natural resources when the natural resources board determines that said lands are no longer necessary for the state's use for conservation purposes and, if real property, the real property is not the subject of a petition under s. 16.375 (2).

SECTION 731. 23.16 (title) of the statutes is amended to read:

23.16 (title) Periodicals.

SECTION 732. 23.16 (1) of the statutes is amended to read:

23.16 (1) PUBLICATION. The department may produce, issue or reprint magazines at stated intervals or other periodicals on a periodic basis as it determines, pertaining to fish and game, forests, parks, environmental quality and other similar subjects of general information. The department may sell subscriptions to distribute its magazines and periodicals by subscription. The department shall charge a fee for any of its magazines or periodicals, except that no fee may be charged to a person who is provided a subscription to the Wisconsin natural resources magazine under s. 29.1475.

SECTION 733. 23.16 (2) of the statutes is amended to read:

23.16 (2) ADVERTISING. The department may advertise and sell advertising space in its magazines

and other periodicals. The department may advertise or otherwise publicize its magazines and other periodicals. The advertising and publicizing shall be consistent with the goals, purposes and functions of the department.

SECTION 734. 23.16 (3) of the statutes is amended to read:

23.16 (3) SUBSCRIBER LISTS. ~~Notwithstanding s. 19.35, the~~ The department may refuse to reveal names and addresses of persons on any magazine or periodical subscriber list. The department may charge a fee to recover the actual costs for providing or for the use of any magazine or ~~publication~~ periodical subscriber list. No person who obtains or uses any magazine or periodical subscriber list from the department may refer to the department ~~or, the~~ magazine or the periodical as the source of names or addresses unless the person clearly indicates that the provision of or permission to use the subscriber list in no way indicates the department's knowledge, involvement, approval, authorization or connection with the person or the person's activities.

SECTION 735. 23.16 (4) of the statutes is amended to read:

23.16 (4) COSTS. Notwithstanding ~~s. ss. 20.908, any price set or and 35.78 (2)~~ the fee charged by the department in selling each of its magazines and periodicals shall be at least equal to the amount necessary to cover the production, storage, handling and distribution costs of each magazine and periodical.

SECTION 736. 23.16 (5) of the statutes is created to read:

23.16 (5) USE OF MONEYS. The department shall use the moneys collected under this section for the costs specified in sub. (4). If the moneys collected under this section exceed the amount necessary for the costs specified in sub. (4), the department shall use the excess for educational and informational activities concerning conservation and the environment.

SECTION 737. 23.165 (1) of the statutes is amended to read:

23.165 (1) PUBLICATIONS. The department may produce, issue, reprint and sell publications pertaining not published on a periodic basis that pertain to fish and game, forests, parks, environmental quality and other similar subjects of general information.

SECTION 737d. 23.165 (1m) of the statutes is created to read:

23.165 (1m) PHOTOGRAPHS, SLIDES, VIDEOTAPES, ARTWORK. The department may produce, issue, reprint and sell photographs, slides, videotapes and artwork if they pertain to fish and game, forests, parks, environmental quality and other similar subjects of general information.

SECTION 738. 23.165 (5) of the statutes is amended to read:

23.165 (5) COSTS. Notwithstanding ~~s. ss. 20.908 and 35.78 (2)~~, any price set or fee charged by the

department in selling a publication, photograph, slide, videotape, artwork or promotional merchandise shall be at least equal to the amount necessary to cover the production, promotional, storage, handling and distribution costs of the publication, photograph, slide, videotape, artwork or promotional merchandise.

SECTION 739. 23.165 (5m) of the statutes is created to read:

23.165 (5m) USE OF MONEYS. The department shall use the moneys collected under this section for the costs specified in sub. (5). If the moneys collected under this section exceed the amount necessary for the costs specified in sub. (5), the department shall use the excess for educational and informational activities concerning conservation and the environment.

SECTION 739g. 23.17 (4) of the statutes is amended to read:

23.17 (4) POWERS OF THE DEPARTMENT. The department may acquire land for the ice age trail under s. 23.09 (2) (d) 10, and may develop the ice age trail on lands under its ownership along the trail route.

SECTION 739m. 23.17 (5g) and (5r) of the statutes are created to read:

23.17 (5g) PERMITTED USES. The construction on or use of land designated by the department as part of the ice age trail under this section and s. 23.293 is a permitted use under any zoning ordinance enacted by a municipality.

(5r) MUNICIPAL LAND. A municipality may not refuse to permit construction of a portion of the ice age trail on property owned by the municipality if the municipality determines that the trail does not conflict with other existing or proposed uses of the property.

SECTION 740. 23.175 (4) of the statutes is amended to read:

23.175 (4) LIMITS ON SPENDING. The Except as provided in s. 23.0915 (2), the department may not expend more than \$1,000,000 under this section for trails and for grants for this purpose under s. 23.096 in each fiscal year. Of this amount, the department may not expend more than \$500,000 under sub. (3) (b) in each fiscal year.

Vetoed in Part SECTION 740c. 23.185 of the statutes is created to read:

23.185 Milwaukee river restoration program. (1) DEFINITION. In this section, "political subdivision" means a city, village, town or county.

(2) FUNDING. From the appropriation under s. 20.866 (2) (tz), the department shall establish a program to restore the Milwaukee river under which the department may expend moneys and may make grants under sub. (3).

(3) GRANTS. A political subdivision within the boundaries of which all or part of the Milwaukee river is located may apply for a grant under this section. The department shall promulgate rules to establish eligibility criteria for awarding these grants, including what types of activities will be eligible.

~~(4) EXPENDITURE RESTRICTIONS. Except as provided in s. 23.0915 (2), the department may not expend more than \$1,900,000 from the appropriation under s. 20.866 (2) (tz) for the restoration of the Milwaukee river in each fiscal year.~~

SECTION 741. 23.27 (4) of the statutes is amended to read:

23.27 (4) NATURAL AREAS LAND ACQUISITION; CONTINUING COMMITMENT. It is the intent of the legislature to continue natural areas land acquisition activities from moneys available from the appropriation under ss. 20.370 (1) (kb) and 20.866 (2) (ts) and (tz). This commitment is separate from and in addition to the commitment to acquire natural areas under the Wisconsin natural areas heritage program. The Except as provided in s. 23.0915 (2), the department may not expend under s. 20.866 (2) (tz) more than \$1,500,000 in each fiscal year for natural areas land acquisition activities under this subsection and for grants for this purpose under s. 23.096.

SECTION 742. 23.27 (5) of the statutes is amended to read:

23.27 (5) NATURAL AREAS LAND ACQUISITION; COMMITMENT UNDER THE WISCONSIN NATURAL AREAS HERITAGE PROGRAM. It is the intent of the legislature to initiate additional natural areas land acquisition activities with moneys available from the appropriations under ss. 20.370 (1) (mg) and 20.866 (2) (tt) and (tz) under the Wisconsin natural areas heritage program. This commitment is separate from and in addition to the continuing commitment under sub. (4). Moneys available from the appropriations under ss. 20.370 (1) (mg) and 20.866 (2) (tt) and (tz) under the Wisconsin natural areas heritage program may not be used to acquire land through condemnation. The department may not acquire land under this subsection unless the land is suitable for dedication under the Wisconsin natural areas heritage program and upon purchase or as soon after purchase as practicable the department shall take all necessary action to dedicate the land under the Wisconsin natural areas heritage program. The Except as provided in s. 23.0915 (2), the department may not expend under s. 20.866 (2) (tz) more than \$500,000 in each fiscal year for natural areas land acquisition activities under this subsection and for grants for this purpose under s. 23.096.

SECTION 742d. 23.293 (4) of the statutes is amended to read:

23.293 (4) CONTRIBUTIONS AND GIFTS; STATE MATCH. The department may accept contributions and gifts for the ice age trail program. The department may convert gifts of land which it determines are not appropriate for the ice age trail program into cash. The department may convert other noncash contributions and gifts into cash. These moneys shall be deposited in the general fund and credited to the appropriation under s. 20.370 (1) (gg). The An amount equal to the value of all contributions and gifts shall be matched by an amount equal to 67% of

Vetoed in Part

~~that value~~ released from the appropriation under s. 20.866 (2) (tw) or (tz) or both to be used for land acquisition and development activities under s. 23.17. The department shall determine how the moneys being released are to be allocated from these appropriations. No moneys may be released under s. 20.866 (2) (tz) before July 1, 1990.

SECTION 742h. 23.293 (5) of the statutes is amended to read:

23.293 (5) LAND DEDICATIONS; VALUATION; STATE MATCH. The department shall determine the value of land accepted for dedication under the ice age trail program. If the land dedication involves the transfer of the title in fee simple absolute or other arrangement for the transfer of all interest in the land to the state, the valuation of the land shall be based on the fair market value of the land before the transfer. If the land dedication involves the transfer of a partial interest in land to the state, the valuation of the land shall be based on the extent to which the fair market value of the land is diminished by that transfer and the associated articles of dedication. If the land dedication involves a sale of land to the department at less than the fair market value, the valuation of the dedication land shall be based on the difference between the purchase price and the fair market value. An amount equal to 67% of the value of valuation of the land accepted for dedication under the ice age trail program shall be released from the appropriation under s. 20.866 (2) (tw) or (tz) or both to be used for ice age trail acquisition activities under s. 23.17. ~~This subsection does not apply to dedications of land under the ownership of the state.~~ The department shall determine how the moneys being released are to be allocated from these appropriations. No moneys may be released under s. 20.866 (2) (tz) before July 1, 1990. This subsection does not apply to dedications of land under the ownership of the state.

SECTION 743. 23.325 of the statutes is created to read:

23.325 Aerial photographic survey. (1) The department shall make, on a periodic basis, an aerial photographic survey of the state to provide the basis for state planning and resource and forestry management. In performing this duty, the department:

(a) Shall consult with the land information board, 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 non-governmental 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) (a) After consultation with the department of transportation and the state cartographer, the depart-

ment of natural resources shall select the photographic products to be sold.

(b) The department of administration shall establish sale prices for the photographic products. The department of administration shall establish sale prices annually at a level that at least equals the amount necessary to cover the costs of photographic imagery acquisition and the production of photographic products and the costs of selling and reproducing the productions.

(3) The department of natural resources may sell and may enter into contracts to sell the photographic products.

(4) All income received by the department of natural resources and the department of transportation from the sale of the photographic products, less the amount retained by the department of transportation under s. 85.10, shall be deposited in the conservation fund.

SECTION 743bb. 23.33 (1) (bd) of the statutes is created to read:

23.33 (1) (bd) "All-terrain vehicle dealer" means a person engaged in the sale of all-terrain vehicles for a profit at wholesale or retail.

SECTION 743be. 23.33 (1) (bh) of the statutes is created to read:

23.33 (1) (bh) "All-terrain vehicle distributor" means a person who sells or distributes all-terrain vehicles to all-terrain vehicle dealers or who maintains distributor representatives.

SECTION 743bh. 23.33 (1) (bp) of the statutes is created to read:

23.33 (1) (bp) "All-terrain vehicle manufacturer" means a person engaged in the manufacture of all-terrain vehicles for sale to the public.

SECTION 743bk. 23.33 (1) (bt) of the statutes is created to read:

23.33 (1) (bt) "All-terrain vehicle renter" means a person engaged in the rental or leasing of all-terrain vehicles to the public.

SECTION 743bo. 23.33 (1) (d) of the statutes is amended to read:

23.33 (1) (d) "All-terrain vehicle trail" means a marked corridor on public property or on private lands subject to public easement or lease, designated for use by all-terrain vehicle operators by the governmental agency having jurisdiction, but excluding roadways of highways except those roadways ~~which are not~~ that are seasonally not maintained for motor vehicle traffic.

SECTION 743bt. 23.33 (1) (ir) of the statutes is amended to read:

23.33 (1) (ir) ~~"Operation of an all-terrain vehicle"~~ "Operate" means controlling the exercise of physical control over the speed or direction of an all-terrain vehicle or the physical manipulation or activation of any of the controls of an all-terrain vehicle necessary

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to put it in motion. "Operate" includes the operation of an all-terrain vehicle.

SECTION 743bw. 23.33 (1) (iw) of the statutes is amended to read:

23.33 (1) (iw) "Operator" means a person who is ~~engaged in the operation of~~ operates an all-terrain vehicle, who is responsible for the operation of an all-terrain vehicle or who is supervising the operation of an all-terrain vehicle.

SECTION 743bz. 23.33 (1) (L) of the statutes is repealed.

SECTION 743cd. 23.33 (2) (a) of the statutes is amended to read:

23.33 (2) (a) *Requirement.* No person may operate and no owner may give permission for the operation of ~~any an~~ all-terrain vehicle within this state unless the all-terrain vehicle is registered for public use or for private use with the department under this section ~~or~~, is exempt from registration ~~or is operated with a reflectorized plate attached in the manner specified under par. (dm) 3.~~ No person may operate and no owner may give permission for the operation of ~~any an~~ all-terrain vehicle on a public all-terrain vehicle route or trail unless the all-terrain vehicle is registered for public use with the department under this section ~~or~~, is exempt from registration ~~or is operated with a reflectorized plate attached in the manner specified under par. (dm) 3.~~

SECTION 743cg. 23.33 (2) (d) of the statutes is amended to read:

23.33 (2) (d) *Registration; private use; fee.* An all-terrain vehicle ~~used exclusively for commercial purposes,~~ used exclusively for agricultural purposes or used exclusively on private property may be registered for private use. The fee for the issuance or renewal of a registration certificate for private use is \$6.

SECTION 743cj. 23.33 (2) (dm) of the statutes is created to read:

23.33 (2) (dm) *Registration; commercial owner; fee.*
1. Every person who is an all-terrain vehicle manufacturer, all-terrain vehicle dealer, all-terrain vehicle distributor or all-terrain vehicle renter or any combination thereof engaged in business in this state shall register with the department and obtain from the department a commercial all-terrain vehicle certificate.

2. The fee for the issuance or renewal of a commercial all-terrain vehicle certificate is \$36. Upon receipt of the application form required by the department and the fee required under this subdivision, the department shall issue to the applicant a commercial all-terrain vehicle certificate and 3 reflectorized plates. The fee for additional reflectorized plates is \$12 per plate.

3. A person who is required to obtain a commercial all-terrain vehicle certificate under subd. 1 shall attach in a clearly visible place a reflectorized plate to any all-terrain vehicle that the person leases, rents, offers for

sale or otherwise allows to be used whenever the all-terrain vehicle is being operated.

SECTION 743cm. 23.33 (2) (e) of the statutes is amended to read:

23.33 (2) (e) *Other fees.* The fee for the transfer of an all-terrain vehicle registration certificate is \$2. The fee for the issuance of a duplicate all-terrain vehicle registration certificate, duplicate commercial all-terrain vehicle certificate or duplicate registration decals ~~or stickers~~ is \$2. The fee for the issuance of registration decals to ~~the state or~~ a county or municipality is \$2. There is no fee for the issuance of registration decals to the state.

SECTION 743cp. 23.33 (2) (gm) of the statutes is created to read:

23.33 (2) (gm) *Effective period; commercial owners.*

1. Except as provided under subd. 2, a commercial all-terrain vehicle certificate is valid for a 2-year period.

2. The department may specify by rule an annual expiration date for commercial all-terrain vehicle certificates and may reduce the effective period of a commercial all-terrain vehicle certificate so it expires on that date.

SECTION 743cs. 23.33 (3) (i) of the statutes is amended to read:

23.33 (3) (i) In a manner which violates ~~operation~~ rules promulgated by the department.

SECTION 743cy. 23.33 (4) (b) of the statutes is amended to read:

23.33 (4) (b) *Other highways; operation restricted.* ~~All terrain vehicles No person may not be operated on highways~~ operate an all-terrain vehicle on a highway except as authorized under pars. (d) and (e) or as authorized by rules promulgated by the department and approved by the department of transportation.

SECTION 743db. 23.33 (4) (c) 1 of the statutes is amended to read:

23.33 (4) (c) 1. Paragraphs (a) and (b) do not apply to the operator of an all-terrain vehicle owned by a municipality, state agency or public utility while the operator is engaged in an emergency operations or in operations ~~the operation of an all-terrain vehicle~~ directly related to the functions of the municipality, state agency or public utility if safety does not require strict adherence to these restrictions.

SECTION 743de. 23.33 (4) (d) (intro.) of the statutes is amended to read:

23.33 (4) (d) *Operation on roadway.* (intro.) ~~All terrain vehicles A person may be operated~~ operate an all-terrain vehicle on the roadway portion of any highway only in the following situations:

SECTION 743dh. 23.33 (4) (d) 2 of the statutes is amended to read:

23.33 (4) (d) 2. On any roadway which is ~~not~~ not seasonally maintained for motor vehicle traffic. Operation of an all-terrain vehicle on this type of roadway is authorized only during the seasons when

no maintenance occurs and only if the roadway is not officially closed to all-terrain vehicle traffic.

SECTION 743dk. 23.33 (4) (d) 6 of the statutes is amended to read:

23.33 (4) (d) 6. On roadways if the operator of the all-terrain vehicle is ~~being operated by~~ a person who holds a Class A permit or a Class B permit under s. 29.09 (9) and who is traveling for the purposes of hunting or is otherwise engaging in an activity authorized by the permit.

SECTION 743dn. 23.33 (4) (d) 7 of the statutes is created to read:

23.33 (4) (d) 7. On roadways of highways that are all-terrain vehicle trails.

SECTION 743dq. 23.33 (4) (e) of the statutes is amended to read:

23.33 (4) (e) Operation adjacent to roadway. ~~An all-terrain vehicle~~ A person may ~~be operated~~ operate an all-terrain vehicle adjacent to a roadway on an all-terrain vehicle route or trail if the person operates the all-terrain vehicle ~~is operated~~ in the following manner:

1. ~~The all-terrain vehicle is operated at~~ At a distance of 10 or more feet from the roadway along U.S. numbered highways and state and county highways. Travel on the median of a divided highway is prohibited except to cross.

2. ~~The all-terrain vehicle is operated outside~~ Outside of the roadway along town highways.

3. During hours of darkness ~~the all-terrain vehicle is operated~~ in the same direction as motor vehicle traffic in the nearest lane, although during daylight hours travel may be in either direction regardless of the flow of motor vehicle traffic.

4. ~~The all-terrain vehicle does not exceed~~ Not in excess of the speed limits of the adjacent roadway.

5. ~~The all-terrain vehicle is operated with~~ With due regard to safety and in compliance with rules promulgated by the department and approved by the department of transportation.

SECTION 743dt. 23.33 (4c) (a) 1 of the statutes is amended to read:

23.33 (4c) (a) 1. Operating while under the influence of an intoxicant. No person may ~~engage in the operation of~~ operate an all-terrain vehicle while under the influence of an intoxicant to a degree which renders him or her incapable of safe operation of an all-terrain vehicle operation.

SECTION 743dw. 23.33 (4c) (b) 1 of the statutes is amended to read:

23.33 (4c) (b) 1. Causing injury while under the influence of an intoxicant. No person while under the influence of an intoxicant to a degree which renders him or her incapable of safe operation of an all-terrain vehicle operation may cause injury to another person by the operation of an all-terrain vehicle.

SECTION 743dz. 23.33 (5) (b) of the statutes is amended to read:

23.33 (5) (b) All-terrain vehicle safety certificate. A person who is at least 12 years of age but under 16 years of age may not operate an all-terrain vehicle unless he or she holds a valid all-terrain vehicle safety certificate or is accompanied by a person over 18 years of age. A person who is at least 12 years of age but under 16 years of age may not operate an all-terrain vehicle on a roadway under the authorization provided under sub. (4) (d) 6 unless he or she holds a valid all-terrain vehicle safety certificate regardless if he or she is accompanied by a person over 18 years of age. A person who is at least 12 years of age but under 16 years of age may not operate an all-terrain vehicle which is an implement of husbandry on a roadway under the authorization provided under sub. (4) (d) 5 unless he or she holds a valid all-terrain vehicle safety certificate regardless if he or she is accompanied by a person over 18 years of age. A person who is at least 12 years of age but under 16 years of age who holds an all-terrain vehicle safety certificate shall carry it while ~~operating~~ he or she operates an all-terrain vehicle and shall display it to a law enforcement officer on request. Persons enrolled in a safety certification program approved by the department may operate an all-terrain vehicle in an area designated by the instructor.

SECTION 743ec. 23.33 (5) (c) of the statutes is amended to read:

23.33 (5) (c) Exceptions. Paragraphs (a) and (b) do not apply to a person who ~~uses~~ operates an all-terrain vehicle exclusively on land under the management and control of the person's immediate family. Paragraphs (a) and (b) do not apply to a person at least 12 years of age but under 16 years of age who holds a valid certificate issued by another state or a province of Canada.

SECTION 743ef. 23.33 (6) (a) of the statutes is amended to read:

23.33 (6) (a) ~~An A~~ A person who operates an all-terrain vehicle ~~operated~~ during hours of darkness or ~~operated~~ during daylight hours on any highway right-of-way is required to display a lighted headlamp and tail lamp on the all-terrain vehicle.

SECTION 743ej. 23.33 (6) (e) of the statutes is amended to read:

23.33 (6) (e) Every all-terrain vehicle is required to be equipped with a functioning muffler to prevent excessive or unusual noise and with a functioning spark arrester of a type approved by the U.S. forest service.

SECTION 743em. 23.33 (8) (d) of the statutes is amended to read:

23.33 (8) (d) Restrictions. The designating authority may specify effective periods for the use of all-terrain vehicle routes and trails and may restrict or prohibit the operation of ~~an all-terrain vehicles~~ vehicle during certain periods of the year.

SECTION 743ep. 23.33 (9) (a) of the statutes is amended to read:

23.33 (9) (a) *Administration and enforcement.* The department may utilize up to 50% of the moneys received from all-terrain vehicle registrations under sub. (2) for the purposes specified under s. 20.370 (3) (as), (4) (fu) and (iq) and (8) (ds) including costs associated with registration, enforcement, safety education, accident reports and analysis, law enforcement aids to counties, aids administration and other similar costs in administering and enforcing this section.

SECTION 743et. 23.33 (9) (b) of the statutes is repealed and recreated to read:

23.33 (9) (b) *All-terrain vehicle projects.* 1. The department shall utilize at least 50% of the moneys received under sub. (2) for state all-terrain vehicle projects and for aid to towns, villages, cities, counties or federal agencies for nonstate all-terrain vehicle projects. The department shall utilize all the moneys credited to the appropriation under s. 20.370 (4) (bz) for aid to towns, villages, cities, counties or federal agencies for nonstate all-terrain vehicle projects.

2. Any of the following all-terrain vehicle projects are eligible for funding under this paragraph as a state all-terrain vehicle project or for aid under this paragraph as a nonstate all-terrain vehicle project:

- a. Acquisition of an easement or land in fee simple.
- b. An all-terrain vehicle facility such as a parking area, riding area, shelter, toilets or other improvement.
- c. Development of all-terrain vehicle routes or all-terrain vehicle trails.
- d. Development or maintenance of a snowmobile route or trail or an off-the-road motorcycle trail or facility if the route, trail or facility is open for use by all-terrain vehicles.
- e. Maintenance of all-terrain vehicle routes or all-terrain vehicle trails.
- f. Purchase of liability insurance.

3. In addition to the projects listed in subd. 2, the department may provide aid under this paragraph to a town, village, city or county for up to 100% of the cost of placing signs developed under sub. (4z) (a) 2.

SECTION 743ew. 23.33 (12) (b) of the statutes is amended to read:

23.33 (12) (b) No ~~person operating~~ operator of an all-terrain vehicle may refuse to stop after being requested or signaled to do so by a law enforcement officer.

SECTION 743ez. 23.33 (13) (a) of the statutes is amended to read:

23.33 (13) (a) *Generally.* Except as provided in pars. (b) (am) to (e), any person who violates this section shall forfeit not more than \$250.

SECTION 743x. 23.35 (title) of the statutes is repealed.

SECTION 744. 23.35 (1) of the statutes is renumbered 42.11 (1) and amended to read:

42.11 (1) The ~~department~~ state fair park board has sole responsibility for the Olympic ice ~~rink~~ training

center at the state fair park, the land inside the rink on which the center is located and all land and facilities directly related to its operation including mechanical equipment, housing for mechanical equipment, piping and electrical lines. No person may use the Olympic ice ~~rink~~ training center or land or facilities related to its operation without the approval of the department. The department may lease the Olympic ice rink or land or facilities related to its operation for terms not exceeding 30 years, in accordance with the procedures used for leasing state parks under s. 26.08 (1) state fair park board.

SECTION 744ad. 23.35 (2) of the statutes is renumbered 42.11 (2) and amended to read:

42.11 (2) The state fair park board shall make the youth building adjacent to the ~~rink~~ Olympic ice training center available to the department of natural resources for use during the skating season. The state fair park board is responsible for grounds maintenance, including snow plowing.

SECTION 744b. 23.35 (3) of the statutes is repealed.

SECTION 744c. 23.35 (4) of the statutes is repealed.

SECTION 744d. 23.40 (1m) of the statutes is created to read:

23.40 (1m) PETITION PROCEDURE. The department shall implement a procedure under which an individual may petition the natural resources board to have the department prepare an environmental impact statement for a specific project or proposed action.

SECTION 745. 23.41 (5m) of the statutes is created to read:

23.41 (5m) If the governor or the governor's designee determines that it is in the best interest of this state, he or she may waive the requirement under sub. (5) for bids or competitive sealed proposals in an emergency involving the public health, welfare or safety or the environment.

SECTION 746g. 23.42 (4) of the statutes is amended to read:

23.42 (4) LIMITATION ON CHARGING OF FEES. Notwithstanding subs. (2) and (3) (a), the department may not charge any fees under this section after June 30, 1992 1994, for reviewing and evaluating applications or notifications of intent.

SECTION 747. 23.50 (1) of the statutes is amended to read:

23.50 (1) The procedure in ss. 23.50 to 23.85 applies to all actions in circuit court to recover forfeitures, penalty assessments, jail assessments, applicable weapons assessments, applicable environmental assessments, applicable wild animal protection assessments, applicable natural resources assessments, applicable fishing shelter removal assessments, applicable snowmobile registration restitution payments and applicable natural resources restitution payments for violations of ss. 77.09, 134.60, 144.422 (2) and (2m) (c), 159.07, 159.08, 159.81, 167.10 (3) and 167.31 (2),

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subch. VI of ch. 77, this chapter and chs. 26 to 31 and of ch. 350, and any administrative rules promulgated thereunder and violations of local ordinances enacted by any local authority in accordance with s. 23.33 (11) (am) or 30.77.

SECTION 748. 23.50 (2) of the statutes is amended to read:

23.50 (2) All actions to recover these forfeitures, penalty assessments, jail assessments, applicable weapons assessments, applicable environmental assessments, applicable wild animal protection assessments, applicable natural resources assessments, applicable fishing shelter removal assessments, applicable snowmobile registration restitution payments and applicable natural resources restitution payments are civil actions in the name of the state of Wisconsin, shall be heard in the circuit court for the county where the offense occurred, and shall be recovered under the procedure set forth in ss. 23.50 to 23.85.

SECTION 748t. 23.51 (3c) of the statutes is created to read:

23.51 (3c) "Environmental assessment" means the assessment imposed under s. 144.992.

SECTION 749. 23.51 (3g) of the statutes is created to read:

23.51 (3g) "Fishing shelter removal assessment" means the assessment imposed under s. 29.9967.

SECTION 750. 23.51 (6m) of the statutes is created to read:

23.51 (6m) "Snowmobile registration restitution payment" means the payment imposed under s. 350.115.

SECTION 751. 23.51 (10) of the statutes is created to read:

23.51 (10) "Wild animal protection assessment" means the assessment imposed under s. 29.9965.

SECTION 752. 23.53 (1) of the statutes is amended to read:

23.53 (1) The citation created under this section shall, in all actions to recover forfeitures, penalty assessments, jail assessments, applicable weapons assessments, applicable environmental assessments, applicable wild animal protection assessments, applicable natural resources assessments, applicable fishing shelter removal assessments, applicable snowmobile registration restitution payments and applicable natural resources restitution payments for violations of those statutes enumerated in s. 23.50 (1) and any administrative rules promulgated thereunder, be used by any law enforcement officer with authority to enforce those laws, except that the uniform traffic citation created under s. 345.11 may be used by a traffic officer employed under s. 110.07 in enforcing s. 167.31 or by an officer of a law enforcement agency of a municipality or county or a traffic officer employed under s. 110.07 in enforcing s. 159.81. In accordance with s. 345.11 (1m), the citation shall not be used for violations of ch. 350 relating to highway use. The cita-

tion may be used for violations of local ordinances enacted by any local authority in accordance with s. 23.33 (11) (am) or 30.77.

SECTION 753. 23.54 (3) (e) of the statutes is amended to read:

23.54 (3) (e) The maximum forfeiture, penalty assessment, jail assessment, applicable weapons assessment, applicable environmental assessment, applicable wild animal protection assessment, applicable natural resources assessment, applicable fishing shelter removal assessment, applicable snowmobile registration restitution payment and applicable natural resources restitution payment for which the defendant might be found liable.

SECTION 754. 23.54 (3) (i) of the statutes is amended to read:

23.54 (3) (i) Notice that if the defendant makes a deposit and fails to appear in court at the time fixed in the citation, the defendant will be deemed to have tendered a plea of no contest and submitted to a forfeiture, a penalty assessment, a jail assessment, any applicable weapons assessment, any applicable environmental assessment, any applicable wild animal protection assessment, any applicable natural resources assessment, any applicable fishing shelter removal assessment, any applicable snowmobile registration restitution payment and any applicable natural resources restitution payment plus costs, including any applicable fees prescribed in ch. 814, not to exceed the amount of the deposit. The notice shall also state that the court may decide to summon the defendant rather than accept the deposit and plea.

SECTION 755. 23.54 (3) (j) of the statutes is amended to read:

23.54 (3) (j) Notice that if the defendant makes a deposit and signs the stipulation, the defendant will be deemed to have tendered a plea of no contest and submitted to a forfeiture, a penalty assessment, a jail assessment, any applicable weapons assessment, any applicable environmental assessment, any applicable wild animal protection assessment, any applicable natural resources assessment, any applicable fishing shelter removal assessment, any applicable snowmobile registration restitution payment and any applicable natural resources restitution payment plus costs, including any applicable fees prescribed in ch. 814, not to exceed the amount of the deposit. The notice shall also state that the court may decide to summon the defendant rather than accept the deposit and stipulation, and that the defendant may, at any time prior to or at the time of the court appearance date, move the court for relief from the effects of the stipulation.

SECTION 756. 23.55 (1) (b) of the statutes is amended to read:

23.55 (1) (b) A plain and concise statement of the violation identifying the event or occurrence from which the violation arose and showing that the plaintiff is entitled to relief, the statute upon which the

cause of action is based and a demand for a forfeiture, the amount of which shall not exceed the maximum set by the statute involved, a penalty assessment, a jail assessment, any applicable weapons assessment, any applicable environmental assessment, any applicable wild animal protection assessment, any applicable natural resources assessment, any applicable fishing shelter removal assessment, any applicable snowmobile registration restitution payment, any applicable natural resources restitution payment and such any other relief that is sought by the plaintiff.

SECTION 757. 23.56 (2) of the statutes is amended to read:

23.56 (2) In actions to collect forfeitures, penalty assessments, jail assessments, applicable weapons assessments, applicable environmental assessments, applicable wild animal protection assessments, applicable natural resources assessments, applicable fishing shelter removal assessments, applicable snowmobile registration restitution payments and applicable natural resources restitution payments, the judge who issues a warrant under sub. (1) may endorse upon the warrant the amount of the deposit. If no endorsement is made, the deposit schedule under s. 23.66 shall apply, unless the court directs that the person be brought before the court.

SECTION 758. 23.66 (2) of the statutes is amended to read:

23.66 (2) The person receiving the deposit shall prepare a receipt in triplicate showing the purpose for which the deposit is made, stating that the defendant may inquire at the office of the clerk of court or municipal court regarding the disposition of the deposit, and notifying the defendant that if he or she fails to appear in court at the time fixed in the citation he or she will be deemed to have tendered a plea of no contest and submitted to a forfeiture, a penalty assessment, a jail assessment, any applicable weapons assessment, any applicable environmental assessment, any applicable wild animal protection assessment, any applicable natural resources assessment, any applicable fishing shelter removal assessment, any applicable snowmobile registration restitution payment and any applicable natural resources restitution payment plus costs, including any applicable fees prescribed in ch. 814, not to exceed the amount of the deposit which the court may accept. The original of the receipt shall be delivered to the defendant in person or by mail. If the defendant pays by check, share draft or other draft, the check, share draft or other draft or a microfilm copy of the check, share draft or other draft shall be considered a receipt. If the defendant makes the deposit by use of a credit card, the credit charge receipt shall be considered a receipt.

SECTION 759. 23.66 (4) of the statutes is amended to read:

23.66 (4) The basic amount of the deposit shall be determined in accordance with a deposit schedule which that the judicial conference shall establish.

Annually, the judicial conference shall review and may revise the schedule. In addition to the basic amount determined according to the schedule, the deposit shall include court costs, including any applicable fees prescribed in ch. 814, any applicable penalty assessment, any applicable jail assessment, any applicable weapons assessment, any applicable environmental assessment, any applicable wild animal protection assessment, any applicable natural resources assessment, any applicable fishing shelter removal assessment, any applicable snowmobile registration restitution payment and any applicable natural resources restitution payment.

SECTION 760. 23.67 (2) of the statutes is amended to read:

23.67 (2) The deposit and stipulation of no contest may be made at any time prior to the court appearance date. By signing the stipulation, the defendant is deemed to have tendered a plea of no contest and submitted to a forfeiture, a penalty assessment, a jail assessment, any applicable weapons assessment, any applicable environmental assessment, any applicable wild animal protection assessment, any applicable natural resources assessment, any applicable fishing shelter removal assessment, any applicable snowmobile registration restitution payment and any applicable natural resources restitution payment plus costs, including any applicable fees prescribed in ch. 814, not to exceed the amount of the deposit.

SECTION 761. 23.67 (3) of the statutes is amended to read:

23.67 (3) The person receiving the deposit and stipulation of no contest shall prepare a receipt in triplicate showing the purpose for which the deposit is made, stating that the defendant may inquire at the office of the clerk of court or municipal court regarding the disposition of the deposit, and notifying the defendant that if the stipulation of no contest is accepted by the court the defendant will be deemed to have submitted to a forfeiture, a penalty assessment, a jail assessment, any applicable weapons assessment, any applicable environmental assessment, any applicable wild animal protection assessment, any applicable natural resources assessment, any applicable fishing shelter removal assessment, any applicable snowmobile registration restitution payment and any applicable natural resources restitution payment plus costs, including any applicable fees prescribed in ch. 814, not to exceed the amount of the deposit. Delivery of the receipt shall be made in the same manner as in s. 23.66.

SECTION 762. 23.75 (3) (b) of the statutes is amended to read:

23.75 (3) (b) If the defendant has made a deposit, the citation may serve as the initial pleading and the defendant shall be deemed to have tendered a plea of no contest and submitted to a forfeiture, a penalty assessment, a jail assessment, any applicable weapons assessment, any applicable environmental assessment,

any applicable wild animal protection assessment, any applicable natural resources assessment, any applicable fishing shelter removal assessment, any applicable snowmobile registration restitution payment and any applicable natural resources restitution payment plus any applicable fees prescribed in ch. 814, not exceeding the amount of the deposit. The court may either accept the plea of no contest and enter judgment accordingly, or reject the plea and issue a summons. If the defendant fails to appear in response to the summons, the court shall issue an arrest warrant. If the court accepts the plea of no contest, the defendant may move within 90 days after the date set for appearance to withdraw the plea of no contest, open the judgment and enter a plea of not guilty if the defendant shows to the satisfaction of the court that failure to appear was due to mistake, inadvertence, surprise or excusable neglect. If a party is relieved from the plea of no contest, the court or judge may order a written complaint to be filed and set the matter for trial. After trial the costs and fees shall be taxed as provided by law. If on reopening the defendant is found not guilty, the court shall delete the record of conviction and shall order the defendant's deposit returned.

SECTION 763. 23.75 (3) (c) of the statutes is amended to read:

23.75 (3) (c) If the defendant has made a deposit and stipulation of no contest, the citation may serve as the initial pleading and the defendant shall be deemed to have tendered a plea of no contest and submitted to a forfeiture, a penalty assessment, a jail assessment, any applicable weapons assessment, any applicable environmental assessment, any applicable wild animal protection assessment, any applicable natural resources assessment, any applicable fishing shelter removal assessment, any applicable snowmobile registration restitution payment and any applicable natural resources restitution payment plus any applicable fees prescribed in ch. 814, not exceeding the amount of the deposit. The court may either accept the plea of no contest and enter judgment accordingly, or reject the plea and issue a summons. If the defendant fails to appear in response to the summons, the court shall issue an arrest warrant. After signing a stipulation of no contest, the defendant may, at any time prior to or at the time of the court appearance date, move the court for relief from the effect of the stipulation. The court may act on the motion, with or without notice, for cause shown by affidavit and upon just terms, and relieve the defendant from the stipulation and the effects thereof. If the defendant is relieved from the stipulation of no contest, the court may order a citation or complaint to be filed and set the matter for trial. After trial the costs and fees shall be taxed as provided by law.

SECTION 764. 23.79 (1) of the statutes is amended to read:

23.79 (1) If the defendant is found guilty, the court may enter judgment against the defendant for a mone-

tary amount not to exceed the maximum forfeiture provided by the statute for the violation, the penalty assessment, the jail assessment, any applicable weapons assessment, any applicable environmental assessment, any applicable wild animal protection assessment, any applicable natural resources assessment, any applicable fishing shelter removal assessment, any applicable snowmobile registration restitution payment, any applicable natural resources restitution payment and for costs.

SECTION 765. 23.79 (2) of the statutes is amended to read:

23.79 (2) The payment of any judgment may be suspended or deferred for not more than 90 days in the discretion of the court. In cases where a deposit has been made, any forfeitures, penalty assessments, jail assessments, weapons assessments, environmental assessments, wild animal protection assessments, natural resources assessments, fishing shelter removal assessments, snowmobile registration restitution payments, natural resources restitution payments and or costs shall be taken out of the deposit and the balance, if any, returned to the defendant.

SECTION 766. 23.80 (2) of the statutes is amended to read:

23.80 (2) Upon default of the defendant corporation or municipality, or upon conviction, judgment for the amount of the forfeiture, the penalty assessment, the jail assessment, any applicable weapons assessment, any applicable environmental assessment, any applicable wild animal protection assessment, any applicable natural resources assessment, any applicable fishing shelter removal assessment, any applicable snowmobile registration restitution payment and any applicable natural resources restitution payment shall be entered.

SECTION 767. 23.83 (2) of the statutes is amended to read:

23.83 (2) STAY OF EXECUTION. The amount of undertaking required to stay execution on appeal shall not exceed the amount of the maximum forfeiture, applicable weapons assessment, applicable environmental assessment, applicable wild animal protection assessment, applicable natural resources assessment, applicable fishing shelter removal assessment, applicable snowmobile registration restitution payment and applicable natural resources restitution payment plus court costs.

SECTION 768. 23.84 of the statutes is amended to read:

23.84 Forfeitures and assessments collected; to whom paid. Except for actions in municipal court, all moneys collected in favor of the state or a municipality for forfeiture, penalty assessment, jail assessment, applicable weapons assessment, applicable environmental assessment, applicable wild animal protection assessment, applicable natural resources assessment, applicable fishing shelter removal assessment, applica-

ble snowmobile registration restitution payment and applicable natural resources restitution payment shall be paid by the officer who collects the same to the appropriate municipal or county treasurer, within 20 days after its receipt by the officer, except that all jail assessments shall be paid to the county treasurer. In case of any failure in the payment, the municipal or county treasurer may collect the payment from the officer by an action in the treasurer's name of office and upon the official bond of the officer, with interest at the rate of 12% per year from the time when it should have been paid.

SECTION 769. 23.85 of the statutes is amended to read:

23.85 Statement to county board; payment to state.

Every county treasurer shall, on the first day of the annual meeting of the county board of supervisors, submit to it a verified statement of all forfeitures, penalty assessments, jail assessments, weapons assessments, environmental assessments, wild animal protection assessments, natural resources assessments, fishing shelter removal assessments, snowmobile registration restitution payments and natural resources restitution payments money received during the previous year next preceding. The county clerk shall deduct all expenses incurred by the county in recovering those forfeitures, penalty assessments, weapons assessments, environmental assessments, wild animal protection assessments, natural resources assessments, fishing shelter removal assessments, snowmobile registration restitution payments and natural resources restitution payments from the aggregate amount so received, and shall immediately certify ~~to the county treasurer~~ the amount of clear proceeds of those forfeitures, penalty assessments, weapons assessments, environmental assessments, wild animal protection assessments, natural resources assessments, fishing shelter removal assessments, snowmobile registration restitution payments and natural resources restitution payments, ~~so ascertained to the county treasurer~~, who shall pay the proceeds to the state treasurer as provided in s. 59.20. Jail assessments shall be treated separately as provided in s. 302.46.

SECTION 770am. 25.156 (6) of the statutes is renumbered 25.156 (6) (intro.) and amended to read:

25.156 (6) (intro.) The investment board may provide a plan of bonus compensation for the executive director and other employees of the board who are appointed in the unclassified service, whereby the employees may qualify for an annual bonus for meritorious performance. No such bonuses awarded by the board for any fiscal year may exceed a total of 10% of the total annualized salaries of all unclassified employees of the board at the beginning of the fiscal year. No bonus awarded by the board to any individual employee for any fiscal year may exceed a total of 25% of the annual salary of the employee at the beginning of the fiscal year. In awarding bonus compensation for a given period, the board shall consider the

performance of funds similar to those for which it has managing authority and market indices for the same period. The board shall provide for a portion of the bonus compensation awarded under this subsection to be distributed to ~~employees~~ an employee over a 3-year period conditioned upon continuation of employment to the time of distribution, except as provided in sub. (7). Bonus compensation may only be awarded under this subsection pursuant to a plan adopted by the board that specifies all of the following:

SECTION 770b. 25.156 (6) (a) to (c) of the statutes are created to read:

25.156 (6) (a) The conditions under which bonus compensation will be awarded.

(b) The percentage of the total available bonus compensation that will be awarded based upon beneficial investment performance and the percentage of such compensation that will be awarded based upon other meritorious performance.

(c) The specific criteria that will be employed in considering whether to award bonus compensation to a particular employee.

SECTION 771. 25.156 (7) of the statutes is created to read:

25.156 (7) If the board awards bonus compensation under sub. (6) to an employee who, because of the employee's retirement, disability or death, terminates employment with the board less than 3 years after the date on which the bonus compensation is awarded, the board shall distribute any remaining bonus compensation payable to the employee upon termination of the employee if any of the following applies:

(a) If the employee's termination is because of the employee's retirement or disability, the employee receives a retirement benefit under s. 40.23 or 40.25 (1) or disability benefit under s. 40.63 and the benefit received by the employee has an effective date not later than 31 days after the date on which the employee terminated employment with the board.

(b) If the employee's termination is because of the employee's death, the employee's beneficiary receives a death benefit under s. 40.71 or 40.73.

SECTION 771m. 25.16 (2) of the statutes is amended to read:

25.16 (2) The executive director may appoint one division administrator and not more than 6 investment directors, and shall appoint the all other employees necessary to carry out the functions of the investment board, except that the investment board shall participate in the selection of investment directors. The executive director shall appoint all employees outside the classified service, except blue collar and clerical employees. Neither the executive director, any investment director nor any other employee of the board shall have any financial interest, either directly or indirectly, in any firm engaged in the sale or marketing of real estate or investments of any kind, nor shall any of them render investment advice to others for remuneration.

Vetoed
in Part

SECTION 772. 25.16 (3) of the statutes is amended to read:

25.16 (3) The executive director may appoint an executive assistant ~~who shall serve outside the classified service.~~ The executive assistant shall perform the duties prescribed by the executive director.

SECTION 773g. 25.17 (1) (a) of the statutes is renumbered 25.17 (1) (ag).

SECTION 773m. 25.17 (1) (ad) of the statutes is created to read:

25.17 (1) (ad) Agrichemical management fund (s. 25.465);

Vetoed in Part SECTION 773n. 25.17 (1) (n) of the statutes is created to read:

~~25.17 (1) (n) Farms for the future fund (s. 25.44).~~

SECTION 775. 25.17 (1) (n) of the statutes is repealed.

SECTION 775h. 25.17 (1) (yv) of the statutes is created to read:

25.17 (1) (yv) Wisconsin veterans home members fund (s. 25.37);

SECTION 776. 25.18 (1) (c) of the statutes is amended to read:

25.18 (1) (c) Secure insurance against burglary, robbery ~~or~~, theft ~~on~~ or any other risks relating to any of the securities, properties or other investments owned or held by the board or any of the funds or trusts under its management. The board shall pay the costs of such insurance from the current income of the funds or trusts benefiting from the insurance.

SECTION 777. 25.18 (1) (n) of the statutes is created to read:

25.18 (1) (n) For the purpose of protecting an investment or group of assets aggregated for investment purposes against a risk, to meet nonspeculative objectives relating to rates of return or cash flow requirements or for similar purposes, enter into a contract with any person whom the board considers to be creditworthy to exchange the nature of payments or assets due to be given or received between the parties.

SECTION 778c. 25.29 (1) (d) of the statutes is renumbered 25.29 (1) (d) (intro.) and amended to read:

25.29 (1) (d) (intro.) An amount equal to the estimated snowmobile gas tax payment. The estimated snowmobile gas tax payment is the sum of the following amounts:

1. An amount calculated by multiplying the number of snowmobiles registered under s. 350.12 on the last day of February of the previous fiscal year by 50 gallons and multiplying that product by the excise tax imposed under s. 78.01 (1) on the last day of February of the previous fiscal year.

SECTION 778d. 25.29 (1) (d) 2 of the statutes is created to read:

25.29 (1) (d) 2. An amount equal to 40% of the amount calculated under subd. 1.

SECTION 778f. 25.29 (1) (dm) of the statutes is created to read:

25.29 (1) (dm) For fiscal year 1991-92 and for each fiscal year thereafter, an amount equal to the estimated all-terrain vehicle gas tax payment. The estimated all-terrain vehicle gas tax payment is calculated by multiplying the sum of the number of all-terrain vehicles registered for public use under s. 23.33 (2) (c) and the number of reflectorized plates issued under s. 23.33 (2) (dm) on the last day of February of the previous fiscal year by 25 gallons and multiplying that product by the excise tax imposed under s. 78.01 (1) on the last day of February of the previous fiscal year.

SECTION 778g. 25.29 (1m) of the statutes is created to read:

25.29 (1m) There is established in the conservation fund a separate account that is designated the snowmobile account and that consists of the moneys paid into the conservation fund under s. 20.855 (4) (t) and the moneys collected under s. 350.12.

SECTION 779s. 25.37 of the statutes is created to read:

25.37 Wisconsin veterans home members fund.

There is established a separate nonlapsible trust fund designated as the Wisconsin veterans home members fund. The fund shall consist of moneys belonging to members of the Wisconsin veterans home that are paid to the home and that are transferred into the fund by the department of veterans affairs under s. 45.37 (9c).

SECTION 781. 25.40 (1) (a) of the statutes is renumbered 25.40 (1) (a) (intro.) and amended to read:

25.40 (1) (a) (intro.) All collections of the department of transportation or the office of the commissioner of transportation and all moneys transferred under s. 84.59 (3) except ~~net~~ all of the following:

1. Net sales taxes as determined in s. 77.61 (4) (b) or (c), ~~other.~~

2. 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, ~~revenues.~~

3. Revenues collected under s. 341.25 that are pledged to the fund created under s. 84.59 (2), ~~moneys.~~

4. Moneys received under s. 341.14 (6r) (b) 4 that are deposited in the general fund and credited to the appropriation under s. 20.285 (1) (jp), ~~fees.~~

5. Fees collected under s. 342.14 (1m) that are deposited in the general fund and credited to the appropriation under s. 20.370 (2) (dj) ~~and the amounts.~~

6. Amounts payable to the state treasurer under s. 85.14 (1) (b) in conjunction with the collection of fees paid by credit card.

SECTION 783. 25.40 (1) (a) 7 of the statutes is created to read:

25.40 (1) (a) 7. Fees collected under s. 341.255 (3) that are deposited in the general fund and credited to the appropriation under s. 20.395 (5) (cg).

*SECTION 785r. 25.40 (1) (ig) of the statutes is amended to read:

25.40 (1) (ig) All moneys forwarded by county treasurers from forfeitures, fines and penalties under ch. 348 and from forfeitures for the violation of traffic regulations in conformity with ch. 348, as provided in s. 59.20 (8m) and (8n).

SECTION 786. 25.40 (1) (ir) of the statutes is created to read:

25.40 (1) (ir) All moneys forwarded by county treasurers from automatic reinstatement assessments, as provided in s. 59.20 (8t).

SECTION 787. 25.40 (2) of the statutes is amended to read:

25.40 (2) Payments from the transportation fund, except for appropriations made by ss. 20.115 (1) (q), 20.143 (2) (r), 20.255 (2) (r), 20.285 (1) (x), 20.292 (1) (r), (u) and (v), 20.370 (1) (dr) and (mr), (2) (cq), (3) (ay) and (4) (bz) (cs), 20.399 (1) (r), 20.435 (1) (r), 20.455 (2) (q), 20.465 (1) (q) and (3) (q), and (s) and (t), 20.566 (1) (u) and (2) (q) and (3) (u) and 20.855 (4) (e), (q), (s) and (t) and (u) or authorized by s. 25.17 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 788. 25.40 (2) of the statutes, as affected by 1991 Wisconsin Act ... (this act), is repealed and recreated to read:

25.40 (2) Payments from the transportation fund, except for appropriations made by ss. 20.255 (2) (r), 20.285 (1) (x), 20.292 (1) (r), (u) and (v), 20.370 (1) (dr) and (mr), (2) (cq), (3) (ay) and (4) (cs), 20.399 (1) (r), 20.435 (1) (r), 20.455 (1) (q) and (2) (q), 20.465 (1) (q) and (3) (q), and (s), 20.566 (1) (u), (2) (q) and (3) (u) and 20.855 (4) (q), (s), (t) and (u) or authorized by s. 25.17 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 788r. 25.44 of the statutes is created to read:

25.44 Farms for the future fund. (1) There is established a separate nonlapsible trust fund designated as the farms for the future fund, to consist of:

(a) All gifts, grants and bequests to the farms for the future fund.

(b) All moneys received from counties, cities, villages and towns for the farms for the future fund.

(c) All moneys provided for the farms for the future fund by the federal government under P.L. 101-624, sections 1465 to 1470.

(2) Except for the purpose of investment as provided in s. 25.17 (3) (b), (ba) and (bd), the farms for the future fund may be used only for the purpose of

investing funds in the protection or preservation of farmland for agricultural purposes. **Vetoed in Part**

SECTION 789. 25.45 of the statutes is amended to read:

25.45 Waste management fund. There is established a separate nonlapsible trust fund designated as the waste management fund, to consist of the tonnage fees imposed under s. 144.441 (3), 1989 stats., except for tonnage fees paid by a nonapproved facility, as defined in s. 144.441 (1) (c); waste management base fees imposed under s. 144.441 (5), 1989 stats.; and all moneys received or recovered under s. 144.443 (11) (a) 1, 3 or 4 and (am) 1, 3 and 4. Moneys in the waste management fund shall be used for the purposes specified under s. 144.441 (6) (d) to (h).

SECTION 789m. 25.46 (4) of the statutes is amended to read:

25.46 (4) The moneys specified under s. 94.68 (4) (b) and (bm) for groundwater management.

SECTION 790e. 25.46 (13m) of the statutes is created to read:

25.46 (13m) The environmental assessments imposed under s. 144.992 for environmental enforcement and environmental repair.

SECTION 790m. 25.465 of the statutes is created to read:

25.465 Agrichemical management fund. There is established a separate nonlapsible trust fund designated as the agrichemical management fund, to consist of:

(1) The fees imposed under s. 94.64 (3) (b), (3m) (b) and (4) (a) and (d).

(2) The fees imposed under s. 94.65 (2) (a), (3) (b) and (6) (a) 1.

(3) The fees specified under s. 94.68 (4) (a).

(4) The fees imposed under s. 94.685 (3).

(5) The fees imposed under s. 94.703 (3).

(6) The fees imposed under s. 94.704 (3).

(7) The fees imposed under s. 94.705 (1) and (4).

(8) The fees imposed under s. 94.72 (5) (b) and (6) (a) and (i).

SECTION 790r. 25.49 (1) of the statutes is amended to read:

25.49 (1) The fees surcharge imposed under subch. VII of ch. 77.

SECTION 792. 25.49 (3) of the statutes is repealed.

SECTION 793. 25.49 (4) of the statutes is repealed.

SECTION 793m. 25.50 (3) (b) of the statutes is amended to read:

25.50 (3) (b) On the dates specified and to the extent to which they are available, subject to s. 16.53 (10), funds payable to local governments under ss. 79.03, 79.04, 79.05, 79.06, 79.08, and 79.10 and 79.105 shall be considered local funds and, pursuant to the instructions of local officials, may be paid into the separate accounts of all local governments established in the local government pooled-investment fund and, pursu-

* SECTION 785r is printed without any veto overlay, the same way it was published in the slip law. In the official copy of the act filed with the Secretary of State, SECTION 785r is marked and initialed as vetoed in part. There was no mention of SECTION 785r in the Governor's written objections to 1991 Assembly Bill 91.

ant to the instructions of local officials, to the extent to which they are available, be disbursed or invested.

SECTION 795. 25.75 (1) (c) 3 of the statutes is amended to read:

25.75 (1) (c) 3. Amounts for other expenses, including compensation paid to retailers under s. 565.10 (14) and amounts paid to vendors for on-line services and supplies provided by the vendors under contract under s. 565.25 (2) (a).

SECTION 796. 25.75 (3) (b) 3 of the statutes is created to read:

25.75 (3) (b) 3. Payments to vendors for on-line services and supplies provided by the vendors under contract under s. 565.25 (2) (a) shall be included.

SECTION 797b. 25.75 (3) (c) of the statutes is repealed and recreated to read:

~~25.75 (3) (c) *Property tax relief.* The unappropriated balance in the lottery fund on June 30, 1991, the amount transferred to the lottery fund under 1991 Wisconsin Act ... (this act), section 9238 (1m), the lottery proceeds received in the 1991-92 fiscal year and thereafter and the earnings that are distributed to the lottery fund in the 1991-92 fiscal year and thereafter under s. 25.14 (3) shall be distributed through the appropriations under s. 20.835 (3) (a) and (r).~~

SECTION 812. 25.80 of the statutes is repealed.

~~SECTION 816m. 26.30 (2) of the statutes is amended to read:~~

~~26.30 (2) *Powers.* The department is vested with authority and jurisdiction in all matters relating to the prevention, detection and control of forest pests on the forest lands of the state, and to do all things necessary in the exercise of such authority and jurisdiction, except that this shall not be construed to grant any powers or authority to the department for the silvicultural control of forest pests on any land. This section shall apply only to the detection and control of forest pests on forest lands and does not affect the authority of the department of agriculture, food and trade and consumer protection under chs. 93 and 94. The action of the department under sub. (4) shall be coordinated with the department of agriculture, food and trade and consumer protection in accordance with s. 20.901. The secretaries of natural resources and of agriculture, food and trade and consumer protection shall execute annually a memorandum of agreement to enable the coordination of pest control work of their departments.~~

~~SECTION 816p. 26.30 (5) of the statutes is amended to read:~~

~~26.30 (5) *COOPERATIVE AGREEMENTS.* To carry out the purposes of this section the department may enter into arrangements or agreements with the university of Wisconsin system, the department of agriculture, food and trade and consumer protection, other departments of this and other states, the U.S. department of agriculture and other federal agencies and with counties, towns, corporations and individuals.~~

~~SECTION 816n. 27.01 (6) (d) of the statutes is repealed.~~

SECTION 816x. 27.01 (6) (n) of the statutes is repealed.

SECTION 817. 27.01 (7) (f) 1 of the statutes is amended to read:

27.01 (7) (f) 1. Except as provided in par. (gm), the fee for an annual vehicle admission sticker is \$14 \$15 for each vehicle which has Wisconsin registration plates, except that no fee is charged for a sticker issued under s. 29.1475 (6).

SECTION 818. 27.01 (7) (f) 2 of the statutes is amended to read:

27.01 (7) (f) 2. Except as provided in subds. 3 and 4, the fee for a daily vehicle admission sticker is ~~\$3.50~~ \$4 for any vehicle which has Wisconsin registration plates.

SECTION 819. 27.01 (7) (f) 2 of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

27.01 (7) (f) 2. Except as provided in subds. 3 and 4 and par. (gm) 4, the fee for a daily vehicle admission sticker is \$4 for any vehicle which has Wisconsin registration plates.

SECTION 820. 27.01 (7) (g) 1 of the statutes is amended to read:

27.01 (7) (g) 1. Except as provided in par. (gm), the fee for an annual vehicle admission sticker for any vehicle which has a registration plate or plates from another state is ~~\$28~~ \$24.

SECTION 822. 27.01 (7) (gm) 3 of the statutes is created to read:

27.01 (7) (gm) 3. Notwithstanding par. (f) 1, the fee for an annual vehicle admission sticker for a vehicle that has Wisconsin registration plates and that is owned by a resident senior citizen, as defined in s. 29.01 (12m), is \$6.50.

SECTION 823. 27.01 (7) (gm) 4 of the statutes is created to read:

27.01 (7) (gm) 4. Notwithstanding par. (f) 2, the fee for a daily vehicle admission sticker for a vehicle that has Wisconsin registration plates and that is owned by a resident senior citizen, as defined in s. 29.01 (12m), is \$2.

SECTION 826. 27.01 (10) (d) (intro.) of the statutes is amended to read:

27.01 (10) (d) *Camping fees.* (intro.) Except as provided under ~~par.~~ pars. (f) and (h):

SECTION 827. 27.01 (10) (d) 1 of the statutes is amended to read:

27.01 (10) (d) 1. The camping fee for each night at a campsite in a campground which is classified as a Type "A" campground by the department is ~~\$6~~ \$8 for a resident camping party.

SECTION 828. 27.01 (10) (d) 3 of the statutes is amended to read:

Vetoed
in Part

Vetoed
in Part

Vetoed
in Part

27.01 (10) (d) 3. The camping fee for each night at a campsite in a state campground which is classified as a Type "B" campground by the department is ~~\$5~~ \$7 for a resident camping party.

SECTION 829. 27.01 (10) (d) 4 of the statutes is amended to read:

27.01 (10) (d) 4. The camping fee for each night at a campsite in a state campground which is classified as a Type "B" campground by the department is ~~\$8.50~~ \$9 for a nonresident camping party.

SECTION 830. 27.01 (10) (d) 5 of the statutes is amended to read:

27.01 (10) (d) 5. The camping fee for each night at a campsite in a campground which is classified as a Type "C" campground by the department is ~~\$4~~ \$6 for a resident camping party.

SECTION 831. 27.01 (10) (d) 6 of the statutes is amended to read:

27.01 (10) (d) 6. The camping fee for each night at a campsite in a campground which is classified as a Type "C" campground by the department is ~~\$6.75~~ \$8 for a nonresident camping party.

SECTION 832. 27.01 (10) (f) of the statutes is amended to read:

27.01 (10) (f) *Waiver of fees; special fees.* The department may waive camping fees, charge ~~reduced~~ ~~or~~ additional camping fees or charge special fees instead of camping fees for certain classes of persons or groups, certain areas, certain types of camping or times of the year and for admission to special events.

SECTION 833. 27.01 (10) (h) of the statutes is created to read:

27.01 (10) (h) *Increased camping fees.* In addition to its authority under par. (f), the department shall determine which state campgrounds are located in areas where local market conditions justify the establishment of higher camping fees to be charged by the department. For these state campgrounds, the department shall promulgate rules to establish higher camping fees to be based on the applicable local market conditions.

Vetoed
in Part

SECTION 833g. 27.015 (3) of the statutes is amended to read:

27.015 (3) (title) DEPARTMENT OF AGRICULTURE, FOOD AND TRADE DUTY. The department of agriculture, food and trade and consumer protection shall stimulate interest and disseminate information along lines of rural planning and shall cooperate with county rural planning committees in carrying out their duties as provided by sub. (7).

SECTION 833j. 27.015 (12) of the statutes is amended to read:

27.015 (12) COOPERATION OF STATE DEPARTMENTS. The department of agriculture, food and trade and consumer protection, the department of administration, the department of natural resources and the agricultural extension division of the university of Wisconsin shall cooperate with the several county rural planning committees in carrying out this section.

SECTION 833L. 29.05 (1d) of the statutes is created to read:

Vetoed
in Part

29.05 (1d) WARRANTS, ARRESTS; FIELD ARCHAEOLOGY. The department and any of its wardens may execute and serve warrants and processes issued for violations of s. 44.47 occurring on state-owned lakebeds and streambeds in the same manner as any constable may serve and execute such process; and may arrest a person, with or without a warrant, who is detected committing such a violation, or whom the warden has probable cause to believe is guilty of a violation of s. 44.47, and may take the person before any court in the county where the violation was committed and make proper complaint. For the purpose of enforcing s. 44.47, any warden may stop and board any boat and stop any automobile, snowmobile or other vehicle, if the warden reasonably suspects that there is a violation of s. 44.47.

SECTION 833m. 29.05 (2) of the statutes is amended to read:

29.05 (2) ADDITIONAL ARREST POWERS. In addition to the arrest powers under sub. (1), a conservation warden who has completed ~~the~~ a program of law enforcement training approved by the law enforcement standards board, has been certified as qualified to be a law enforcement officer under s. 165.85 (4) (b) 1 and has complied with any applicable requirements under s. 165.85 (4) (bn) 1 while on duty and in uniform or on duty and upon display of proper credentials may assist another law enforcement agency as defined under s. 165.83 (1) (b) including making an arrest at the request of the agency, may arrest a person pursuant to an arrest warrant concerning the commission of a felony or may arrest a person who has committed a crime in the presence of the warden. If the conservation warden makes an arrest without the presence of another law enforcement agency, the conservation warden shall cause the person arrested to be delivered to the chief of police or sheriff in the jurisdiction where the arrest is made, along with the documents and reports pertaining to the arrest. The conservation warden shall be available as a witness for the state. A conservation warden may not conduct investigations for violations of state law except as authorized in sub. (3) and s. 23.11 (4). A conservation warden acting under the authority of this subsection is considered an employe of the department and is subject to its direction, benefits and legal protection. The authority granted in this section does not apply to county conservation wardens or special conservation wardens.

SECTION 834b. 29.09 (9m) of the statutes is created to read:

29.09 (9m) PROCESSING FEES FOR APPLICATIONS FOR CERTAIN APPROVALS. If the department issues any of the following approvals, a nonrefundable processing fee, in addition to any other fee imposed under s. 29.092, shall be collected for each application for such an approval:

(a) Hunter's choice deer hunting permit.

- (b) Bobcat hunting and trapping permit.
- (c) Otter trapping permit.
- (d) Fisher trapping permit.
- (e) Canada goose hunting permit.
- (f) Wild turkey hunting license.

SECTION 834r. 29.09 (10) (am) of the statutes is created to read:

29.09 (10) (am) *Collection of issuing fee for certain approval applications.* A person authorized to distribute an application under sub. (9m) shall collect, in addition to the processing fee, an issuing fee for each application.

SECTION 834t. 29.09 (10) (b) of the statutes is amended to read:

29.09 (10) (b) *Department employees.* An issuing fee collected by any employee of the department shall be remitted to the department together with the statutory license or stamp approval fee.

SECTION 835. 29.09 (10) (c) of the statutes is amended to read:

29.09 (10) (c) *Nonpublic issuing agents.* Deputies appointed by county clerks, other than county employees, ~~are entitled to retain 60% of the issuing fee.~~ Deputies and deputies appointed by the department, other than state employees, are entitled to retain 60% of the 50 cents of each issuing fee for licenses and 15 cents of each issuing fee for stamps.

SECTION 836. 29.09 (13) of the statutes is amended to read:

29.09 (13) *STAMPS; ARTWORK.* The department shall design and produce waterfowl hunting stamps, pheasant hunting stamps, wild turkey hunting stamps, inland waters trout stamps and Great Lakes trout and salmon stamps. The department may select artwork for stamps through a contest or otherwise may acquire original artwork for stamps.

SECTION 837. 29.092 (2) (a) of the statutes is amended to read:

29.092 (2) (a) *Resident small game.* The fee for a resident small game hunting license is \$8 \$10.25.

SECTION 838. 29.092 (2) (a) of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

29.092 (2) (a) *Resident small game.* Except as provided in sub. (3v), the fee for a resident small game hunting license is \$10.25.

SECTION 839. 29.092 (2) (c) of the statutes is amended to read:

29.092 (2) (c) *Resident deer.* The fee for a resident deer hunting license is ~~\$13.75~~ \$16.25.

SECTION 840. 29.092 (2) (e) of the statutes is amended to read:

29.092 (2) (e) *Resident archer.* The fee for a resident archer hunting license is \$14 \$16.25.

SECTION 840m. 29.092 (2) (em) of the statutes is created to read:

29.092 (2) (em) *Resident wild turkey.* The fee for a resident wild turkey hunting license is \$7.25.

SECTION 841. 29.092 (2) (f) of the statutes is amended to read:

29.092 (2) (f) *Nonresident annual small game.* The fee for a nonresident annual small game hunting license is ~~\$65~~ \$68.25.

SECTION 842. 29.092 (2) (g) of the statutes is amended to read:

29.092 (2) (g) *Nonresident 5-day small game.* The fee for a nonresident 5-day small game hunting license is ~~\$35~~ \$38.25.

SECTION 843. 29.092 (2) (h) of the statutes is amended to read:

29.092 (2) (h) *Nonresident deer.* The fee for a nonresident deer hunting license is ~~\$105~~ \$118.25.

SECTION 844. 29.092 (2) (j) of the statutes is amended to read:

29.092 (2) (j) *Nonresident fur-bearing animal.* The fee for a nonresident fur-bearing animal hunting license is ~~\$135~~ \$138.25.

SECTION 845. 29.092 (2) (k) of the statutes is amended to read:

29.092 (2) (k) *Nonresident archer.* The fee for a nonresident archer hunting license is ~~\$75~~ \$118.25.

SECTION 845m. 29.092 (2) (kd) of the statutes is created to read:

29.092 (2) (kd) *Nonresident wild turkey.* The fee for a nonresident wild turkey hunting license is \$49.25.

SECTION 846. 29.092 (2) (kg) of the statutes is amended to read:

29.092 (2) (kg) *Resident bear harvest permit.* The fee for a resident bear harvest permit is ~~\$25~~ \$30.

SECTION 847. 29.092 (2) (kr) of the statutes is amended to read:

29.092 (2) (kr) *Nonresident bear harvest permit.* The fee for a nonresident bear harvest permit is ~~\$100~~ \$120.

SECTION 849. 29.092 (2) (ku) of the statutes is created to read:

29.092 (2) (ku) *Resident bonus deer hunting permit.* The fee for a resident bonus deer hunting permit is \$12.

SECTION 851. 29.092 (2) (kz) of the statutes is created to read:

29.092 (2) (kz) *Nonresident bonus deer hunting permit.* The fee for a nonresident bonus deer hunting permit is \$20.

SECTION 852. 29.092 (2) (Lm) of the statutes is created to read:

29.092 (2) (Lm) *Pheasant hunting stamp.* The fee for a pheasant hunting stamp is \$7.

SECTION 853. 29.092 (2) (m) of the statutes is amended to read:

29.092 (2) (m) *Waterfowl hunting stamp.* The fee for a waterfowl hunting stamp is ~~\$3~~ \$5.

SECTION 856. 29.092 (3) (a) of the statutes is amended to read:

29.092 (3) (a) *Resident annual*. ~~The~~ Except as provided in sub. (3v), the fee for a resident annual fishing license is \$8.50 \$11.25.

SECTION 857. 29.092 (3) (b) of the statutes is amended to read:

29.092 (3) (b) *Resident annual husband and wife*. The fee for a resident annual husband and wife fishing license is ~~\$15~~ \$19.25.

SECTION 858. 29.092 (3) (c) of the statutes is amended to read:

29.092 (3) (c) (title) *Resident 2-day sports fishing*. The fee for a resident ~~daily 2-day~~ sports fishing license is ~~\$5.50~~ \$7.25.

SECTION 859. 29.092 (3) (e) of the statutes is repealed.

SECTION 860. 29.092 (3) (h) of the statutes is amended to read:

29.092 (3) (h) *Nonresident annual*. The fee for a nonresident annual fishing license is ~~\$23.50~~ \$27.25.

SECTION 861. 29.092 (3) (i) of the statutes is amended to read:

29.092 (3) (i) *Nonresident annual family*. The fee for a nonresident annual family fishing license is ~~\$41~~ \$47.25.

SECTION 862. 29.092 (3) (j) of the statutes is amended to read:

29.092 (3) (j) *Nonresident 15-day*. The fee for a nonresident 15-day fishing license is ~~\$14.50~~ \$17.25.

SECTION 863b. 29.092 (3) (k) of the statutes is amended to read:

29.092 (3) (k) *Nonresident 15-day family*. The fee for a nonresident 15-day family fishing license is ~~\$25~~ \$27.25.

SECTION 864. 29.092 (3) (L) of the statutes is amended to read:

29.092 (3) (L) *Nonresident 4-day*. The fee for a nonresident 4-day fishing license is ~~\$11.50~~ \$12.25.

SECTION 865. 29.092 (3) (m) of the statutes is amended to read:

29.092 (3) (m) (title) *Nonresident 2-day sports fishing*. The fee for a nonresident ~~daily 2-day~~ sports fishing license is ~~\$5.50~~ \$7.25.

SECTION 866. 29.092 (3) (n) of the statutes is amended to read:

29.092 (3) (n) *Sturgeon spearing license*. The fee for a sturgeon spearing license is ~~\$6.50~~ \$9.25.

SECTION 867. 29.092 (3) (o) of the statutes is amended to read:

29.092 (3) (o) *Inland waters trout stamp*. The fee for an inland waters trout stamp is ~~\$3~~ \$7.

SECTION 868. 29.092 (3) (p) of the statutes is amended to read:

29.092 (3) (p) *Great Lakes trout and salmon stamp*. The fee for a Great Lakes trout and salmon stamp is ~~\$3~~ \$7.

SECTION 868m. 29.092 (3r) (b) of the statutes is amended to read:

29.092 (3r) (b) All moneys collected under par. (a) shall be deposited into the account under s. 20.370 (1) (is) ~~to be used exclusively for research conducted by the department to determine methods of improving the quality of the lakes in this state.~~

SECTION 869. 29.092 (3v) of the statutes is created to read:

29.092 (3v) **REDUCED FEES FOR CERTAIN RESIDENTS.**

(a) The fee for the following approvals issued to resident senior citizens shall be as follows:

1. Resident small game hunting license, \$3.25.
2. Resident annual fishing license, \$4.25.

~~(b) The fee for a resident annual fishing license issued to a resident aged 16 is \$4.25.~~

SECTION 870. 29.092 (4) (a) of the statutes is amended to read:

29.092 (4) (a) *Resident sports license*. The minimum fee for a resident sports license is ~~\$34~~ \$36.25. Any applicant, at the applicant's option, may pay a greater or additional fee for this license.

SECTION 871. 29.092 (4) (b) of the statutes is amended to read:

29.092 (4) (b) *Resident conservation patron license*. The fee for a resident conservation patron license is \$100 ~~if that license is issued by the department from its central office. If a conservation patron license is not issued by the department from its central office, the fee for this license is \$99.40.~~ Any applicant, at the applicant's option, may pay a greater or additional fee for this license.

SECTION 872m. 29.092 (5) (a) of the statutes is amended to read:

29.092 (5) (a) (title) *Resident guide license*. The fee for a guide license issued to a resident is ~~\$5~~ \$39.25.

SECTION 872r. 29.092 (5) (am) of the statutes is created to read:

29.092 (5) (am) *Nonresident fishing guide license*. The fee for a guide license issued to a nonresident is ~~\$99.25.~~

SECTION 873. 29.092 (6) (a) of the statutes is amended to read:

29.092 (6) (a) *Resident trapping*. The fee for a resident trapping license is ~~\$13~~ \$14.25.

SECTION 874. 29.092 (7) (a) 4 of the statutes is amended to read:

29.092 (7) (a) 4. The license fee for each licensed boat or for fishing without a boat is ~~\$500~~ \$749.25 if issued for an effective period ending June 30, 1988 1993, or any June 30 thereafter.

SECTION 875. 29.092 (7) (b) 5 of the statutes is amended to read:

Vetoed
in Part

29.092 (7) (b) 5. The license fee for each licensed boat or for fishing without a boat is ~~\$1,000~~ \$5,599.25 if issued for an effective period ending June 30, ~~1988~~ 1993, or any June 30 thereafter.

SECTION 876. 29.092 (8) (a) of the statutes is amended to read:

29.092 (8) (a) *Resident bait dealer, Class A.* The fee for a Class A bait dealer license is ~~\$25~~ \$49.25.

SECTION 877. 29.092 (8) (b) of the statutes is amended to read:

29.092 (8) (b) *Resident bait dealer, Class B.* The fee for a Class B bait dealer license is ~~\$5~~ \$9.25.

SECTION 878. 29.092 (12) of the statutes is repealed.

SECTION 879. 29.092 (13) (b) of the statutes is amended to read:

29.092 (13) (b) *Duplicate archer hunting, sports or conservation patron license.* The fee for a duplicate resident archer hunting license, nonresident archer hunting license, sports license or conservation patron license is \$6.50 if the duplicate license includes any deer tags and ~~\$3~~ \$4.25 if the duplicate license is issued after the open season for hunting deer and does not include any deer tags.

SECTION 880. 29.092 (13) (c) of the statutes is amended to read:

29.092 (13) (c) *Duplicate hunting license; other.* The fee for a duplicate hunting license not specified under par. (a) or (b) is ~~\$3~~ \$4.25.

SECTION 881. 29.092 (13) (d) of the statutes is amended to read:

29.092 (13) (d) *Duplicate fishing license.* The fee for a duplicate fishing license is ~~\$3~~ \$4.25.

SECTION 882. 29.092 (13m) of the statutes is created to read:

29.092 (13m) **PROCESSING FEES FOR CERTAIN APPROVAL APPLICATIONS.** The processing fee for an application for a hunter's choice deer hunting permit, a wild turkey hunting license, a Canada goose hunting permit, a bobcat hunting and trapping permit, an otter trapping permit or a fisher trapping permit is \$2.75.

SECTION 882m. 29.092 (14) (a) and (b) of the statutes are amended to read:

29.092 (14) (a) *Surcharge generally.* In addition to the fees specified under subs. (2) (a) and (c) to (k), (3v) (a) and (4) (a), a person who applies for a resident small game, resident deer, resident bear, resident archer, nonresident annual small game, nonresident 5-day small game, nonresident deer, nonresident bear, nonresident fur-bearing animal, nonresident archer license or resident sports license shall pay a wildlife damage surcharge of \$1.

(b) *Addition of surcharge.* The wildlife damage surcharge shall be added to the fee provided in sub. (2) (a) or (c) to (k), (3v) (a) or (4) (a).

SECTION 883. 29.092 (15) (b) of the statutes is amended to read:

29.092 (15) (b) *License.* ~~Except as provided under par. (c), the~~ The issuing fee for each license is ~~60~~ 75 cents.

SECTION 884. 29.092 (15) (c) of the statutes is repealed.

SECTION 885. 29.092 (15) (e) of the statutes is repealed.

SECTION 885m. 29.092 (15) (g) of the statutes is created to read:

29.092 (15) (g) *Issuing fee for certain approval applications.* In addition to the fee specified under sub. (13m), a person who pays that fee shall also pay an issuing fee of 25 cents.

SECTION 886. 29.093 (2) (a) of the statutes is amended to read:

29.093 (2) (a) *General effective period.* Except as provided under pars. (b) and (c), a hunting license is valid from ~~September~~ April 1 or the date of issuance, whichever is later, until ~~August~~ March 31 of the following year.

SECTION 886m. 29.093 (2) (cg) of the statutes is created to read:

29.093 (2) (cg) *Wild turkey hunting license.* A wild turkey hunting license is valid for the wild turkey hunting season specified on the license.

SECTION 887. 29.093 (2) (cp) of the statutes is created to read:

29.093 (2) (cp) *Bonus deer hunting permits.* A bonus deer hunting permit is valid for the deer hunting season indicated on the permit.

SECTION 888. 29.093 (2) (cr) (title) of the statutes is amended to read:

29.093 (2) (cr) (title) *Hunting permits; disabled persons, crossbows.*

SECTION 889. 29.093 (2) (cr) 2 of the statutes is amended to read:

29.093 (2) (cr) 2. A Class B permit issued under s. 29.09 (9) (c) 2 or 3 is valid from ~~September~~ April 1 or the date of issuance, whichever is later, until the following ~~August~~ March 31, unless otherwise authorized by the department and specified on the permit.

SECTION 891. 29.093 (2) (dm) of the statutes is created to read:

29.093 (2) (dm) *Pheasant hunting stamp.* A pheasant hunting stamp is valid from April 1 or the date of issuance, whichever is later, until March 31 of the following year.

SECTION 892. 29.093 (2) (e) of the statutes is amended to read:

29.093 (2) (e) *Waterfowl hunting stamp.* A waterfowl hunting stamp is valid from ~~September~~ April 1 or the date of issuance, whichever is later, until ~~August~~ March 31 of the following year.

SECTION 893. 29.093 (2) (f) of the statutes is amended to read:

29.093 (2) (f) *Certificate of accomplishment.* Except as provided under s. 29.227 (1) (d), a certificate of accomplishment issued under s. 29.225 is valid for the hunting of small game in place of a small game hunting license ~~for one year beginning on September 1 following the issuance of the certificate and ending on August from the date of issuance until March 31 of the following year.~~

SECTION 894. 29.093 (3) (a) of the statutes is amended to read:

29.093 (3) (a) *Generally.* Except as provided under pars. (b) to (f), a fishing license is valid from ~~January~~ April 1 or the date of issuance, whichever is later, until ~~December~~ March 31 of the following year.

SECTION 895. 29.093 (3) (b) of the statutes is amended to read:

29.093 (3) (b) *Resident senior citizen fishing license.* A permanent fishing license issued to a resident senior citizen under s. 29.145 (1a), ~~1989 stats.~~, is valid from the date of issuance and remains valid if the licensee is a resident.

SECTION 896. 29.093 (3) (c) of the statutes is amended to read:

29.093 (3) (c) *Resident disabled person fishing license.* A permanent fishing license issued to a disabled person under s. 29.145 (1c) is valid from the date of issuance and ~~shall remain~~ remains valid as long as the licensee is a resident and ~~his or her handicap continues to meet the requirement of s. 29.145 (1c) (a), (b) or (c).~~

SECTION 898. 29.093 (3) (f) of the statutes is amended to read:

29.093 (3) (f) (title) *Resident and nonresident 2-day sports fishing licenses.* A resident ~~daily~~ 2-day sports fishing license or a nonresident ~~daily~~ 2-day sports fishing license is valid only for the ~~date~~ 2-day period specified on the license.

SECTION 899. 29.093 (3) (g) of the statutes is amended to read:

29.093 (3) (g) *Fishing stamps.* An inland waters trout stamp or Great Lakes trout and salmon stamp is valid from ~~January~~ April 1 or the date of issuance, whichever is later, until ~~December~~ March 31 of the following year.

SECTION 900. 29.093 (4) of the statutes is amended to read:

29.093 (4) COMBINATION LICENSES. A sports license or a conservation patron license is valid from ~~September~~ April 1 or the date of issuance, whichever is later, until ~~August~~ March 31 of the following year.

SECTION 902. 29.093 (6) (a) of the statutes is amended to read:

29.093 (6) (a) *Trapping license.* A trapping license is valid from ~~September~~ May 1 or the date of issuance, whichever is later, until the following ~~August 31~~ April 30.

SECTION 903. 29.093 (14) of the statutes is amended to read:

29.093 (14) OTHER. A license or stamp not mentioned under subs. (2) to (13) is valid from ~~September~~ April 1 or the date of issuance, whichever is later, until the following ~~August~~ March 31.

SECTION 904. 29.095 (1) of the statutes is repealed.

SECTION 905. 29.095 (2) of the statutes is amended to read:

29.095 (2) ~~The~~ A senior citizen recreation card entitles the holder to exercise all of the combined rights and privileges conferred by a resident small game hunting license and resident fishing license, subject to all duties, conditions, limitations and restrictions prescribed under this chapter and by department order. The card permits any vehicle, except a motor bus, as defined in s. 340.01 (31), having a card holder as an occupant to enter any vehicle admission area under s. 27.01 (7) without having an admission sticker affixed to it and without paying a fee. The card permits a card holder to enter Heritage Hill state park or a state trail without paying an admission fee.

SECTION 906. 29.095 (3) of the statutes is amended to read:

29.095 (3) Except as provided in this section, possession of a senior citizen recreation card shall not entitle the holder to obtain any other privileges or services for free if the privileges or services may be obtained only through payment of a fee.

SECTION 907. 29.095 (5) of the statutes is amended to read:

29.095 (5) The department shall allocate the proceeds from senior citizen recreation card sales among the various affected programs at its discretion.

SECTION 908. 29.095 (5m) of the statutes is created to read:

29.095 (5m) The department may not issue a senior citizen recreation card after December 31, 1991.

SECTION 909. 29.095 (6) (a) of the statutes is repealed.

SECTION 910. 29.095 (6) (c) of the statutes is renumbered 29.095 (6) and amended to read:

29.095 (6) Beginning in 1991, the department shall annually submit a report to the chief clerk of each house of the legislature for distribution to the legislature under s. 13.172 (2) concerning the numbers of individuals resident senior citizens, by counties in this state, to whom the department distributed ~~explanatory materials under par. (a) explaining the voluntary program that is specified in s. 71.55 (10) (b).~~ This paragraph does not apply after December 31, 1992.

SECTION 912. 29.10 of the statutes is amended to read:

29.10 Resident small game hunting license. A resident small game hunting license shall be issued subject to s. 29.09 by the department or by a county clerk to any resident applying for this license. The resident small game hunting license does not authorize the hunting of bear ~~or~~, deer or wild turkey.

SECTION 913. 29.1025 of the statutes is created to read:

29.1025 Pheasant hunting; stamps. (1) REQUIREMENT. (a) Except as provided in pars. (b) and (c), no person may hunt pheasant unless he or she has a valid conservation patron license, or has a valid pheasant hunting stamp affixed by the stamp's adhesive to the person's hunting license which authorizes the hunting of small game or to the person's sports license.

(b) Any person who is exempt from the requirement to have a license authorizing the hunting of small game or who is not required to pay a fee for a license authorizing the hunting of small game is exempt from the requirements under par. (a).

(c) Any person hunting pheasant under s. 29.123 or on premises licensed under s. 29.573 is exempt from the requirements under par. (a).

(2) ISSUANCE. The pheasant hunting stamp shall be issued by the department or a county clerk subject to s. 29.09. The department shall design and produce pheasant hunting stamps as provided under s. 29.09 (13).

(3) USE OF MONEYS FROM FEES. The fees collected under this section shall be deposited in the conservation fund and credited to the appropriation under s. 20.370 (1) (hr).

SECTION 913t. 29.103 (title) of the statutes is amended to read:

29.103 (title) Wild turkey hunting; license; stamp; zones.

SECTION 913v. 29.103 (1) (d) of the statutes is amended to read:

29.103 (1) (d) "Resident applicant" includes a qualified resident landowner who applies for a wild turkey hunting permit license.

SECTION 914. 29.103 (2) (title) of the statutes is repealed and recreated to read:

29.103 (2) (title) AUTHORIZATION; RESTRICTIONS.

SECTION 915. 29.103 (2) (a) (title) of the statutes is renumbered 29.103 (2) (b) (title) and amended to read:

29.103 (2) (b) (title) *Requirements*.

SECTION 916. 29.103 (2) (a) of the statutes is renumbered 29.103 (2) (b) 1 and amended to read:

29.103 (2) (b) 1. ~~Except as provided under par. (e), no~~ No person may hunt wild turkey unless he or she has a valid wild turkey hunting license and a valid wild turkey hunting stamp stapled or affixed by the stamp's adhesive to the person's hunting license which authorizes the hunting of small game, to the person's sports license or to the person's conservation patron license wild turkey hunting license.

SECTION 917b. 29.103 (2) (am) of the statutes is created to read:

29.103 (2) (am) *Department authority*. The department may regulate and limit the hunting of wild turkeys under this section and under s. 29.174. If the

department allows hunting of wild turkeys, the department shall regulate such hunting by issuing licenses under this section.

SECTION 917g. 29.103 (2) (ar) of the statutes is created to read:

29.103 (2) (ar) *Type of hunting authorized*. A license issued under this section authorizes hunting with a firearm or bow and arrow or with a crossbow if the holder of the license is a resident and has a crossbow permit issued under s. 29.104 (4) (a).

SECTION 918. 29.103 (2) (b) of the statutes is renumbered 29.103 (5) (a).

SECTION 919. 29.103 (2) (b) 2 of the statutes is created to read:

29.103 (2) (b) 2. If the department establishes a wild turkey hunting zone where wild turkey hunting is permitted under sub. (6), no person may hunt wild turkeys in that wild turkey hunting zone unless the person is issued a wild turkey hunting license that is valid for that zone and that has a valid wild turkey hunting stamp attached in the manner required in subd. 1.

SECTION 920. 29.103 (2) (c) of the statutes is renumbered 29.103 (5) (b).

SECTION 921. 29.103 (2) (d) of the statutes is repealed.

SECTION 922. 29.103 (2) (e) of the statutes is repealed.

SECTION 923. 29.103 (3) of the statutes is renumbered 29.103 (6) and amended to read:

29.103 (6) (title) **WILD TURKEY HUNTING ZONES**. The department may establish by rule wild turkey hunting zones where turkey hunting is permitted. The department may establish by rule closed zones where wild turkey hunting is prohibited. ~~No person may hunt wild turkeys in a closed zone.~~

SECTION 924. 29.103 (4) (title) of the statutes is amended to read:

29.103 (4) (title) **WILD TURKEY HUNTING LICENSES**.

SECTION 925. 29.103 (4) (a) of the statutes is repealed and recreated to read:

29.103 (4) (a) *Preference system*. If the number of applications for wild turkey hunting licenses exceeds the number of available wild turkey hunting licenses, the department shall issue wild turkey hunting licenses according to the preference system under this subsection.

SECTION 925g. 29.103 (4) (b) 1 of the statutes is amended to read:

29.103 (4) (b) 1. If the department requires wild turkey hunting ~~permits licenses~~, the department shall give first preference in the issuance of these ~~permits licenses~~ to applicants applying under the landowner preference system. The number of ~~permits licenses~~ issued under this section for a season for an established wild turkey hunting zone may not exceed 30% of all ~~permits licenses~~ issued for that season in that zone.

SECTION 925j. 29.103 (4) (b) 2 of the statutes is amended to read:

29.103 (4) (b) 2. A qualified resident landowner may apply for a wild turkey hunting permit license under the landowner preference system. A qualified resident landowner is a resident who owns at least 50 acres in one parcel in an established wild turkey hunting zone and who agrees to allow other persons to hunt wild turkeys on that land if those persons first obtain permission to hunt from the landowner. If more than one individual is the landowner of a single parcel of land, only one individual may be considered a qualified resident landowner.

SECTION 925m. 29.103 (4) (b) 3 of the statutes is amended to read:

29.103 (4) (b) 3. A qualified resident landowner may assign his or her eligibility to apply for a wild turkey hunting permit license under the landowner preference system to a family member, to an operator or to a family member of the operator. The department may specify the procedures and forms which are required to be followed and completed to effect this assignment. After this assignment, the assignee may apply for a wild turkey hunting permit license under the landowner preference system and the qualified resident landowner may not, notwithstanding subd. 2.

SECTION 925p. 29.103 (4) (c) (intro.) of the statutes is amended to read:

29.103 (4) (c) *Other preferences.* (intro.) If the department requires wild turkey hunting permits licenses, the department shall give, in the issuance of these permits licenses:

SECTION 925t. 29.103 (4) (c) 1. (intro.) of the statutes is amended to read:

29.103 (4) (c) 1. (intro.) Second preference to resident applicants who applied for but who were not issued wild turkey hunting permits licenses:

SECTION 925u. 29.103 (4) (d) of the statutes is amended to read:

29.103 (4) (d) (title) *License limitation.* No person may apply for or receive more than one wild turkey hunting permit license during one season.

SECTION 926. 29.103 (4) (e) of the statutes is created to read:

29.103 (4) (e) *Notification; issuance; payment.* The department shall issue a notice of approval to those qualified applicants selected to receive a wild turkey hunting license. A person who receives a notice of approval and who pays the fee in the manner required by the department shall be issued a wild turkey hunting license.

SECTION 927. 29.103 (5) (title) of the statutes is created to read:

29.103 (5) (title) WILD TURKEY HUNTING STAMPS; TAGS.

SECTION 927m. 29.104 (2) of the statutes is amended to read:

29.104 (2) A resident archer hunting license authorizes the hunting of all game, except bear and wild turkey, during the open seasons for hunting that game with bow and arrow established by the department. This license authorizes hunting with a bow and arrow only, unless hunting with a crossbow is authorized under sub. (4).

SECTION 928. 29.107 (2) of the statutes is amended to read:

29.107 (2) AUTHORIZATION. A hunter's choice deer hunting permit may authorize or require the permit holder to take deer of a sex or type not authorized by a regular deer hunting license. A deer hunting party permit may authorize members of a deer hunting party to take additional deer not authorized by a regular deer hunting license. Except as authorized by rule, a person may not apply for or be issued more than one special deer hunting permit in a single season. ~~The~~

(3m) (title) DEER MANAGEMENT RULES. For the purposes of permits issued under this section and s. 29.1075, the department shall specify by rule the type and number of deer which may be taken, the deer management areas where special these permits are valid, the number of special permits to be issued and other restrictions and conditions concerning special deer hunting these permits.

SECTION 929. 29.107 (3) of the statutes is amended to read:

29.107 (3) FINDINGS. The department may issue ~~hunter's choice deer hunting permits, deer hunting party permits or other special deer hunting permits authorized under this section and s. 29.1075~~ only in those years in which the department finds that the size or characteristics of the deer population of this state require additional or special types of deer to be taken for proper game management.

SECTION 929e. 29.107 (4) of the statutes is amended to read:

29.107 (4) (title) CONTINUOUS PREFERENCE SYSTEM; RANDOM SELECTION. If the number of applications qualified applicants for a type of special deer hunting permit in a deer management area exceeds the number of such available special permits, the department shall issue those special permits for that deer management area according to the continuous preference system established under this subsection and sub. (5). If the number of qualified applicants exceeds the number of special permits available in a preference category, the department shall select at random the applicants to be issued special permits.

SECTION 929g. 29.107 (5) (a) of the statutes is amended to read:

29.107 (5) (a) (title) *First preference.* The department shall ~~give create a~~ first preference category in the ~~issuance of issuing~~ special deer hunting permits to applicants who are qualified landowners, but not more than 30% of the available special permits for a deer management area for one season may be issued under this preference category.

SECTION 929j. 29.107 (5) (b) of the statutes is amended to read:

Vetoed
in Part

29.107 (5) (b) (title) *Second preference.* ~~After issuing special deer hunting permits under par. (a), the~~ The department shall give next create a 2nd preference category in the issuance of those issuing special deer hunting permits ~~to resident applicants for those persons who applied for but were not issued a special permit in the preceding year~~ permits for a given deer management area for the prior season. Within this preference category, the department shall give a point to each applicant for each consecutive preceding season in which the person applied for but was not issued a special permit for that deer management area. The department shall create subcategories for each point total and place each applicant in the applicable subcategory. The department shall rank the subcategories according to the number of points received, giving higher priority to those subcategories with more points than those with fewer points.

SECTION 929m. 29.107 (5) (c) of the statutes is repealed and recreated to read:

29.107 (5) (c) *Third preference.* The department shall create a 3rd preference category in issuing special deer hunting permits for those persons who are not eligible under the 1st or 2nd preference categories.

SECTION 930. 29.1075 of the statutes is created to read:

29.1075 Bonus deer hunting permits. (1) **ISSUANCE.** Subject to s. 29.107 (3) and (3m), the department may issue a bonus deer hunting permit to a person who has a hunting license that authorizes the hunting of deer and who applies for the bonus deer hunting permit.

(2) **AUTHORIZATION.** A bonus deer hunting permit shall authorize the holder of the bonus deer hunting permit to take an additional deer of the sex or type specified by the department on the permit. Except as authorized by rule, a person may not apply for or be issued more than one bonus deer hunting permit in a single season.

(3) **USE OF FEES.** The fees received from issuing permits under this section shall be deposited into the conversation fund and credited to the appropriation under s. 20.370 (4) (gq).

SECTION 931. 29.11 of the statutes is amended to read:

29.11 Nonresident annual small game hunting license. A nonresident annual small game hunting license shall be issued subject to s. 29.09 by the department or by a county clerk to any nonresident applying for this license. The nonresident annual small game hunting license authorizes the hunting of small game during the appropriate open season but does not authorize the hunting of deer, bear, wild turkey or fur-bearing animals.

SECTION 932. 29.112 of the statutes is amended to read:

29.112 Nonresident 5-day small game hunting license. A nonresident 5-day small game hunting license shall be issued subject to s. 29.09 by the department or by a county clerk to any nonresident applying for this license. The nonresident 5-day small game hunting license authorizes the hunting of small game for which there is an open season during the 5-day period for which it is issued but does not authorize the hunting of deer, bear, wild turkey or fur-bearing animals.

SECTION 932m. 29.117 (2) of the statutes is amended to read:

29.117 (2) **AUTHORIZATION.** The nonresident archer hunting license authorizes the hunting of all game, except bear, wild turkey and fur-bearing animals, during the open season for the hunting of that game with a bow and arrow. This license authorizes hunting with a bow and arrow only and does not authorize hunting with a crossbow.

SECTION 932r. 29.136 (7m) of the statutes is created to read:

29.136 (7m) **TAXIDERMY SCHOOL PERMIT.** (a) The department shall issue a taxidermy school permit to a person who applies for the permit; who, on the effective date of this paragraph [revisor inserts date], holds a valid taxidermist permit issued under this section; and who, on the effective date of this paragraph [revisor inserts date], operates a taxidermy school approved by the educational approval board under s. 38.51.

(b) A taxidermy school permit authorizes the holder of the permit to purchase muskellunge, bass, bluegill, sunfish, crappie, rock bass or northern pike, or the carcass of these fish, from persons who caught the fish and to resell the fish only to students enrolled in a taxidermy course at the taxidermy school operated by the purchaser. For purposes of this paragraph, a taxidermy course may not include a correspondence course in taxidermy.

(c) A taxidermy school permit issued under this subsection shall limit the number of each species of fish that the operator of the taxidermy school may possess on any given date to the number that the taxidermy school needs for its course of instruction for a period of 2 years beginning on that date.

(d) For the species of fish specified in par. (b), a holder of a taxidermy school permit issued under this subsection shall comply with the tagging requirements under sub. (5) (b) and the recording requirements under sub. (6) and shall allow inspections as authorized under sub. (7).

SECTION 934. 29.14 (7) (title) and (a) of the statutes are amended to read:

29.14 (7) (title) **NONRESIDENT 2-DAY SPORTS FISHING LICENSE.** (a) *Issuance.* The department or a county clerk shall issue a nonresident daily 2-day sports fishing license, subject to s. 29.09, to any nonresident who applies for this license.

SECTION 935. 29.14 (7) (b) of the statutes is amended to read:

29.14 (7) (b) *Authorization.* Unless otherwise specifically prohibited, a nonresident daily 2-day sports fishing license only authorizes fishing in the outlying waters ~~or inland waters.~~

SECTION 936. 29.14 (7) (c) of the statutes is amended to read:

29.14 (7) (c) *Use of fees.* The department shall deposit receipts from the sale of nonresident daily sports fishing licenses in the conservation fund. The department shall expend up to credit 50% of these receipts to ~~supplement and enhance the trout and salmon rearing and stocking program for outlying waters and up to 50% of these receipts to improve and maintain trout habitat in the inland trout waters of the state, calculated by the department to be relatively proportionate to the number of nonresident daily sports fishing licenses issued for fishing in the outlying waters or the inland waters, respectively the appropriation under s. 20.370 (1) (ku).~~

SECTION 937. 29.14 (7) (c) of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

29.14 (7) (c) *Use of fees.* The department shall deposit receipts from the sale of nonresident 2-day sports fishing licenses in the conservation fund. The department shall credit 50% of these receipts to the appropriation under s. 20.370 (1) (ku).

SECTION 937m. 29.145 (1) (b) of the statutes is amended to read:

29.145 (1) (b) (title) *Exception; residents under 16 years of age and certain physically and mentally handicapped persons.* No fishing license is required for any resident under the age of 16 years ~~or over the age of 65 years~~ or any physically or mentally handicapped individual committed to the north, south or central centers for the developmentally disabled, during the period of the individual's commitment, to fish for fish subject to all other provisions of law.

SECTION 938. 29.145 (1a) of the statutes is repealed.

SECTION 939. 29.145 (1c) (intro.) of the statutes is amended to read:

29.145 (1c) **PERMANENT FISHING LICENSE FOR DISABLED PERSONS.** (intro.) The department shall issue a permanent fishing license to any resident who applies for this license and who does one of the following:

SECTION 940. 29.145 (1c) (a) of the statutes is amended to read:

29.145 (1c) (a) Produces a certificate from a licensed physician or optometrist stating that his or her sight is impaired to the degree that he or she cannot read ordinary newspaper print with or without corrective glasses; ~~or.~~

SECTION 941. 29.145 (1c) (b) of the statutes is amended to read:

29.145 (1c) (b) Produces evidence indicating that shows that he or she was determined to be 75% disabled or more for purposes of social security, retirement or other disability is receiving benefits under 42 USC 401 to 433, 42 USC 1381 to 1381d or 45 USC 231a (a) (1) (iv) or (v) because of a determination that he or she is disabled.

SECTION 942. 29.145 (1c) (c) of the statutes is created to read:

29.145 (1c) (c) Produces evidence that shows that he or she is a veteran, as defined in 38 USC 101, and is receiving disability compensation benefits under 38 USC 301 to 363 for a reduction in earning capacity that is rated greater than 70% under 38 USC 355.

SECTION 943. 29.145 (3) (title) and (a) of the statutes are amended to read:

29.145 (3) (title) **RESIDENT 2-DAY SPORTS FISHING LICENSE.** (a) *Issuance.* The department or a county clerk shall issue a resident daily 2-day sports fishing license, subject to s. 29.09, to any resident who applies for this license.

SECTION 944. 29.145 (3) (b) of the statutes is amended to read:

29.145 (3) (b) *Authorization.* Unless otherwise specifically prohibited, a resident daily 2-day sports fishing license only authorizes fishing in the outlying waters ~~or inland waters.~~

SECTION 945. 29.145 (3) (c) of the statutes is amended to read:

29.145 (3) (c) *Use of fees.* The department shall deposit receipts from the sale of resident daily sports fishing licenses in the conservation fund. The department shall expend up to credit 50% of these receipts to ~~supplement and enhance the trout and salmon rearing and stocking program for outlying waters and up to 50% of these receipts to improve and maintain trout habitat in the inland trout waters of the state, calculated by the department to be relatively proportionate to the number of resident daily sports fishing licenses issued for fishing in the outlying waters or the inland waters, respectively the appropriation under s. 20.370 (1) (ku).~~

SECTION 946. 29.145 (3) (c) of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

29.145 (3) (c) *Use of fees.* The department shall deposit receipts from the sale of resident 2-day sports fishing licenses in the conservation fund. The department shall credit 50% of these receipts to the appropriation under s. 20.370 (1) (ku).

SECTION 947. 29.1475 (2) of the statutes is amended to read:

29.1475 (2) **AUTHORIZATION; HUNTING, FISHING AND TRAPPING PRIVILEGES.** A conservation patron license confers upon the licensee all the combined privileges conferred by a resident small game hunting license, resident deer hunting license, resident bear hunting license, resident archer hunting license, a waterfowl

hunting stamp, pheasant hunting stamp, resident annual fishing license, sturgeon spearing license, an inland waters trout stamp, a Great Lakes trout and salmon stamp and trapping license.

SECTION 948. 29.149 (3) of the statutes is amended to read:

29.149 (3) ISSUANCE. The department or a county clerk shall issue an inland waters trout stamp subject to s. 29.09 to each person holding or applying for a fishing license under s. 29.09 (12) (a), 29.14 (2) to (6), 29.145 (1b) to (2) or 29.146 or a sports license under s. 29.147 if the person uses or intends to use the license for trout fishing in inland trout waters of the state. The trout stamp shall be designed and produced by the department as provided under s. 29.09 (13).

SECTION 949. 29.15 (2) of the statutes is amended to read:

29.15 (2) REQUIREMENT. No person may fish for trout or salmon in the outlying trout and salmon waters of the state unless the person is issued a resident or nonresident daily 2-day sports fishing license, unless the person is issued a conservation patron license or unless the person is issued a Great Lakes trout and salmon stamp which is affixed by the stamp's adhesive to the person's fishing license or sports license.

SECTION 950. 29.15 (3) of the statutes is amended to read:

29.15 (3) ISSUANCE. The Great Lakes trout and salmon stamp shall be issued subject to s. 29.09 by the department or a county clerk to any person holding or applying for a fishing license under s. 29.09 (12) (a), 29.14 (2) to ~~(6)~~ (7), 29.145 ~~(1a)~~ (1b) to (2), 29.146 or a sports license under s. 29.147. The department shall design and produce Great Lakes trout and salmon stamps as provided under s. 29.09 (13).

SECTION 950m. 29.165 (1) of the statutes is amended to read:

29.165 (1) No person may engage or be employed for any compensation or reward to guide, direct or assist any other person in hunting, fishing or trapping unless a guide license is duly issued to the person by the department subject to s. 29.09. No guide license for hunting or trapping may be issued to or obtained by any person who is not a resident of this state. No guide license may be issued to any person under the age of 18 years. The applicant shall deliver to the department an oath of office that he or she will well and faithfully perform the duties and responsibilities as a guide licensed by the department and observe and comply with all the requirements of this chapter and the rules of the department.

SECTION 951. 29.174 (2) (b) of the statutes is repealed.

SECTION 952. 29.174 (2) (c) 1. (intro.) and a. of the statutes are amended to read:

29.174 (2) (c) 1. (intro.) The department may regulate and limit the number of hunters and the maxi-

mum harvest of Canada geese in any area, by doing any of the following:

a. Requiring hunters to tag each goose killed with a tag issued by the department; ~~or~~.

SECTION 953. 29.174 (2) (c) 1. c. of the statutes is created to read:

29.174 (2) (c) 1. c. Prohibiting the hunting of Canada geese without a valid permit issued by the department.

SECTION 954. 29.174 (2) (c) 2 of the statutes is amended to read:

29.174 (2) (c) 2. No preference may be given in the distribution of ~~such a permit or tags~~, except that any applicant who unsuccessfully applied for a permit or tags in the previous year shall be given priority over any applicant who successfully applied for a permit or tags in the previous year.

SECTION 955. 29.174 (2) (dg) of the statutes is created to read:

29.174 (2) (dg) The department may limit the number of trappers of otters and the maximum harvest of otters in any area.

SECTION 956. 29.174 (2) (dr) of the statutes is created to read:

29.174 (2) (dr) The department may limit the number of hunters or trappers, or both, of bobcats and may limit the maximum harvest of bobcats in any area.

SECTION 957. 29.174 (2) (em) of the statutes is created to read:

29.174 (2) (em) The department may impose any of the limitations under pars. (d) to (e) by establishing a system for the issuance of permits.

SECTION 958. 29.174 (15) of the statutes is created to read:

29.174 (15) On or before March 15 of each even-numbered year, the department shall submit to the chief clerk of each house of the legislature for distribution to the appropriate standing committees under s. 13.172 (3), to the governor and to the Wisconsin conservation congress a report identifying the accomplishments of the department under this chapter that relate to fish and wildlife in the previous biennium and identifying the department's use and expenditure of all fishing, hunting and trapping approval fees collected under this chapter in the previous biennium.

SECTION 959. 29.283 (1) (title) of the statutes is created to read:

29.283 (1) (title) PROMULGATION OF RULES.

SECTION 960. 29.283 (3) of the statutes is amended to read:

29.283 (3) (title) PUBLIC NUISANCE; REMOVAL. Any building, vehicle, tent, fish shanty or similar shelter that is used or left remaining on the ice in violation of any department order or that has fallen through the ice is a public nuisance. The department may seize all such nuisances whereupon the owner must be notified;

if after the expiration of 10 days after notice given the owner does not claim such nuisance, the department may destroy or sell the same in the name of the state; the department and its deputies shall be exempt from all liability to the owner for such seizure and destruction or sale.

SECTION 961. 29.283 (4) of the statutes is created to read:

29.283 (4) REIMBURSEMENT FOR DEPARTMENT COSTS. If the department destroys or sells the building, vehicle, tent, fish shanty or similar shelter that is a public nuisance under sub. (3), the owner shall reimburse the department for all costs associated with the seizure and destruction or sale of the public nuisance. The department shall give the owner written notice containing the amount of costs to be reimbursed and a statement that the owner must reimburse these costs to the department within 20 days after the notice is given. The department shall deposit the moneys received under this subsection in the fish and wildlife account in the conservation fund.

SECTION 962. 29.283 (5) of the statutes is created to read:

29.283 (5) FORFEITURE. If the owner does not reimburse these costs to the department within 20 days after the notice is given under sub. (3), the owner is subject to the forfeiture specified under s. 29.99 (11v).

SECTION 962bg. 29.30 (2) (g) of the statutes is amended to read:

29.30 (2) (g) ~~No~~ Except as provided in s. 29.33 (4m), no fish of any kind shall be taken or retained in any net, when drawn or lifted, other than the kind or kinds expressly authorized to be taken or retained in such net, as provided in this chapter; and except as provided by department order any such other kind or kinds of fish coming into or taken in such nets shall be immediately returned, carefully and with as little injury as possible, to the waters from which they were taken.

SECTION 962bn. 29.33 (4m) of the statutes is created to read:

29.33 (4m) FISHING FOR CERTAIN SPECIES OF FISH IN LAKE MICHIGAN AND GREEN BAY. (a) In this subsection, "incidental catch" means species of fish inadvertently caught while a commercial fisher licensed under sub. (1) is fishing by trawl for other species of fish.

(b) An incidental catch of smelt, chub or alewife from the waters of Green Bay or Lake Michigan may be brought to shore for the purpose of sorting or sale.

(c) A commercial fisher licensed under sub. (1) may fish by trawl for the total allowable commercial harvest of smelt, as set by rule by the department, on the waters of Green Bay at any time during ~~daytime and~~ nighttime hours if all of the following apply:

1. The smelt will be used or sold for human consumption.

2. The fishing occurs in the areas and during the seasons established by the department for the fishing of smelt.

SECTION 962c. 29.48 (6) of the statutes is created to read:

29.48 (6) The sale of a species of fish specified under s. 29.136 (7m) (b) or of the carcass of any of these fish, is exempt under this section if the sale is authorized by a permit issued under s. 29.136 (7m).

SECTION 962cn. 29.59 (8) of the statutes is repealed.

SECTION 962d. 29.597 of the statutes is created to read:

29.597 Fish rearing grant program. (1) ESTABLISHMENT OF PROGRAM. The department shall establish and administer a program to provide grants to restore unused or underutilized fish rearing ponds that existed on August 9, 1989, and that may be restored at a reasonable cost.

(2) ELIGIBILITY REQUIREMENTS. (a) A recipient of a grant under this section must be an owner of a fish rearing pond or a group that has entered into an agreement with such an owner to use the owner's pond for fish rearing.

(b) To be eligible for a grant under this section, a fish rearing pond must be located in an area where a federally recognized American Indian tribe or band has treaty-based, off-reservation rights to fish.

(3) USE OF GRANT MONIES. (a) A recipient of a grant under this section shall use the grant for the repair or construction of dikes, dams, levees or other water retaining structures; the replacement or repair of pumps or other related equipment; or any other associated costs that are necessary for the restoration of the fish rearing pond for which the grant was provided.

(b) A fish rearing pond restored with a grant under this section shall be used only for the rearing of walleye or muskellunge or both.

(4) COOPERATION BY THE DEPARTMENT. The department shall cooperate with the recipient of a grant under this section in the restoration of the fish rearing pond for which the grant was provided.

SECTION 962g. 29.599 (2) (c) (intro.) of the statutes is amended to read:

29.599 (2) (c) *Filing of application.* (intro.) File an application for aid with the department by ~~June~~ July 1 of the calendar year in which additional law enforcement services are provided, specifying all of the following:

SECTION 962m. 29.599 (2) (cm) of the statutes is created to read:

29.599 (2) (cm) *Amended claims.* A county or municipality that has filed an application for aid under par. (c) by July 1 of a calendar year in which additional law enforcement services are provided may amend that application before August 1 of that calendar year.

SECTION 962r. 29.599 (4) (a) of the statutes is amended to read:

29.599 (4) (a) *Costs reimbursed.* Except as provided under par. (c), the department may pay each partici-

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pating county or municipality up to 100% of the county's or municipality's actual costs that are directly attributable to providing additional law enforcement services during the spearfishing season. The department shall make any aid payments from the appropriations under s. 20.370 (4) (ga) and (gm) by ~~June~~ September 30 of the calendar year in which the county or municipality files an application under sub. (2) (c). The department may not make an aid payment unless the payment is approved by the secretary of administration.

SECTION 963. 29.99 (1g) of the statutes is created to read:

29.99 (1g) For failure to hold a valid approval as required under this chapter for which a court imposes a penalty under sub. (1) (a) to (e) or (5m), by the payment of a natural resources restitution payment equal to the amount of the statutory fee for the approval that was required and that should have been obtained.

SECTION 964. 29.99 (11v) of the statutes is created to read:

29.99 (11v) For failing to reimburse the department as required under s. 29.283 (5), by a forfeiture of not more than \$100.

SECTION 965. 29.9965 of the statutes is created to read:

29.9965 Wild animal protection assessments. (1) **LEVY OF WILD ANIMAL PROTECTION ASSESSMENT.** (a) If a court imposes a fine or forfeiture for a violation of a provision of this chapter or a rule or order issued under this chapter for the unlawful killing, wounding, catching, taking, trapping or possession of a wild animal specified in par. (b), or any part of such a wild animal, the court may impose a wild animal protection assessment that equals the amount specified for the wild animal under par. (b).

(b) The amount of the wild animal protection assessment shall be as follows:

1. For any wild animal that is an endangered species protected under s. 29.415 and rules promulgated under s. 29.415, \$875.

2. For any moose, elk, fisher, prairie chicken or sand hill crane, \$262.50.

3. For any bear, wild turkey or wild swan, \$175.

4. For any wildcat, fox, beaver or otter, \$87.50.

5. For any deer, coyote, raccoon or mink, \$43.75.

6. For any sharptail grouse, ruffed grouse, spruce hen, wild duck, coot, wild goose or brant, \$26.25.

7. For any pheasant, Hungarian partridge, quail, rail, Wilson's snipe, woodcock or shore bird, or protected song bird or harmless bird, \$17.50.

8. For any muskrat, rabbit or squirrel, \$8.75.

9. For any muskellunge, rock sturgeon or lake sturgeon, \$43.75.

10. For any largemouth or smallmouth bass, \$26.25.

11. For any brook, rainbow, brown, or steel head trout, \$26.25.

12. For any walleye pike, northern pike, or any other game fish not mentioned in subds. 9 to 11, \$8.75.

13. For any game or fur-bearing animal or bird not mentioned in subds. 2 to 8, \$17.50.

(d) If a fine or forfeiture is suspended in whole or in part, the wild animal protection assessment shall be reduced in proportion to the suspension.

(e) If any deposit is made for an offense to which this section applies, the person making the deposit shall also deposit a sufficient amount to include the wild animal protection assessment required under this section. If the deposit is forfeited, the amount of the wild animal protection assessment shall be transmitted to the state treasurer under par. (f). If the deposit is returned, the wild animal protection assessment shall also be returned.

(f) The clerk of the court shall collect and transmit to the county treasurer the wild animal protection assessment and other amounts required under s. 59.395 (5). The county treasurer shall then make payment to the state treasurer as provided in s. 59.20 (5) (b).

(2) **DEPOSIT OF WILD ANIMAL PROTECTION ASSESSMENT FUNDS.** The state treasurer shall deposit the moneys collected under this section into the conservation fund.

SECTION 966. 29.9967 of the statutes is created to read:

29.9967 Fishing shelter removal assessment. (1) **LEVY OF FISHING SHELTER REMOVAL ASSESSMENT.** (a) If a court imposes a forfeiture under s. 29.283 (5), the court shall impose a fishing shelter removal assessment equal to the costs that should have been reimbursed under s. 29.283 (4).

(b) If a forfeiture is suspended in whole or in part, the fishing shelter removal assessment shall be reduced in proportion to the suspension unless the court directs otherwise.

(c) If any deposit is made for an offense to which this section applies, the person making the deposit shall also deposit a sufficient amount to include the fishing shelter removal assessment prescribed in this section. If the deposit is forfeited, the amount of the fishing shelter removal assessment shall be transmitted to the state treasurer under par. (d). If the deposit is returned, the fishing shelter removal assessment shall also be returned.

(d) The clerk of the court shall collect and transmit to the county treasurer the fishing shelter removal assessment and other amounts required under s. 59.395 (5). The county treasurer shall then make payment to the state treasurer as provided in s. 59.20 (5) (b).

(2) **USE OF FISHING SHELTER REMOVAL ASSESSMENTS FUNDS.** All moneys collected from fishing shelter

removal assessments shall be deposited in the fish and wildlife account in the conservation fund.

SECTION 966m. 30.055 of the statutes is created to read:

30.055 Exemption from certain permit requirements. Notwithstanding ss. 30.12, 30.19, 30.195 and 30.294, the city of Oak Creek may not be required to remove any structure or concrete or other deposit that was placed in Crayfish creek in the city of Oak Creek before June 1, 1991, and may continue to maintain the structure, concrete or deposit without having a permit or other approval from the department.

SECTION 967. 30.203 of the statutes is created to read:

30.203 Lake Winnebago comprehensive project. (1) **AUTHORIZATION.** The department may implement a project to place structures or fill or both on the beds of lakes Winnebago, Butte des Morts, Winneconne and Poygan for any of the following purposes:

- (a) To improve navigation or to provide navigation aids.
- (b) To restore or protect wetland habitat or water quality.
- (c) To create, restore or protect fish and wildlife habitat.
- (d) To enhance the natural aesthetic value or improve the recreational use of these lakes.

(2) **LOCATION OF STRUCTURES AND FILL.** Any structure or fill placed as part of the project authorized under sub. (1) shall be located in Winnebago county as follows:

- (a) In Lake Winnebago within the area that consists of the S-1/2 of Sec. 14, T. 17 N., R. 17 E., and the N-1/2 of Sec. 23, T. 17 N., R. 17 E.
- (b) In Lake Butte des Morts within an area that consists of the S-1/2 of Secs. 25, 26 and 27, T. 19 N., R. 15 E., the E-1/2 of Sec. 34, T. 19 N., R. 15 E., and the N-1/2 of Secs. 35 and 36, T. 19 N., R. 15 E.
- (c) In Lake Winneconne and Lake Poygan within an area that consists of the W-1/2 of Secs. 6 and 7, T. 19 N., R. 15 E., and the E-1/2 of Secs. 1 and 12, T. 19 N., R. 14 E.

(3) **PRELIMINARY REQUIREMENTS.** (a) Before beginning any activity involving the placement of a structure or fill as part of the project authorized under sub. (1), the department shall do all of the following:

1. Comply with the requirements under s. 1.11.
2. Prepare plans and gather any other information necessary to effectively evaluate the structural and functional integrity of the structure or fill.
3. Hold a public informational meeting to discuss the plans prepared under subd. 2.
4. Approve the project if it finds that the structure or fill is structurally and functionally sound and that the structure or fill will comply with the requirements under sub. (4).

(b) The department shall determine the manner in which and to whom notice will be given of the public informational meeting held under par. (a) 3.

(4) **REQUIREMENTS FOR STRUCTURES AND FILL.** A structure or fill placed as part of the project authorized under sub. (1) shall meet all of the following requirements:

(a) It may not reduce the effective flood flow capacity of the Wolf river or the Fox river above the point where the Fox river flows into Lake Butte des Morts.

(b) It may not materially obstruct navigation.

(c) It may not cause material injury to the rights of a riparian owner who owns land that abuts a navigable waterway that is affected by the project.

(d) It may not cause environmental pollution, as defined in s. 144.01 (3).

(e) It may not be detrimental to the public interest.

(f) It must further a purpose specified in sub. (1).

(5) **OVERSIGHT AND MAINTENANCE BY THE DEPARTMENT.** (a) The department shall monitor the project authorized under sub. (1) to assure that the project is furthering a purpose specified in sub. (1).

(b) The department shall maintain the structures and the fill that are part of the project authorized under sub. (1) to assure that the structures and fill do not impair the safety of the public.

(c) The department shall maintain the structures and the fill that are part of the project authorized under sub. (1) in a manner that does not impair the natural aesthetic value of the area, to the extent practicable.

(d) The department shall maintain the structures and the fill that are part of the project authorized under sub. (1) so that they remain in compliance with the requirements listed under sub. (4).

(e) If the department determines that any structure or any fill that is part of the project authorized under sub. (1) does not comply with the requirements under sub. (4), the department shall modify the structure or fill to bring it into compliance. If the department cannot modify the structure or fill to bring it into compliance, the department shall remove the structure or fill.

(6) **USE OF STRUCTURES OR FILL.** (a) Any structure or fill placed as part of the project authorized under sub. (1) may be used only for any of the following:

1. As a site for the placement of navigation aids approved by the department.
2. Activities to protect or improve wildlife or fish habitat, including the placement of fish or wildlife habitat structures approved by the department.
3. Open space for recreational activities.

(b) The department may promulgate rules to reasonably limit use by the public under par. (a) 3.

(7) **OWNERSHIP; JURISDICTION.** The structures or fill that are part of the project authorized under sub. (1) are owned by the state and are under the jurisdiction of the department. The state may not transfer owner-

ship of a structure or any fill that is part of the project authorized under sub. (1).

(8) EXEMPTIONS. Section 30.12 does not apply to activities that are necessary for the implementation or maintenance of the project authorized under sub. (1).

Vetoed in Part (9) FUNDING. Funding for this project shall be paid from the appropriations under ss. 20.370 (1) (mu) and 20.866 (2) (N) and (tr).

SECTION 968. 30.204 (1) of the statutes is amended to read:

30.204 (1) AUTHORIZATION. Between May 15, 1984 and January 1, 1992 1996, the department is authorized to conduct a lake acidification experiment on the lake specified under sub. (2).

SECTION 969. 30.204 (4) of the statutes is repealed and recreated to read:

30.204 (4) RESTORATION. (a) Before artificially acidifying the lake, the department shall establish an escrow account containing sufficient funds to restore the lake and its aquatic life as provided under par. (c).

(b) After the department has artificially acidified the lake, it may allow and monitor the natural restoration of the lake and its aquatic life as part of the experiment.

(c) At the conclusion of the experiment or in the event of an unanticipated occurrence that requires that the lake be restored before the conclusion of the experiment, the department shall do all of the following to the fullest extent possible given available technology:

1. Artificially restore the lake to its original acid level if the lake has not been naturally restored to the original acid level during the experiment.

2. Artificially reestablish the lake's aquatic life if the aquatic life has not been naturally reestablished during the experiment.

Vetoed in Part SECTION 969f. 30.275 (2) (c) of the statutes is created to read:

30.275 (2) (c). The Pike river that flows through Kenosha and Racine counties, and its watershed.

Vetoed in Part SECTION 969g. 30.277 of the statutes is created to read:

30.277 Urban rivers grant program. (1) FUNDING. From the appropriation under s. 20.866 (2) (u), the department shall award grants to municipalities to assist municipalities in developing projects on or adjacent to rivers that flow through urban areas.

(2) PURPOSES OF GRANTS. (a) Grants awarded under this section shall be used for projects that emphasize the preservation or restoration of urban rivers or riverfronts for the purposes of economic revitalization and encouraging outdoor activities that involve the enjoyment of the state's natural resources. These outdoor activities include, but are not limited to, fishing, wildlife observation, enjoyment of scenic beauty, canoeing, boating, hiking and bicycling.

(b) Grants awarded under this section may be used for land acquisition for, or development of, projects under this section.

(3) CRITERIA FOR GRANTS. The department shall consider all of the following criteria in awarding grants for projects under this section:

(a) The extent to which diverse recreational opportunities will be made available to all segments of the population.

(b) The extent of preservation or restoration, under the project, of an urban riverfront.

(c) The aesthetic value of the project.

(d) The project's potential for increasing tourism.

(e) Whether significant planning has occurred in the municipality prior to its request for a grant under this section.

(f) The level of support for the project demonstrated by the municipality, including financial support.

(g) Whether the project involves a joint effort by 2 or more municipalities.

(h) The potential benefits of the project to the overall economy of the municipality.

(i) The extent to which the project preserves or highlights an area with significant historical or cultural value.

(j) The extent to which access by the public to the riverfront will be improved.

(4) CAP ON GRANTS. No municipality may receive in any fiscal year more than 20% of the funds that are available for grants under this section in that fiscal year.

(5) CONTRIBUTION BY MUNICIPALITY. To be eligible for a grant under this section, at least 50% of the cost of the project shall be funded by private, local or federal funding, by in-kind contributions or by state funding. For purposes of this subsection, state funding may not include grants under this section, moneys appropriated to the department under s. 20.370 or money appropriated under s. 20.866 (2) (tp) to (tw), (ty) or (tz).

(6) RULES. The department shall promulgate rules for the administration of this section, including rules that specify the weight to be assigned to each criterion under sub. (3) and the minimum number of criteria under sub. (3) in which an applicant must perform satisfactorily in order to be awarded a grant.

(7) SPECIFIC GRANTS. Notwithstanding subs. (3), (4) and (6), and before awarding any other grants under this section, the department shall award all of the following grants:

(a) A grant totaling \$500,000 for projects for the Rock river if the projects meet the requirements under subs. (2) and (5).

(b) A grant totaling \$250,000 for a project to establish Legion park in the city of Waukesha if the project meets the requirement under sub. (2). This grant is not subject to the requirement under sub. (5).

Vetoed in Part

SECTION 969m. 30.29 (1) of the statutes is created to read:

30.29 (1) DEFINITION. In this section, "motor vehicle" includes an all-terrain vehicle, as defined in s. 340.01 (2g).

SECTION 969n. 30.29 (2) of the statutes is amended to read:

30.29 (2) PROHIBITION. Except as provided under sub. (3), no person may operate a motor vehicle in or on any navigable waters of the state water or the exposed bed of a navigable water.

SECTION 971g. 30.35 (2a) of the statutes is amended to read:

30.35 (2a) MUNICIPALITY TO FIX ADEQUATE RATES. The municipality shall fix rates and charges for the use of the harbor facilities sufficient for the payment of the cost of operation and maintenance of such facilities, for the payment of principal of and interest on any indebtedness incurred for such harbor facilities, and to provide revenues sufficient to comply with any covenants or agreements made by the municipality in any ordinance providing for the issuance of obligations to pay the cost of the acquisition, construction, alteration or repair of such harbor facilities. Equal rates and charges shall be fixed for equal services except that a municipality may fix higher rates and charges for boats that are used for recreational purposes, that do not carry passengers for a fee and that are one or more of the following:

SECTION 971h. 30.35 (2a) (a) of the statutes is created to read:

30.35 (2a) (a) Exempt from the certificate of number and registration requirements under s. 30.51 (2) (a) 3, 5 or 9.

SECTION 971j. 30.35 (2a) (b) of the statutes is created to read:

30.35 (2a) (b) Exempt from the certificate of registration requirement under s. 30.51 (2) (c) 3.

SECTION 971k. 30.35 (2a) (c) of the statutes is created to read:

30.35 (2a) (c) Owned by persons who are not residents of this state.

SECTION 971p. 30.38 (9) of the statutes is amended to read:

30.38 (9) FIXING FEES. A board of harbor commissioners shall fix and regulate all fees and charges for use of the ~~publicly owned~~ publicly owned and operated harbor facilities and for other services rendered. All such fees and charges are subject to the approval of the governing body of the municipality. Equal fees shall be charged for equal services. Copies of the schedule of fees and charges shall be made available to interested persons upon request. Equal fees shall be charged for equal services except that higher fees may be charged for boats that are used for recreational purposes, that do not carry passengers for a fee and that are one or more of the following:

SECTION 971q. 30.38 (9) (a) of the statutes is created to read:

30.38 (9) (a) Exempt from the certificate of number and registration requirements under s. 30.51 (2) (a) 3, 5 or 9.

SECTION 971r. 30.38 (9) (b) of the statutes is created to read:

30.38 (9) (b) Exempt from the certificate of registration requirement under s. 30.51 (2) (c) 3.

SECTION 971s. 30.38 (9) (c) of the statutes is created to read:

30.38 (9) (c) Owned by persons who are not residents of this state.

~~SECTION 1009g. 30.46 (1) (a) of the statutes is amended to read:~~

~~30.46 (1) (a) The development and use comply with the rules for the soil and water resource management program promulgated by the department of agriculture, food and trade and consumer protection under s. 92.14, and~~ **Vetoed in Part**

~~SECTION 1009j. 30.46 (2) of the statutes is amended to read:~~

~~30.46 (2) Notwithstanding sub. (1) (b), a person is not required to comply with rules for the soil and water resource management program promulgated under s. 92.14 by the department of agriculture, food and trade and consumer protection for land in the riverway and that is in agricultural use on August 9, 1989.~~

SECTION 1010. 30.50 (10) of the statutes is amended to read:

30.50 (10) "Registration" means the registration card and registration sticker or decal issued by the department ~~for federally documented vessels.~~

SECTION 1011. 30.52 (1) (a) 2 of the statutes is renumbered 30.52 (1) (b) 1m and amended to read:

30.52 (1) (b) 1m. Any person who owns a nonmotorized boat ~~which that~~ is exempt from the certificate of number and the registration requirement under s. 30.51 (2) (a) 1 or 2 may apply to the department ~~for a certificate of number registration.~~

SECTION 1012. 30.52 (3) (fm) of the statutes is created to read:

30.52 (3) (fm) *Fee for voluntarily registered boats.* Notwithstanding pars. (b) to (f), the fee for issuance or renewal of registration for a boat registered pursuant to sub. (1) (b) 1m is \$6.50.

SECTION 1012m. 30.52 (3m) (b) of the statutes is amended to read:

30.52 (3m) (b) All moneys collected under par. (a) shall be deposited into the account under s. 20.370 (1) (is) ~~to be used exclusively for research conducted by the department to determine methods of improving the quality of the lakes in this state.~~

SECTION 1013. 30.52 (5) (b) 1m of the statutes is created to read:

30.52 (5) (b) 1m. The issuance or renewal of a registration card for a boat registered pursuant to sub. (1)

(b) 1m does not authorize the use of a motor on the boat.

SECTION 1014. 30.531 (3) (bn) of the statutes is created to read:

30.531 (3) (bn) *Boats voluntarily registered.* A boat issued a registration card pursuant to s. 30.52 (1) (b) 1m is exempt from both the certificate of origin and certificate of title requirements of this chapter.

SECTION 1015. 30.537 (4) (d) of the statutes is created to read:

30.537 (4) (d) The owner of a boat pay a single \$5 fee for the original notation and subsequent release of a security interest on a certificate of title.

SECTION 1016. 30.537 (4) (e) of the statutes is created to read:

30.537 (4) (e) A person who has perfected a security interest and who is notified under s. 30.571 pay a \$2 fee for each notification.

SECTION 1017. 30.537 (4) (f) of the statutes is created to read:

30.537 (4) (f) An assignee of a security interest pay a \$2 fee to be named a secured party on a certificate of title.

SECTION 1018. 30.549 (1) of the statutes is renumbered 30.549 (1) (a).

SECTION 1019. 30.549 (1) (b) of the statutes is created to read:

30.549 (1) (b) When the owner of a boat that is voluntarily registered pursuant to s. 30.52 (1) (b) 1m transfers all or any part of the owner's interest in the boat, other than by the creation of a security interest, the owner shall send written notification of the transfer to the department within 15 days after the date of transfer.

SECTION 1020. 30.549 (2) of the statutes is amended to read:

30.549 (2) DUTY OF PURCHASER. (a) Transfer of the ownership of a boat terminates the certificate of title and the certificate of number or registration for the boat except in the case of a transfer of a part interest which does not affect the transferor's right to operate the boat. The transferee shall make application for a new certificate of title and a new certificate of number or registration within 10 days after the date of purchase as prescribed by the department. Upon receipt of the application accompanied by the required fee, the department shall issue a new certificate of title and a new certificate of number card or registration card for the boat.

(c) Notwithstanding s. 30.52 (5) (a) 2 or (b) 2, the department ~~shall~~ may not issue new certification stickers or decals or new registration stickers or decals if the fee specified under s. 30.52 (3) (h) rather than the appropriate fee specified under s. 30.52 (3) (b) to (g) is paid. The department shall not award a new identification number to the boat unless compliance with federal numbering regulations requires otherwise.

SECTION 1021. 30.549 (2) (b) of the statutes is created to read:

30.549 (2) (b) The purchaser of a boat that is voluntarily registered pursuant to s. 30.52 (1) (b) 1m need not register the boat upon transfer of ownership.

SECTION 1022. 30.57 of the statutes is created to read:

30.57 Perfection of security interests. (1) Except as provided in sub. (2), a security interest in a boat of a type for which a certificate of title is required is not valid against creditors of the owner or subsequent transferees or secured parties of the boat unless perfected as provided in this section and ss. 30.572 and 30.573.

(2) Sections 30.57 to 30.576 do not apply to any of the following:

(a) A lien given by statute to a supplier of services or materials for a boat.

(b) A lien given by statute to the United States, this state or a political subdivision of this state.

(c) A security interest governed by ch. 409 that is created by a manufacturer or dealer who holds the boat for sale.

(3) Except as provided in sub. (4), a security interest is perfected by the delivery to the department of the existing certificate of title, if any, an application for a certificate of title containing the name and address of the secured party, and the required fee. The security interest is perfected as of the time of its creation if delivery to the department is completed within 10 days after its creation and without regard to the limitations expressed in s. 409.301 (2); otherwise, as of the time of delivery.

(4) If a secured party whose name and address is contained on the certificate of title for a boat acquires a new or additional security interest in the boat, the new or additional security interest is perfected at the time of its attachment under s. 409.203.

(5) An unperfected security interest is subordinate to the rights of persons described in s. 409.301.

(6) The rules of priority stated in s. 409.312, and the other sections referred to in that section, shall, to the extent appropriate, apply to conflicting security interests in a boat of a type for which a certificate of title is required.

(7) The rules stated in ss. 409.501 to 409.507 governing the rights and duties of secured parties and debtors and the requirements for, and effect of, disposition of a boat by a secured party, upon default shall, to the extent appropriate, govern the rights of secured parties and owners with respect to security interests in boats perfected under this section and ss. 30.572 and 30.573.

(8) If a boat is subject to a security interest when brought into this state, s. 409.103 (1), (2) and (3) state the rules which determine the validity and perfection of the security interest in this state.

SECTION 1023. 30.571 of the statutes is created to read:

30.571 Notification of person who has perfected security interest. If the department receives information from another state that a boat that is titled in this state is being titled in the other state and the information does not show that a perfected security interest, as shown by the records of the department, has been satisfied, the department shall notify the person who has perfected the security interest. The person shall pay the department the fee under s. 30.537 (4) (e) for each notification.

SECTION 1024. 30.572 of the statutes is created to read:

30.572 Duties on creation of security interest. (1) Subsections (2) to (4) apply if an owner creates a security interest in a boat of a type for which a certificate of title is required, unless the name and address of the secured party already appears on the certificate of title for the boat.

(2) At the time that the security interest is created, the owner shall complete, in the space provided on the certificate of title or on a separate form prescribed by the department, an application to name the secured party on the certificate, showing the name and address of the secured party. The owner shall deliver the certificate, application and the fee required under s. 30.537 (4) (d) to the secured party.

(3) Within 10 days after receipt, the secured party shall deliver the certificate, application and fee to the department.

(4) Upon receipt of the certificate of title, application and fee, the department shall issue to the owner a new certificate containing the name and address of the new secured party. The department shall deliver to the new secured party and to the register of deeds for the county in which the debtor resides, memoranda, in a form prescribed by the department, of the notation of the security interest upon the certificate. The department shall deliver to the secured party and to the register of deeds additional memoranda of any assignment, termination or release of the security interest.

(5) A register of deeds may maintain a file of all memoranda received from the department under sub. (4). A filing, however, is not required for a perfection, assignment or release of a security interest, which is effective upon compliance with ss. 30.57 (3), 30.573 and 30.574.

SECTION 1025. 30.573 of the statutes is created to read:

30.573 Assignment of security interest. (1) A secured party may assign, absolutely or otherwise, the secured party's security interest in a boat to a person other than the owner without affecting the interest of the owner or the validity of the security interest, but any person without notice of the assignment is protected in dealing with the secured party as the holder of the security interest and the secured party remains

liable for any obligations as a secured party until the assignee is named as secured party on the certificate of title.

(2) To perfect an assignment, the assignee may deliver to the department the certificate of title, the fee required under s. 30.537 (4) (f) and an assignment by the secured party named in the certificate in the form the department prescribes. Upon receipt, the department shall name the assignee as a secured party on the certificate and issue a new certificate.

SECTION 1026. 30.574 of the statutes is created to read:

30.574 Release of security interest. (1) Within one month, or within 10 days following written demand by the debtor, after there is no outstanding obligation and no commitment to make advances, incur obligations or otherwise give value, secured by the security interest in a boat under any security agreement perfected under ss. 30.57, 30.572 and 30.573 between the owner and the secured party, the secured party shall execute and deliver to the owner a release of the security interest in the form and manner prescribed by the department and a notice to the owner stating in no less than 10-point boldface type the owner's obligation under sub. (2). If the secured party fails to execute and deliver the release and notice of obligation as required by this subsection, the secured party is liable to the owner for \$25 and for any loss caused to the owner by the failure.

(2) Within 5 days after receipt of the release and notice of obligation, the owner, other than a dealer holding the boat for resale, shall mail or deliver the certificate and release to the department. The department shall release the secured party's rights on the certificate and issue a new certificate.

SECTION 1027. 30.575 of the statutes is created to read:

30.575 Secured party's and owner's duties. (1) A secured party named in a certificate of title shall, upon written request of the owner or of another secured party named on the certificate, disclose any pertinent information about the secured party's security agreement and the indebtedness secured by it.

(2) An owner shall promptly deliver the certificate of title to any secured party who is named on it or who has a security interest in the boat described in it under any applicable prior law of this state, upon receipt of a notice from the secured party that the secured party's security interest is to be assigned, extended or perfected.

(3) A secured party who fails to disclose information under sub. (1) shall be liable to the owner for any loss caused by the failure to disclose.

(4) An owner who fails to deliver the certificate of title to a secured party requesting it under sub. (2) shall be liable to the secured party for any loss caused to the secured party by the failure to deliver.

SECTION 1028. 30.576 of the statutes is created to read:

30.576 Method of perfecting exclusive. (1) Except as provided in sub. (2), the method provided in ss. 30.57 to 30.575 of perfecting and giving notice of security interests subject to those sections is exclusive. Security interests subject to ss. 30.57 to 30.575 are exempt from the provisions of law that otherwise require or relate to the filing of instruments creating or evidencing security interests.

(2) Subsection (1) does not affect the validity of a security interest perfected before January 1, 1992.

SECTION 1029. 30.577 of the statutes is created to read:

30.577 Suspension or revocation of certificate of title. (1) The department shall suspend or revoke a certificate of title for a boat if it finds any of the following:

(a) The certificate of title was fraudulently procured, erroneously issued or prohibited by law.

(b) The boat has been scrapped, dismantled or destroyed.

(c) A transfer of title is set aside by a court by order or judgment.

(2) Suspension or revocation of a certificate of title does not, in itself, affect the validity of a security interest noted on it.

(3) When the department suspends or revokes a certificate of title, the owner or person in possession of the certificate shall, within 5 days after receiving notice of the suspension or revocation, mail or deliver the certificate to the department.

(4) The department may seize and impound a certificate of title that is suspended or revoked.

SECTION 1029nm. 30.92 (title) of the statutes is amended to read:

30.92 (title) Recreational boating projects.

SECTION 1029no. 30.92 (1) (bk) of the statutes is created to read:

30.92 (1) (bk) "Inland lake" means an inland water that is a lake.

SECTION 1092nq. 30.92 (1) (br) of the statutes is created to read:

30.92 (1) (br) "Qualified lake association" means a group incorporated under ch. 181 that meets all of the following conditions:

1. Specifies in its articles of incorporation or bylaws that a substantial purpose of its being incorporated is to support the protection, improvement or recreational development of one or more inland lakes for the benefit of the general public.

2. Demonstrates to the satisfaction of the commission that the substantial purpose of its past actions was to support the protection, improvement or recreational development of one or more inland lakes for the benefit of the general public.

3. Allows to be a member any individual who for at least one month each year resides on or within one

mile of an inland lake for which the association was incorporated.

4. Allows to be a member any individual who owns real estate on or within one mile of an inland lake for which the association was incorporated.

5. Does not limit or deny the right of any member or any class of members to vote as provided under s. 181.16 (1).

6. Has been in existence for at least one year.

7. Has at least 25 members.

8. Requires payment of an annual membership fee of not less than \$10 nor more than \$25.

SECTION 1029ns. 30.92 (2) (a) of the statutes is amended to read:

30.92 (2) (a) The commission may cause to be conducted appropriate studies, including feasibility studies, and inventories to aid in assessing the need for recreational boating facilities projects.

SECTION 1029nt. 30.92 (2) (c) of the statutes is amended to read:

30.92 (2) (c) Feasibility studies may be conducted upon the request of the affected governmental unit or qualified lake association. Feasibility studies shall be of sufficient detail to allow affected governmental units or qualified lake associations to decide if a recreational boating facility construction project should be supported.

SECTION 1029nu. 30.92 (2) (d) 3 of the statutes is amended to read:

30.92 (2) (d) 3. Expression of support by the governmental unit or qualified lake association.

SECTION 1029nv. 30.92 (2) (d) 4 of the statutes is amended to read:

30.92 (2) (d) 4. ~~Distance the area to be studied is~~ For a recreational boating facility, the distance of the site of the proposed facility from other recreational boating facilities.

SECTION 1029nw. 30.92 (2) (e) of the statutes is amended to read:

30.92 (2) (e) ~~A governmental unit's decision by a governmental unit or a qualified lake association to support a recreational boating facility project feasibility study shall be made by a resolution indicating support for a more detailed inquiry into the engineering, environmental and economic feasibility of a project. Support of a recreational boating facility project feasibility study does not commit the affected governmental unit or qualified lake association to cost-sharing in the construction of a proposed facility or the management or operation of a facility project.~~

SECTION 1029nx. 30.92 (3) (a) of the statutes is amended to read:

30.92 (3) (a) Only those proposed recreational boating facility projects found to be feasible and supported by the affected governmental unit or qualified lake association and approved by the commission shall be placed on a priority list by the commission.

The department shall maintain the list of priority projects. Annually, the department shall inform all affected governmental units, except itself, and all qualified lake associations of their position positions on the priority list.

SECTION 1029ny. 30.92 (3) (b) 1 of the statutes is amended to read:

30.92 (3) (b) 1. ~~Distance~~ For a recreational boating facility, the distance of the site of the proposed project is facility from other recreational boating facilities.

SECTION 1029nz. 30.92 (3) (b) 3 of the statutes is amended to read:

30.92 (3) (b) 3. Expression of support by the governmental unit or qualified lake association.

SECTION 1029ob. 30.92 (3) (b) 4 of the statutes is amended to read:

30.92 (3) (b) 4. Existing ~~facilities~~ recreational boating projects.

SECTION 1029od. 30.92 (4) (a) of the statutes is amended to read:

30.92 (4) (a) The department shall develop and administer, with the approval of the commission, a financial assistance program for governmental units ~~and the department in, including itself, and qualified lake associations for~~ the construction and maintenance of capital improvements related to recreational boating facilities ~~and in, for~~ the maintenance and operation of locks and facilities which provide access between waterways and for the projects specified in par. (b) 8. No financial assistance under this section may be provided to the Fox river management commission for feasibility studies of construction projects or for construction projects. No financial assistance under this section may be provided to the department other than for projects for access to inland waters ~~that are~~ lakes without a public access facility.

SECTION 1029of. 30.92 (4) (b) (intro.) of the statutes is amended to read:

30.92 (4) (b) (intro.) The following standards shall apply to the state funding of all recreational boating ~~facilities~~ projects:

SECTION 1029oh. 30.92 (4) (b) 2 of the statutes is amended to read:

30.92 (4) (b) 2. The department may cost-share, with the approval of the commission, with a qualified lake association or an affected governmental unit, including itself, at a rate of up to 50% of any construction, management, operation, acquisition, maintenance ~~or~~, feasibility study or other project costs or any combination of these costs, for the recreational boating facility project if the costs are the type that qualify for funding under this section. The department may pay, with the approval of the commission, an additional 10% of the costs of a construction project if a municipality conducts a boating safety enforcement and education program approved by the department.

SECTION 1029oj. 30.92 (4) (b) 3 of the statutes is amended to read:

30.92 (4) (b) 3. No more than 10% of the state funds available for recreational boating ~~facilities~~ aids under this section may be expended for feasibility studies in one year. No more than ~~one percent~~ 1% of the state funds available for recreational boating ~~facilities~~ aids under this section may be expended for any one feasibility study in one year.

SECTION 1029oL. 30.92 (4) (b) 6 of the statutes is amended to read:

30.92 (4) (b) 6. Forty percent of the state funds available for recreational boating ~~facilities~~ aids under this section shall be expended for Great Lakes projects. Forty percent of the state funds available for recreational boating ~~facilities~~ aids under this section shall be expended for inland water projects. The commission may designate recreational boating aids for locks and facilities that provide access between the Great Lakes and inland waters as aids expended for inland waters, as aids expended for projects deemed necessary by the commission without regard to location or as aids under a combination of these 2 types of projects. Twenty percent of the state funds available for recreational boating ~~facilities~~ aids under this section shall be expended for projects deemed necessary by the commission without regard to location.

SECTION 1029on. 30.92 (4) (b) 7 of the statutes is amended to read:

30.92 (4) (b) 7. Projects qualifying for funds available for recreational boating ~~facilities~~ aids under this section include, but are not limited to, construction and improvement of harbors of refuge on the Great Lakes; accommodation of motor-powered recreational watercraft; construction and improvement of public access and related facilities on inland waters where motor-powered recreational watercraft are permitted; and management, maintenance and operation of locks and facilities that provide access between waterways for the operators of recreational watercraft.

SECTION 1029or. 30.92 (4) (b) 8 of the statutes is created to read:

30.92 (4) (b) 8. In addition to those projects specified under subd. 7, the following projects qualify for funds available for recreational boating aids under this section if they are projects for inland waters:

a. A project for the dredging of a channel in a waterway to the degree that is necessary to accommodate recreational watercraft.

b. Acquisition of capital equipment that is necessary to cut and remove aquatic plants that are aquatic nuisances or that are detrimental to fish habitat if the acquisition is pursuant to a plan to cut and remove aquatic plants that is approved by the department.

c. Acquisition of aids to navigation, as defined in s. 30.74 (2) (b).

d. Acquisition of regulatory markers, as defined in s. 30.74 (2) (b).

SECTION 1029os. 30.92 (4) (b) 9 of the statutes is created to read:

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30.92 (4) (b) 9. A governmental unit or a qualified lake association may not receive funds under subd. 8. a. for the same waterway more than once every 10 years.

SECTION 1029ot. 30.92 (5) of the statutes is amended to read:

30.92 (5) RULES. The commission shall recommend rules for promulgation by the department as necessary to implement ~~the recreational boating facilities program under this section.~~ The commission shall recommend rules relating to the type and content of studies to be conducted, cost-sharing arrangements ~~for studies and capital improvements under sub. (4)~~ and liaison arrangements between the state and federal agencies, other state agencies, governmental units, qualified lake associations and other persons.

SECTION 1029ou. 30.92 (6) (a) of the statutes is amended to read:

30.92 (6) (a) The department shall provide governmental units and qualified lake associations with technical assistance in all phases of implementing or participating in the boating facilities program under this section. The department shall also coordinate the boating facilities program under this section with all other related state and federal programs.

SECTION 1029ov. 30.92 (6) (b) of the statutes is amended to read:

30.92 (6) (b) The department shall assign staff to the commission for ~~program management purposes of the program under this section.~~ All staff activities, including but not limited to budgeting, program coordination and related administrative management functions, shall be consistent with the policies of the department and the natural resources board.

SECTION 1029ox. 30.92 (7) of the statutes is amended to read:

30.92 (7) USE OF WISCONSIN CONSERVATION CORPS. To the greatest extent practicable, the commission and affected governmental units and qualified lake associations shall encourage the use of and utilize the Wisconsin conservation corps for appropriate projects.

SECTION 1029oxg. 30.93 (8) of the statutes is created to read:

30.93 (8) APPLICABILITY. This section does not apply after the date on which the governor makes the certification under s. 30.94 (8).

SECTION 1029oxr. 30.94 of the statutes is created to read:

30.94 Fox-Winnebago regional management commission. (1) DEFINITIONS. In this section:

(a) "Commission" means the Fox-Winnebago regional management commission.

(b) "Fox river navigational system" means locks, harbors, real property, structures and facilities related to navigation that are located on or near the Fox river, including locks, harbors, real property, structures and facilities that were under the ownership or control of

the federal government on April 1, 1984. "Fox river navigational system" does not include dams on the Fox river.

(c) "Local governmental unit" means a political subdivision of this state, a special purpose district in this state, an instrumentality or corporation of such a political subdivision or special purpose district, a combination or subunit of any of the foregoing or an instrumentality of the state or any of the foregoing.

(2) CREATION. There is created a Fox-Winnebago regional management commission consisting of the members appointed under sub. (3).

(3) APPOINTMENTS TO THE COMMISSION. (a) The commission shall consist of the following members:

1. Three members appointed by the governor.

2. Two members each from Brown, Calumet, Fond du Lac, Outagamie and Winnebago counties.

(b) 1. The members appointed under par. (a) 2 shall be appointed by the county executive of the county which the member represents.

2. If a county has a lock or harbor that is part of the Fox river navigational system, at least one of the 2 members appointed for that county under par. (a) 2 shall be a resident of a city or village in which there is located such a lock or harbor.

(c) The members appointed under this subsection shall serve 2-year terms.

(d) The commission shall elect a chairperson, vice chairperson and secretary from among its members each year.

(e) The commission shall meet at least once a year.

(4) AUTHORITY OVER FOX RIVER NAVAGATIONAL SYSTEM. (a) The commission shall manage, operate, restore and repair the Fox river navigational system.

(b) The commission shall oversee all projects that affect the management or operation of the Fox river navigational system, which may include the following:

1. Dredging projects.

2. Management or operation of harbors.

3. Placement of aids to navigation, as defined in s. 30.74 (2) (b), regulatory markers, as defined in s. 30.74 (2) (b), ~~or other navigational aids.~~

4. Projects with local governmental units to increase boating access.

(c) An activity or project involving the Fox river navigational system for which a permit, license or other approval or procedure is required by the department ~~under this subchapter or subch. V, II or III or ch. 147 or 149~~ is not exempt from any of those permitting, licensing approval or procedural requirements.

(5) USER FEES. The commission may charge user fees for services it provides to the operators of watercraft using the Fox river navigational system.

(5m) CONTRACTING; CONSULTATION. (a) The commission may contract with public agencies, public or private organizations, businesses or individuals to carry out management, operation, restoration and

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repair responsibilities for the Fox river navigational system.

(b) The commission may appoint advisory committees and may cooperate and consult with the state, the federal government and local governmental units on issues affecting the Fox river navigational system.

(c) The commission may act as a Wisconsin conservation corps sponsor and may enter into agreements with the Wisconsin conservation corps board to carry out the management, operation, restoration and repair of the Fox river navigational system.

(6) CONTRIBUTIONS; FEDERAL ASSISTANCE. (a) The commission shall encourage and may accept contributions, grants, bequests and gifts for the management, operation, restoration or repair of the Fox river navigational system.

(b) The commission shall accept federal funding for the restoration and repair of the Fox river navigational system. The commission may not use federal funding for the management or operation of the Fox river navigational system.

(6m) STATE AID. (a) Notwithstanding s. 30.92 (4) (a), the department shall provide \$125,000 in state aid from the appropriation under s. 20.370 (4) (bu) to the commission for the management and operation of the Fox river navigational system if all of the following apply:

1. The governor makes the certification under sub. (8).

Vetoed in Part 2. Brown county, Calumet county, Fond du Lac county, Outagamie county and Winnebago county each contribute ~~\$25,000 in~~ matching funds for the management and operation of the Fox river navigational system.

(b) The Fox river navigational system need not be placed on the priority list under s. 30.92 (3) (a) to receive the state aid under par. (a).

(c) Any state aid provided under par. (a) shall be considered as state aid expended for projects considered necessary without regard to location under s. 30.92 (4) (b) 6.

(7) AUTHORITY TO SUE; LIABILITY OF COMMISSION. The commission may sue and be sued. Members of the commission are considered public officers for the purposes of s. 895.46.

(7m) BYLAWS. The commission may adopt bylaws to govern its operations.

(8) APPLICABILITY. This section does not apply until the day after the date on which the governor certifies to the revisor of statutes and the secretary of state that the state has received federal funds for the restoration and repair of the Fox river navigational system.

SECTION 1029oz. 31.307 of the statutes is created to read:

31.307 Dam on Milwaukee river. (1) The department shall conduct, or shall cause to be conducted, an environmental and engineering study concerning the

removal of the North Avenue dam in the city of Milwaukee from the Milwaukee river.

Vetoed in Part (2) (a) To facilitate the study required under sub. (1), the department may allow, upon request of the city of Milwaukee, that the dam be opened and that the water impounded by the dam be drawn down for a period of time not to exceed 2 years, except as provided in par. (b).

(b) The city of Milwaukee may request an extension of the 2-year time limit under par. (a) and, upon a showing of good cause, the department may grant the extension for a period of time that the department determines is necessary to complete the study.

(3) Upon completion of the study under sub. (1), the city of Milwaukee may apply for a permit to abandon the dam under s. 31.185 or the department may proceed under ss. 31.187 and 31.253 to cause the removal of the dam.

(4) For purposes of s. 30.92 (4) (b) 6, moneys expended from the appropriation under s. 20.370 (4) (bu) for the study under sub. (1) shall be considered as amounts expended for projects considered necessary without regard to location.

SECTION 1029p. 31.385 (2) (d) of the statutes is amended to read:

31.385 (2) (d) The financial assistance shall be paid from the appropriation under s. 20.866 (2) (tx), **Vetoed in Part** except as provided in 1991 Wisconsin Act (this act), section 9142 (10d) (a).

Vetoed in Part SECTION 1029r. 32.035 (1) (a) of the statutes is amended to read:

32.035 (1) (a) "Department" means the department of agriculture, food and trade and consumer protection.

SECTION 1030c. 32.05 (8) of the statutes is renumbered 32.05 (8) (b) and amended to read:

32.05 (8) (b) No person occupying real property may be required to move from a dwelling or move his or her business or farm without at least 90 days' written notice of the intended vacation date from the condemnor. The displaced person shall have rent-free occupancy of the acquired property for a period of 30 days, commencing with the next 1st or 15th day of the month after title vests in the condemnor, whichever is sooner. Any person occupying the property after the date that title vests in the condemnor is liable to the condemnor for all waste committed or allowed by the occupant on the lands condemned during the occupancy. The condemnor has the right to possession when the persons who occupied the acquired property vacate, or hold over beyond the vacation date established by the condemnor, whichever is sooner, except that the condemnor may not require the persons who occupied the premises on the date title vested in the condemnor to vacate until a comparable replacement property is made available as provided under par. (c). If the condemnor is denied the right of possession, the condemnor may, upon 48 hours' notice to the occupant, apply to the circuit court where the property is

located for a writ of assistance to be put in possession. The circuit court shall grant the writ of assistance if all jurisdictional requirements have been complied with, if the award has been paid or tendered as required and if the condemnor has made a comparable replacement property available to the occupants. ~~In this subsection, "condemnor" has the meaning given in s. 32.185, except as provided under par. (c).~~

SECTION 1030g. 32.05 (8) (a) of the statutes is created to read:

32.05 (8) (a) In this subsection, "condemnor" has the meaning given in s. 32.185.

SECTION 1030L. 32.05 (8) (c) of the statutes is created to read:

32.05 (8) (c) The condemnor may not require the persons who occupied the premises on the date that title vested in the condemnor to vacate until a comparable replacement property is made available. This paragraph does not apply to any person who waives his or her right to receive relocation benefits or services under s. 32.197 or who is not a displaced person, as defined under s. 32.19 (2) (e), unless the acquired property is part of a program or project receiving federal financial assistance.

SECTION 1030p. 32.06 (9) (c) of the statutes is renumbered 32.06 (9) (c) 2 and amended to read:

32.06 (9) (c) 2. No person occupying real property may be required to move from a dwelling or move his or her business or farm without at least 90 days' written notice of the intended vacation date from the condemnor. The person shall have rent-free occupancy of the acquired property for a period of 30 days commencing with the next 1st or 15th day of the month after title vests in the condemnor, whichever is sooner. Any person occupying the property after the date that title vests in the condemnor is liable to the condemnor for all waste committed or allowed by the occupant on the lands condemned during the occupancy. The condemnor has the right to possession when the persons who occupied the acquired property vacate, or hold over beyond the vacation date established by the condemnor, whichever is sooner, except ~~that the condemnor may not require the persons who occupied the premises on the date title vested in the condemnor to vacate until a comparable replacement property is made available as provided under subd. 3.~~ If the condemnor is denied the right of possession, the condemnor may, upon 48 hours' notice to the occupant, apply to the circuit court where the property is located for a writ of assistance to be put in possession. The circuit court shall grant the writ of assistance if all jurisdictional requirements have been complied with, if the award has been paid or tendered as required and if the condemnor has made a comparable replacement property available to the occupants. ~~In this paragraph, "condemnor" has the meaning given in s. 32.185, except as provided under subd. 3.~~

SECTION 1030t. 32.06 (9) (c) 1 of the statutes is created to read:

32.06 (9) (c) 1. In this paragraph, "condemnor" has the meaning given in s. 32.185.

SECTION 1030x. 32.06 (9) (c) 3 of the statutes is created to read:

32.06 (9) (c) 3. The condemnor may not require the persons who occupied the premises on the date that title vested in the condemnor to vacate until a comparable replacement property is made available. This subdivision does not apply to any person who waives his or her right to receive relocation benefits or services under s. 32.197 or who is not a displaced person, as defined under s. 32.19 (2) (e), unless the acquired property is part of a program or project receiving federal financial assistance.

~~SECTION 1041m. 32.19 (4m) (a) (intro.) of the statutes is amended to read:~~

~~32.19 (4m) (a) *Owner-occupied business or farm operation.* (intro.) In addition to amounts otherwise authorized by this subchapter, the condemnor shall make a payment, not to exceed \$50,000 \$100,000, to any owner displaced person who has owned and occupied the business operation, or owned the farm operation, for not less than one year prior to the initiation of negotiations for the acquisition of the real property on which the business or farm operation lies, and who actually purchases a comparable replacement business or farm operation for the acquired property within 2 years after the date the person vacates the acquired property or receives payment from the condemnor, whichever is later. An owner displaced person who has owned and occupied the business operation, or owned the farm operation, for not less than one year prior to the initiation of negotiations for the acquisition of the real property on which the business or farm operation lies may elect to receive the payment under par. (b) 1 in lieu of the payment under this paragraph, but the amount of payment under par. (b) 1 to such an owner displaced person may not exceed the amount the owner displaced person is eligible to receive under this paragraph. The additional payment under this paragraph shall include the following amounts:~~

Vetoed
in Part

SECTION 1052g. 33.01 (9) (a) of the statutes is amended to read:

33.01 (9) (a) For the purpose of petitioning and receiving notice under this chapter, ~~the a person whose name appears as an owner of real property on the assessment roll prepared for purposes of real property taxation; and tax roll under s. 70.65 (2) (a) 1 that was delivered under s. 74.03 on or before the 3rd Monday in December of the previous year.~~

SECTION 1052j. 33.01 (9) (am) of the statutes is created to read:

33.01 (9) (am) For the purpose of petitioning under this chapter, any of the following:

1. A person whose name appears as an owner of real property on the tax roll under s. 70.65 (2) (a) 1

that was delivered under s. 74.03 on or before the 3rd Monday in December of the previous year.

2. The spouse of a person whose name appears as an owner of real property on the tax roll under s. 70.65 (2) (a) 1 that was delivered under s. 74.03 on or before the 3rd Monday in December of the previous year if the spouse is referred to on that tax roll.

SECTION 1052L. 33.01 (9) (b) 1 and 2 of the statutes are amended to read:

33.01 (9) (b) 1. Whose name appears as an owner of real property on the assessment roll prepared for the purposes of real property taxation tax roll under s. 70.65 (2) (a) 1 that was delivered under s. 74.03 on or before the 3rd Monday in December of the previous year; or

2. Who owns title to real property but whose name does not appear as an owner of real property on the assessment tax roll specified in subd. 1.

SECTION 1053. 35.01 (1) of the statutes is amended to read:

35.01 (1) Class 1--All legislative printing and the Laws of Wisconsin session laws.

SECTION 1054. 35.03 (7) of the statutes is amended to read:

35.03 (7) Order such further editions as may be necessary to supply demands whenever any original edition of the Laws of Wisconsin session laws, or Wisconsin statutes, proves inadequate to meet the estimated future demands therefor, but no reprinting shall occur after the original type or plates have been distributed or rearranged. Such reprints shall be charged to the same appropriation as the original editions.

SECTION 1055. 35.095 (3) (a) of the statutes is amended to read:

35.095 (3) (a) The secretary of state legislative reference bureau shall publish every act and every portion of an act which is enacted by the legislature over the governor's partial veto within 10 working days after its date of enactment.

SECTION 1056. 35.15 (title) of the statutes is amended to read:

35.15 (title) Laws of Wisconsin.

SECTION 1057. 35.15 (1) (intro.) of the statutes is renumbered 35.15 (1) (a) and amended to read:

35.15 (1) (a) ~~Immediately after~~ No later than the end of each session of the legislature, the legislative reference bureau shall prepare, for publication by the secretary of state, camera-ready copy for a volume one or more volumes denominated "Wisconsin Session Laws," "Laws of Wisconsin", and identified by the year in which that session began.

SECTION 1058. 35.15 (1) (a) and (b) of the statutes are renumbered 35.15 (1) (b) and (c).

SECTION 1059. 35.15 (1) (c) of the statutes is renumbered 35.15 (1) (d) and amended to read:

35.15 (1) (d) ~~The copy shall be delivered to the department within 10 working days from the date of~~

~~publication of the last act.~~ The department shall determine the number of copies to be printed.

SECTION 1060. 35.15 (1) (d) of the statutes is renumbered 35.15 (1) (e) and amended to read:

35.15 (1) (e) After making the necessary comparison, the chief of the legislative reference bureau shall issue a certificate, to be filed in the office of the secretary of state as a public record, that he or she has compared the printed acts with the original acts on file in the office of the secretary of state, and that they appear to be correctly printed. Each volume of the ~~session laws~~ Laws of Wisconsin shall contain a printed copy of such certificate.

SECTION 1061. 35.15 (2) of the statutes is repealed and recreated to read:

35.15 (2) The legislative reference bureau shall publish the Laws of Wisconsin as expeditiously as possible in such number of volumes and at such times as the bureau determines to be appropriate. If acts are enacted or joint resolutions are adopted while a volume is in production, the bureau may elect to publish them as a pocket part to the bound volume.

SECTION 1062. 35.50 (2) of the statutes is amended to read:

35.50 (2) Unless otherwise required by law, each edition of the ~~session laws~~ Laws of Wisconsin, administrative code and register, Blue Book, and reports specified in ss. 35.26 and 35.27, and reprints thereof, shall be substantially the same in printing and binding as the previous edition of the same publication. Unless otherwise determined by the revisor of statutes, each edition of the statutes shall be substantially the same in printing and binding as the previous edition of the statutes. The ~~session laws~~ Laws of Wisconsin and statutes shall be printed and bound in a finished size based on an 8 1/2 inch by 11 inch format.

SECTION 1063. 35.52 of the statutes is amended to read:

35.52 Authority for printing; increase, and diminution of editions and pages. The department shall ~~may~~ not order any printing not authorized by law nor any quantity in excess of the legal limitation thereof. If experience demonstrates that the number of copies ~~or the number of pages~~ specified in this chapter for the editions of the Blue Book or ~~session laws exceed~~ Laws of Wisconsin exceeds the actual lawful demand therefor, the number of volumes or pages thereafter to be printed shall be ~~still further~~ reduced to such number as will supply such demand and no more. In like manner, any specification as to quantity in any requisition for printing which is required to be distributed shall be reduced to the actual probable demand therefor, as determined from previous experience in such distribution.

SECTION 1064. 35.84 (figure) column A line 16 of the statutes is amended to read:

35.84 (figure) Column A Statutes, Hard Covers; s. 35.18

16. Legislative Reference Bureau..... 2 5

SECTION 1065. 35.84 (figure) column B line 43 of the statutes is amended to read:

35.84 (figure) Column B Statutes (soft covers)

43. Public Defender Board 230 305

SECTION 1066. 35.84 (figure) column C line 16 of the statutes is amended to read:

35.84 (figure) Column C Annotations; s. 35.23

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SECTION 1067. 35.84 (figure) column D (title) of the statutes is amended to read:

35.84 (figure) Column D (title) Laws of Wisconsin; s. 35.15.

SECTION 1068. 35.84 (figure) column D line 16 of the statutes is amended to read:

35.84 (figure) Column D Bound Session Laws; s. 35.15

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SECTION 1069. 35.85 (5) of the statutes is amended to read:

35.85 (5) The department may order such further distribution of the statutes, annotations and ~~session laws~~ Laws of Wisconsin as may be needed for official use by any justice of the supreme court or by any state agency.

SECTION 1070. 35.86 (4) of the statutes is amended to read:

35.86 (4) In this section, "public document" includes ~~all hardbound volumes of statutes, session laws the Laws of Wisconsin, Blue Book, Wisconsin reports, attorney general's opinions, opinions and decisions of the public service commission, Blue Book and other reports by state agencies; all hardbound volumes of the statutes; all periodical literature published by the state, including "Health in Wisconsin", "Wisconsin magazine of history" and "Wisconsin library bulletin"; and all serial publications distributed in quantities of 25 copies or more and consisting of 25 pages or more.~~

SECTION 1071. 35.91 (2) of the statutes is amended to read:

35.91 (2) Current copies of the Blue Book and the Laws of Wisconsin ~~session laws~~ shall be sold at prices determined by the department, which shall include the cost of sale and distribution under s. 35.80 and, as determined by the legislative reference bureau, the proportionate cost per copy of typesetting, purchasing, paper, printing, duplication, collating and binding.

SECTION 1073. 36.05 (10m) of the statutes is repealed.

SECTION 1073kz. 36.07 (6) of the statutes is amended to read:

36.07 (6) MEETINGS AND RECORDS PUBLIC. The board meetings shall be open and all records of such meetings and of all proceedings of the board shall be open to inspection in accordance with subchs. II and ~~IV~~ V of ch. 19.

SECTION 1073L. 36.09 (1) (e) of the statutes is amended to read:

36.09 (1) (e) The board shall appoint a president of the system; a chancellor for each institution; a dean for each center; the state geologist; the director of the laboratory of hygiene; the director of the psychiatric institute; the state cartographer with the advice of the land information board; and the requisite number of officers, other than the vice presidents, associate vice presidents and assistant vice presidents of the system; faculty; academic staff and other employees and fix the salaries, subject to the limitations under par. (j) and ss. 20.923 (4), (4m) and (5) and 230.12 (3) (e), the duties and the term of office for each. The board shall fix the salaries, subject to the limitations under par. (j) and ss. 20.923 (4), (4m) and (5) and 230.12 (3) (e), and the duties for each chancellor, vice president, associate vice president and assistant vice president of the system. No sectarian or partisan tests or any tests based upon race, religion, national origin or sex shall ever be allowed or exercised in the appointment of the employees of the system.

SECTION 1075. 36.09 (3) of the statutes is renumbered 36.09 (3) (a).

SECTION 1076. 36.09 (3) (b) of the statutes is created to read:

36.09 (3) (b) The chancellor may designate a person as provost, to act as chief executive officer of the institution in the chancellor's absence, if the person currently holds a limited appointment as vice chancellor, associate chancellor, assistant chancellor, associate vice chancellor or assistant vice chancellor. The chancellor may not create an additional administrative position for the purpose of this paragraph.

SECTION 1077. 36.11 (3) (cm) 3 of the statutes is amended to read:

36.11 (3) (cm) 3. Vocational, technical and adult education ~~college parallel~~ collegiate transfer program offerings, as defined in s. ~~36.31 (4)~~ 38.01 (3).

SECTION 1078. 36.11 (19) of the statutes is repealed.

SECTION 1079. 36.13 (2) (b) of the statutes is amended to read:

36.13 (2) (b) A probationary appointment shall not exceed 7 consecutive academic years in a full-time position in an institution. A leave of absence, sabbatical or a teacher improvement assignment ~~shall~~ does not constitute a break in continuous service ~~nor~~ and shall ~~it not~~ be included in the 7-year period. The board may promulgate rules specifying additional circumstances that do not constitute a break in continuous service and that shall not be included in the 7-year period.

SECTION 1080. 36.13 (4) (c) of the statutes is repealed and recreated to read:

36.13 (4) (c) Any person who is not a ranked faculty member on the effective date of this paragraph [revisor inserts date], and who is also described under

subd. 1 or 2 shall be treated as a faculty member with the rank of associate professor for all purposes:

1. Any person who held an unranked faculty tenure appointment or unranked faculty concurrent tenure appointment under ch. 37, 1971 stats., prior to July 10, 1974.

2. Any person who held an unranked probationary appointment under ch. 37, 1971 stats., prior to July 10, 1974, and who subsequently received an unranked faculty tenure appointment or unranked faculty concurrent tenure appointment.

Vetoed in Part SECTION 1084g. 36.25 (7) of the statutes is amended to read:

36.25 (7) SOIL AND WATER CONSERVATION. The board is responsible for research and educational programs regarding soil and water conservation. The board shall cooperate with the land conservation board, the department of agriculture, food and trade and consumer protection and the counties in carrying out its soil and water conservation programs. The board shall prepare annually a written program of planned educational activities in soil and water conservation.

Vetoed in Part SECTION 1084m. 36.25 (8m) of the statutes is created to read:

36.25 (8m) BEAR AND DEER POPULATION RESEARCH. The board shall direct the university of Wisconsin-Madison department of wildlife ecology and the university of Wisconsin-Stevens Point college of natural resources to conduct research on the interactions of biodiversity, old-growth forest, forest fragmentation and white-tailed deer and black bear populations in northern Wisconsin. This subsection does not apply after June 30, 1993.

Vetoed in Part SECTION 1084p. 36.25 (11) (c) of the statutes is amended to read:

36.25 (11) (c) The laboratory shall provide analytical support to the appropriate state agencies charged with water supply evaluation. The support service shall include an evaluation from a public health standpoint and analytical support to ascertain the water's suitability for manufacturing, commercial and recreational purposes as determined by the rules promulgated by the department of health and social services, the department of natural resources and the department of agriculture, food and trade and consumer protection.

SECTION 1085. 36.25 (14m) (b) of the statutes is amended to read:

36.25 (14m) (b) By ~~November 15, 1988~~ April 15, 1992, and annually thereafter, the board shall adopt a precollege, recruitment and retention plan for minority and disadvantaged students enrolled in the system. The ~~recruitment and retention~~ plan shall include allocations from the appropriation under s. 20.285 (4) (a).

(c) By ~~November 15, 1988~~ April 15, 1992, and annually thereafter by April 15, the board shall submit a report ~~on the recruitment and retention plan under this paragraph~~ to the governor and to the chief clerk

of each house of the legislature for distribution to the appropriate standing committees under s. 13.172 (3). The report shall include all of the following:

SECTION 1086. 36.25 (14m) (c) 1 and 2 of the statutes are created to read:

36.25 (14m) (c) 1. The plan adopted under par. (b).

2. All financial aid distributed to students, categorized by ethnic group, class level and dependency status. The report shall include information on financial need, percentage of need satisfied by loan, percentage of need satisfied by grant and the percentage remaining unsatisfied.

SECTION 1086g. 36.25 (21m) of the statutes is created to read:

36.25 (21m) GREAT LAKES INDIAN LAW PROGRAM. The board shall establish a Great Lakes Indian law program at the university of Wisconsin-Madison law school.

Vetoed in Part SECTION 1086m. 36.25 (23c) of the statutes is created to read:

36.25 (23c) LEOPOLD PROFESSORSHIP OF RESTORATION ECOLOGY. By July 1, 1992, the board shall establish the Leopold professorship of restoration ecology at the university of Wisconsin-Madison.

SECTION 1087. 36.25 (33) of the statutes is created to read:

36.25 (33) QUALITY IMPROVEMENT AWARDS. From the appropriation under s. 20.285 (1) (a), the board annually may award up to \$500 each to no more than 10 system employees who make suggestions that result in significant quality improvements for the system relating to supplies and expenses. The board shall appoint a council under s. 15.04 (1) (c) to nominate recipients for the awards. The board shall not make more than one award to an employee in the same fiscal year. An award is not part of an employee's base pay.

Vetoed in Part SECTION 1087g. 36.27 (1) (c) of the statutes is renumbered 36.27 (1) (c) 1.

SECTION 1087h. 36.27 (1) (c) 2 of the statutes is created to read:

36.27 (1) (c) 2. The board shall allow residents of this state who are at least 62 years old to audit courses at no charge.

SECTION 1087m. 36.27 (2) (am) of the statutes is created to read:

36.27 (2) (am) Any person who is a refugee, as defined under 8 USC 1101 (a) (42), who moved to this state immediately upon arrival in the United States and who has resided in this state continuously since then is entitled to the exemption under par. (a) if he or she demonstrates an intent to establish and maintain a permanent home in Wisconsin according to the criteria under par. (e).

SECTION 1088. 36.27 (4) (intro.), (a) and (b) of the statutes are consolidated, renumbered 36.27 (4) (a) and amended to read:

36.27 (4) (a) In the ~~1989-90 and 1990-91~~ 1991-92 and 1992-93 academic years, the board may annually

exempt from nonresident tuition, but not from incidental or other fees: ~~(a) Up, up~~ to 200 students enrolled at the university of Wisconsin-Parkside as juniors or seniors in programs identified by that institution as having surplus capacity. ~~(b) Up and up~~ to 150 students ~~enrolling~~ enrolled at the university of Wisconsin-Superior in programs identified by that institution as having surplus capacity.

(b) A student who received an exemption from nonresident tuition under 1987 Wisconsin Act 27, section 3054 (2g) (a) during the 1987-88 and 1988-89 academic years, or who receives an exemption from nonresident tuition under ~~this paragraph during the 1989-90 and 1990-91 academic years~~ par. (a), shall continue to receive an exemption from nonresident tuition until the completion of his or her degree program.

SECTION 1088g. 36.29 (1) of the statutes is amended to read:

36.29 (1) All gifts, grants and bequests for the benefit or advantage of the system or any of its institutions, departments or facilities or to provide any means of instruction, illustration or knowledge in connection therewith, whether made to trustees or otherwise, shall be valid notwithstanding any other provision of this chapter except ~~subs. (5) and (6)~~ as otherwise provided in this subsection and shall be executed and enforced according to the provisions of the instrument making the same, including all provisions and directions in any such instrument for accumulation of the income of any fund or rents and profits of any real estate without being subject to the limitations and restrictions provided by law in other cases; but no such income accumulation shall be allowed to produce a fund more than 20 times as great as that originally given. When such gifts, grants or bequests include common stocks or other investments which are not authorized by ch. 881, the board may continue to hold such common stocks or other investments and exchange, invest or reinvest the funds of such gift, grant or bequest in similar types of investments without being subject to the limitations and restrictions provided by law in other cases. No such investment shall knowingly be made in any company, corporation, subsidiary or affiliate which practices or condones through its actions discrimination on the basis of race, religion, color, creed or sex. Except as otherwise provided in this section, the board may invest not to exceed 75% of trust funds held and administered by the board in common stocks, the limitation of 50% in s. 881.01 (2) to the contrary notwithstanding. This subsection does not apply to a gift, grant or bequest that the board declines to accept or that the board is not authorized to accept under this section.

SECTION 1088h. 36.29 (2) of the statutes is amended to read:

36.29 (2) All ~~such~~ gifts, grants, ~~devises~~ or bequests under sub. (1) may be made to the board, the president, a chancellor or any officer, or to any person as

trustee, or may be charged upon any executor, trustee, heir, devisee or legatee, or made in any other manner indicating an intention to create a trust, and may be made as well for the benefit of the system or any of its institutions, colleges, schools, departments or facilities to provide any means of instruction, illustration or knowledge in connection therewith, or for the benefit of any students or any class or group of students whether by way of scholarship, fellowship or otherwise, or whether for the benefit of students or any class or group of students in any course, subcourse, special course, postgraduate course, summer school or teachers course, oratorical or debating course, laboratory, shop, lectureship, drill, gymnasium or any other like division or department of study, experiment, research, observation, travel or mental or physical improvement in any manner connected with the system, or to provide for the voluntary retirement of any of the faculty.

SECTION 1088i. 36.29 (7) of the statutes is created to read:

36.29 (7) The board may not accept any gift, grant or bequest of a building or structure that is constructed for the benefit of the system or any institution unless acceptance is first approved by the building commission, or unless the plans and specifications for the building or structure are reviewed and approved by the department of administration and the building or structure is inspected as provided in s. 16.85 (12).

SECTION 1089. 36.31 (1) of the statutes is amended to read:

36.31 (1) The board shall not, without the approval of the board of vocational, technical and adult education, broaden the system's post-high school training mission to include the preparation of persons for semiprofessional or skilled-trade occupations beyond those offered during the 1972-73 academic year. The board of vocational, technical and adult education shall not, without the approval of the board of regents, broaden its system's ~~college parallel~~ collegiate transfer program offerings beyond those in existence during the 1972-73 academic year. In this section, ~~"college parallel collegiate transfer program offerings" means those courses approved and designated by the board of vocational, technical and adult education in compliance with s. 38.24 (1) which enables a student to continue education as a junior in a 4-year institution~~ has the meaning given in s. 38.01 (3).

SECTION 1090. 36.34 (1) (b) of the statutes is amended to read:

36.34 (1) (b) The board shall establish a grant program for minority undergraduates enrolled in the system. The board shall designate all grants under this subsection as Lawton grants. Grants shall be awarded from the appropriation under s. 20.285 (4) (dd). The board may not make a grant under this subsection to a person if it receives a certification under s. 46.255 (7) that the person is delinquent in child support or main-

tenance payments. ~~By March 1, 1988, and annually thereafter by March 1, the board shall submit to the joint committee on finance an evaluation of the program for each student class level and for each institution.~~

SECTION 1091. 36.34 (2) (title) of the statutes is amended to read:

36.34 (2) (title) PILOT MINORITY STUDENT TUITION AWARD PROGRAM.

SECTION 1092. 36.34 (2) (c) of the statutes is amended to read:

36.34 (2) (c) No award may be made under par. (am) for periods beginning after June 30, ~~1992~~ 1994.

SECTION 1093. 36.34 (3) of the statutes is repealed.

SECTION 1093m. 36.395 of the statutes is created to read:

36.395 Fees for use of facilities. The board shall ensure that, beginning January 1, 1992, the fees for using the university ridge golf course, ~~Camp Randall memorial sports center, and Nelson tennis stadium,~~ at the university of Wisconsin-Madison, are set at no more than 2 levels. If there are 2 levels of fees, the lower fee level shall be for students and the other fee level shall be for all others eligible to use the facility.

Vetoed
in Part

SECTION 1094. 36.45 of the statutes is created to read:

36.45 Research funding. (1) In its biennial budget request under s. 16.42, the board shall specify the anticipated completion date of all research and public service projects for which the board is requesting general purpose revenue.

(2) When the board prepares a fiscal estimate under s. 13.093 (2) (a) with respect to the provisions of any bill that involves the appropriation of general purpose revenue to the board for a research or public service project, the board shall specify in its fiscal estimate the anticipated completion date of the project.

(3) By September 1, 1992, and biennially thereafter by September 1, the board shall report to the governor and the joint committee on finance the purpose, duration, cost and anticipated completion date of all research and public service projects for which the board is expending general purpose revenue.

SECTION 1094g. 36.47 of the statutes is created to read:

36.47 Report on use of base resources. Annually by June 1, the board shall submit to the joint committee on finance, ~~for its approval,~~ a report on the board's proposed use, in the next fiscal year, of base resources and staff vacancies available from enrollment reductions. The report shall include all of the following:

(1) The planned level of enrollment at each center and institution in the next academic year.

(2) The amounts available and the number of staff vacancies by appropriation.

(3) The proposed one-time uses of the funds and how those uses relate to academic quality.

Vetoed
in Part

(4) The proposed uses of the funds for continuing purposes and how those uses relate to academic quality and future funding needs.

SECTION 1094p. 36.52 of the statutes is created to read:

36.52 Reimbursement of pay supplements. Whenever moneys become available from the federal government to finance the cost of pay and related adjustments for employees of the system in the unclassified service whose positions are wholly or partly funded from federal revenue under 7 USC 343 that have been paid from the appropriation under s. 20.865 (1) (cj) during the same fiscal year in which moneys are expended from that appropriation, the board shall reimburse the general fund for any expenditures made under s. 20.865 (1) (cj) from the appropriate appropriation to the board made from federal revenues.

SECTION 1094r. 38.001 (1m) of the statutes is amended to read:

38.001 (1m) The board shall be responsible for the initiation, development, maintenance and supervision of programs with specific occupational orientations below the baccalaureate level, including terminal associate degrees, training of apprentices and adult education below the professional level.

SECTION 1095. 38.02 of the statutes is amended to read:

38.02 Establishment. There is established under this chapter a system of vocational, technical and adult education to foster and maintain instruction in courses approved by the board in part-time and full-time day or evening classes. ~~Every person at least the age specified in s. 118.15 (1) (b) who can profit thereby is eligible to receive instruction under this chapter and rules promulgated by the board.~~

SECTION 1096. 38.04 (8) (title) of the statutes is amended to read:

38.04 (8) (title) MINORITY STUDENT PARTICIPATION AND RETENTION PLAN.

SECTION 1097. 38.04 (8) (b) of the statutes is repealed and recreated to read:

38.04 (8) (b) Annually by January 1, the board shall develop a plan to increase minority group member participation and retention in the vocational, technical and adult education system. The plan shall specify each district board's goals and objectives for minority group member participation and retention. The plan shall outline activities and programs that enhance minority group member participation and retention and shall review the progress made by the board and by district boards in the previous school year.

~~SECTION 1098m. 38.04 (19) of the statutes is created to read:~~

~~38.04 (19) COLLEGE FOR KIDS. Annually, the board shall allocate the amount in the appropriation under s. 20.292 (1) (ck) to the Milwaukee area technical college for its college for kids program, designed to expose 3rd to 8th grade pupils to specially designed vocational, technical and adult education programs.~~

Vetoed
in Part

SECTION 1100. 38.04 (22) of the statutes is created to read:

38.04 (22) VOCATIONAL STUDENT ORGANIZATIONS. The board shall assist district boards to operate vocational student organizations for students pursuing related instruction.

SECTION 1100b. 38.04 (23) of the statutes is created to read:

38.04 (23) WORKPLACE LITERACY RESOURCE CENTER. From the appropriation under s. 20.292 (1) (bm), the board shall operate a workplace literacy resource center. The workplace literacy resource center shall do all of the following:

(a) Develop, purchase, review and evaluate materials on workplace literacy, including needs assessment instruments, and disseminate those materials to persons interested in supporting workplace literacy.

(b) Refer any person that is interested in supporting workplace literacy, such as an employer, an employee, a labor organization or a community organization, to literacy service providers located in the person's community and other workplace literacy resources.

SECTION 1101m. 38.14 (3) (a) of the statutes is amended to read:

Vetoed
in Part

~~38.14 (3) (a) The district board may enter into contracts to provide educational services to public and private educational institutions, federal and state agencies, local governmental bodies, industries and businesses. If a district board contracts to provide educational services to industry or business and such services compete with existing services available in the private sector, the contract shall provide for full cost recovery so that no direct or indirect costs under the contract are funded by the district.~~

SECTION 1101r. 38.14 (9) of the statutes is amended to read:

38.14 (9) (title) **Activity, incidental and vocational-adult seminar and workshop fees.** The district board may establish student activity and incidental fees to fund, in whole or in part, the cost of services and activities offered as support services for regular instruction. With the approval of the state director, the district board may establish fees for vocational-adult seminars and workshops, not to exceed the full cost of the seminar or workshop less the fee charged under s. 38.24 (1m).

SECTION 1102. 38.22 (1) (intro.) of the statutes is amended to read:

38.22 (1) (intro.) Every Except as provided in subs. (1m) and (1s) and s. 118.37, every person who is at least the age specified in s. 118.15 (1) (b) is eligible to attend the schools of a district if the person is:

SECTION 1103. 38.24 (1) of the statutes is renumbered 38.24 (1m), and 38.24 (1m) (a) and (b), as renumbered, are amended to read:

38.24 (1m) (a) *Liberal arts collegiate transfer programs.* Uniform fees based on 29.3% not less than

31% of the statewide average operational costs of liberal arts collegiate transfer programs in district schools.

(b) *Postsecondary and vocational-adult programs.* Uniform fees based on not less than ~~12%~~ 14% of the combined estimated statewide operational cost of postsecondary, exclusive of collegiate transfer, and vocational-adult programs. The board shall maintain statewide uniformity in the program fees charged for postsecondary and vocational-adult credits. Students 62 years old and over shall be exempted from program fees under this paragraph in vocational-adult programs. Students enrolled in adult high school, adult basic education and English as a 2nd language courses shall be exempted from program fees under this paragraph.

SECTION 1104. 38.24 (1) of the statutes is created to read:

38.24 (1) DEFINITION. In this section, "operational cost" means costs funded by general purpose revenue, property taxes and uniform fees established under sub. (1m) (a) and (b).

SECTION 1104m. 38.24 (1s) of the statutes is created to read:

38.24 (1s) ADDITIONAL FEES. A district board may establish and charge a fee in addition to the fees under sub. (1m) for a court-approved alcohol or other drug abuse education program offered to individuals under s. 48.245 (2) (a) 4, 48.32 (1g) (b), 48.34 (4s) (b) 3 or (13) (b), 48.343 (10) (c) or 48.344 (2g) (a) 3.

SECTION 1105. 38.24 (3) (title) of the statutes is amended to read:

38.24 (3) (title) NONRESIDENT FEES AND LIABILITIES; REMISSIONS.

SECTION 1106. 38.24 (3) of the statutes is renumbered 38.24 (3) (a) and amended to read:

38.24 (3) (a) For all students who are not residents of Wisconsin this state, nor subject to reciprocal agreements with the board, annually the board shall annually establish a fee based on 100% of the statewide cost per full-time equivalent student for operating the programs in which they are enrolled. ~~The fee established under this subsection is the liability of the student.~~

SECTION 1107. 38.24 (3) (b) of the statutes is created to read:

38.24 (3) (b) Notwithstanding par. (a), the state director may authorize the district board to charge a student who is not a resident of this state and who is subject to a contract with a federal agency under s. 38.14 (3) (a) a fee equal to the contracting district board's direct cost per full-time equivalent student for operating the program in which he or she is enrolled plus an amount equal to the district board's indirect costs per full-time equivalent student attributable to the contract.

SECTION 1108. 38.24 (3) (c) of the statutes is created to read:

38.24 (3) (c) The state director may authorize a district board to remit the fees under par. (a), but not the fees under sub. (1), to any of the following:

1. A number of needy and worthy students. The number of students receiving fee remissions under this subdivision in all districts may not exceed a number equal to 0.5% of the full-time equivalent statewide enrollment.

2. Students enrolling under agreements with foreign educational institutions that provide for the exchange of an equal number of students who are residents of this state.

SECTION 1108m. 38.24 (3) (d) of the statutes is created to read:

38.24 (3) (d) The board shall promulgate rules relating to the remission of fees under par. (c), including rules defining "needy and worthy".

SECTION 1109. 38.26 of the statutes is created to read:

38.26 Minority student participation and retention grants. (1) In this section, "minority student" means a student enrolled in a district school who is a minority group member, as defined in s. 560.036 (1) (f).

(2) The board shall annually notify each district board of those purposes for which grants may be awarded under this section. Grants may be awarded only for the purposes of assisting in:

(a) The creation or expansion of programs that provide counseling and tutoring services for minority students.

(b) Programs that demonstrate innovative approaches to increasing minority student placement and retention in technical education programs that have a high earning potential for their graduates.

(c) Providing internships to minority students enrolled in programs that prepare their graduates for admission to a teacher education program at an institution within the university of Wisconsin system.

(d) Programs that combine basic skills and occupational training as a means of expediting basic skills remediation and increasing retention of minority students.

(e) Programs that use community-based organizations to assist in the recruitment, training and retention of minority students.

(3) (a) Any district board may apply to the board for a grant to accomplish the purposes identified by the board under sub. (2).

(b) The board shall review the applications submitted under par. (a) according to procedures and criteria established by the board. The board shall notify the district board whether the district board's application has been approved and, if approved, of the amount and the conditions of the grant to be awarded.

(c) Amounts awarded under par. (b) shall be paid from the appropriation under s. 20.292 (1) (c) and may be paid to the district board in instalments. Amounts awarded shall range from 25% to 75% of the total project cost. The board shall require the district board

to provide the remaining percentage share of total project cost.

(4) (a) Each district board receiving a grant under this section shall, by September 1 of the school year following receipt of the grant, file a report with the board. The report shall evaluate the district board's performance in attaining the goals specified in the application submitted under sub. (3).

(b) The board shall develop and implement an audit program to assess the effectiveness of the grants made under this section in accomplishing the intended goals.

SECTION 1110. 38.27 (1) (f) of the statutes is repealed.

SECTION 1111. 38.27 (1) (g) of the statutes is created to read:

38.27 (1) (g) The creation or expansion of programs that assist business and industry in adopting and implementing new technology, including training in the use of new technology and instructional and continuing educational opportunities in the adoption and implementation of new technology.

SECTION 1112. 38.27 (2) (c) of the statutes is amended to read:

38.27 (2) (c) Amounts awarded under par. (b) shall be paid from the appropriation under s. 20.292 (1) (dc) and may be paid to the district board in instalments. Amounts awarded for the purposes of sub. (1) (b) to (d) and (g) shall range from 25% to 75% of the total project cost. The board shall require the district board to provide the remaining percentage share of total project cost.

SECTION 1113. 38.27 (2) (d) of the statutes is amended to read:

38.27 (2) (d) Amounts awarded for the purpose of sub. (1) (a) or (e) may be awarded on a continuing basis, pending the availability of funds. Amounts awarded to support the establishment of new programs under sub. (1) (b) or (g) may be awarded for a period of up to 3 years, pending the availability of funds.

SECTION 1114. 38.27 (2) (e) of the statutes is amended to read:

38.27 (2) (e) Funds received under this section for the purpose of sub. (1) (a), (b), (c) or (d) or (g) may not be used to supplant funds otherwise available for such purposes.

SECTION 1114g. 38.27 (2) (f) of the statutes is created to read:

38.27 (2) (f) A district board receiving funds under sub. (1) (g) shall give preference, in assisting business and industry, to small- and medium-sized businesses.

SECTION 1114m. 38.27 (2m) (d) of the statutes is created to read:

38.27 (2m) (d) Beginning in the 1991-92 fiscal year, \$100,000 annually is awarded under sub. (1) (b) for nurse training programs.

SECTION 1114r. 38.272 of the statutes is created to read:

38.272 Farm training program tuition grants. (1) A student enrolled in a district's farm business and production management program may apply to the board for a grant for the purpose of paying 50% of the tuition for the first 4 years of the program.

(2) The board shall review the applications submitted under sub. (1) according to procedures and criteria established by the board. The board shall notify the student whether his or her application has been approved and, if approved, of the amount of the grant.

(3) The board shall award grants under this section from the appropriation under s. 20.292 (1) (dd).

SECTION 1115. 38.28 (1m) (a) 1 of the statutes is amended to read:

38.28 (1m) (a) 1. "District aidable cost" means the annual cost of operating a vocational, technical and adult education district, including debt service charges for district bonds and promissory notes for building programs or capital equipment, but excluding all expenditures relating to auxiliary enterprises and community service programs, all expenditures funded by or reimbursed with federal revenues, all receipts under sub. (6), all receipts under s. 38.12 (9), all receipts under s. 38.14 (3) and (9), all receipts under s. 118.15 (2) (a), all receipts under s. 118.37, all receipts under s. 146.55 (5), all receipts from grants awarded under ss. 38.04 (8) and (9), 38.14 (11) and 38.26, 38.27 and 38.38, all fees collected under s. 38.24 and driver education and chauffeur training aids.

Vetoed
in Part

SECTION 1117. 38.28 (2) (a) of the statutes is renumbered 38.24 (1g) and amended to read:

38.24 (1g) (title) OPERATIONAL COSTS. Annually, by January 1, the board shall estimate the statewide operational cost per full-time equivalent student in collegiate ~~transfers~~ transfer programs and ~~other~~ postsecondary and vocational-adult programs for the next fiscal year. The board shall furnish each district board with definitions of statewide operational costs per full-time equivalent student and shall establish procedures for determining operational cost per full-time equivalent student.

SECTION 1123. 38.28 (6) (a) 1 of the statutes is amended to read:

38.28 (6) (a) 1. The number of students enrolled in associate degree programs and vocational diploma programs in the district who are residents of another district.

SECTION 1124. 38.28 (6) (a) 2 of the statutes is amended to read:

38.28 (6) (a) 2. The number of residents of the district who are ~~attending a district school~~ enrolled in associate degree programs and vocational diploma programs in another district.

SECTION 1125. 38.28 (6) (c) of the statutes is amended to read:

38.28 (6) (c) The board shall make aid payments under this section from the appropriation under s.

20.292 (1) (fm). The board shall make such adjustments in aid payments during the fiscal year as are necessary to reflect more current data under pars. (a) and (b). Final adjustments of aid payments, on the basis of actual enrollments, shall be made from the appropriation under s. 20.292 (1) (fm) in the following fiscal year.

SECTION 1126e. 38.32 (1) of the statutes is amended to read:

38.32 (1) The board ~~and the department of public instruction~~ shall jointly establish a vocational education instructor occupational competency program. The program shall be designed to provide vocational education instructors in district schools ~~and public high schools~~ with temporary work experiences in business and industry in order to improve their knowledge and skills in the subjects they teach.

SECTION 1126g. 38.32 (2) of the statutes is amended to read:

38.32 (2) The board ~~and the department of public instruction~~ shall review proposals submitted by district boards ~~and school boards~~ that are consistent with sub. (1). From the appropriations appropriation under ~~ss. 20.255 (2) (e) and s. 20.292 (1) (e)~~, the board ~~and the department~~ shall award grants to district boards ~~and school boards~~ to partially pay the salaries of teachers participating in approved proposals. Any funds received by a district board ~~or a school board~~ under this subsection shall be equally matched by the district board ~~or school board~~.

SECTION 1126j. 38.32 (4) of the statutes is amended to read:

38.32 (4) The board, ~~in conjunction with the department of public instruction~~, shall promulgate rules to implement and administer the program under this section. The rules shall ensure that no worker in the participating business or industry will be displaced or laid off as a result of the program and that the program does not conflict with any collective bargaining agreement in effect on the effective date of the rules.

SECTION 1127. 38.35 (1) of the statutes is amended to read:

38.35 (1) A district board may apply to the board for a grant to assist in funding an alcohol and other drug abuse prevention and intervention program under this section. The board shall determine the amount of the grant, if any, to be awarded. Amounts awarded shall be paid from the appropriations under s. 20.292 (1) (w) and, before July 1, 1993, appropriation under s. 20.292 (1) (f). The board shall promulgate rules establishing criteria for the awarding of grants.

SECTION 1128. 38.35 (2) (intro.) of the statutes is amended to read:

38.35 (2) (intro.) Each district board receiving a grant under sub. (1) shall establish an alcohol and other drug abuse prevention and intervention program that meets standards established by the board by

rule. ~~The program shall be coordinated by an alcohol and other drug abuse prevention and intervention district board shall appoint an individual to coordinate the program counselor. The counselor individual shall do all of the following:~~

SECTION 1129. 38.38 of the statutes is created to read:

38.38 Services for handicapped students. A district board may apply to the board for a grant to assist in funding transitional services for handicapped students. The board shall notify district boards of criteria for the awarding of grants and the amount of grants to be awarded. The board shall award grants from the appropriation under s. 20.292 (1) (de). Amounts awarded shall range from 25% to 75% of the total project cost.

SECTION 1130. 38.51 (7) (i) of the statutes is created to read:

38.51 (7) (i) Require schools to furnish a surety bond in an amount as provided by rule of the board.

SECTION 1131. 38.51 (8) (b) of the statutes is amended to read:

38.51 (8) (b) *Solicitor's permit.* The application for a solicitor's permit shall be made on a form furnished by the board and shall be accompanied by a fee ~~set by the board, not to exceed \$50,~~ and a surety bond acceptable to the board in the sum of ~~\$1,000~~ \$2,000. The board shall, by rule, specify the amount of the fee for a solicitor's permit. Such bond may be continuous and shall be conditioned to provide indemnification to any student suffering loss as the result of any fraud or misrepresentation used in procuring his or her enrollment or as a result of the failure of the school to faithfully perform the agreement made with the student by the solicitor, and may be supplied by the solicitor or by the school itself either as a blanket bond covering each of its solicitors in the amount of ~~\$1,000~~ \$2,000 or the surety bond under sub. (7) (i). Upon approval of a permit the board shall issue an identification card to the solicitor giving his or her name and address, the name and address of the employing school, and certifying that the person whose name appears on the card is authorized to solicit students for the school. A permit shall be valid for one year from the date issued. Liability under this paragraph of the surety on the bond for each solicitor covered thereby shall not exceed the sum of ~~\$1,000~~ \$2,000 as an aggregate for any and all students for all breaches of the conditions of the bond. The surety of a bond may cancel the same upon giving 30 days' notice in writing to the board and thereafter shall be relieved of liability under this paragraph for any breach of condition occurring after the effective date of the cancellation. An application for renewal shall be accompanied by a fee ~~set by the board, not to exceed \$50,~~ a surety bond acceptable to the board in the sum of \$2,000 if a continuous bond has not been furnished, and such information as the board requests of the applicant. The board shall, by

rule, specify the amount of the fee for renewal of a solicitor's permit.

SECTION 1131e. 38.51 (10) (c) (intro.) of the statutes is amended to read:

38.51 (10) (c) *Fees; rule making.* (intro.) The board shall promulgate rules to establish fees ~~to accompany all applications under par. (b).~~ In promulgating rules to establish fees, the board shall:

SECTION 1131g. 38.51 (10) (c) 3 of the statutes is created to read:

38.51 (10) (c) 3. Specify a fee to accompany all applications under par. (b).

SECTION 1133c. 39.11 (20) of the statutes is created to read:

39.11 (20) ~~Set regional distance education standards, initiate regional network projects and oversee and coordinate distance education projects.~~

Vetoed
in Part

SECTION 1134c. 39.12 (1) of the statutes is amended to read:

39.12 (1) The educational communications board may organize and maintain a nonstock nonprofit corporation under ch. 181 for the exclusive purpose of raising funds for the educational communications board to support the ~~Wisconsin educational radio and television networks~~ activities of the educational communications board. Any funds raised by the corporation shall be expended to carry out the purposes for which received.

SECTION 1135c. 39.12 (2m) of the statutes is created to read:

39.12 (2m) The corporation under sub. (1) shall donate any real or tangible personal property ~~that the corporation acquires~~ to the state.

Vetoed
in Part

SECTION 1137. 39.12 (4) of the statutes is amended to read:

39.12 (4) The board of directors of any corporation established under this section shall consist of 5 members, including the executive director of the educational communications board and 4 members of the educational communications board, elected by the educational communications board, of which one shall be a legislator. No 2 members of the board of directors may be from the same category of educational communications board members under s. 15.57 (1) to (6) ~~(7).~~

SECTION 1137t. 39.38 (2) of the statutes is amended to read:

39.38 (2) Grants under this section shall be based on financial need, as determined by the board. The maximum grant shall not exceed ~~\$1,800~~ \$2,200 per year. Grants shall be awarded to students for full-time or part-time attendance at any accredited institution of higher education in this state. The board may not make a grant under this section to a student if it receives a certification under s. 46.255 (7) that the student is delinquent in child support or maintenance payments. Grants shall be renewable for up to 5 years if a recipient remains in good academic standing at the

institution he or she is attending. The American Indian language and culture education board shall advise the board on the allocation of grants to students enrolled less than half-time.

SECTION 1137v. 39.39 (1) (a) (intro.) of the statutes is amended to read:

39.39 (1) (a) (intro.) ~~In the 1988-89 fiscal year, the board shall establish~~ There is established, to be administered by the board, a stipend loan program for resident students, including registered nurses, who are:

SECTION 1139c. 39.39 (1) (a) 5 of the statutes is created to read:

39.39 (1) (a) 5. Enrolled in a program leading to a master's degree in nursing in this state and who intend to teach nursing at an institution of higher education located in this state.

SECTION 1139e. 39.39 (3) of the statutes is created to read:

39.39 (3) Beginning in the 1991-92 fiscal year, \$15,000 annually shall be awarded under sub. (1) (a) 5 for stipend loans.

SECTION 1140. 39.41 (1) (bm) of the statutes is created to read:

39.41 (1) (bm) "Senior" means a pupil enrolled in the 12th grade in a public or private high school, the Wisconsin school for the deaf and the Wisconsin school for the visually handicapped.

SECTION 1141. 39.41 (1m) of the statutes is repealed and recreated to read:

39.41 (1m) (a) By February 15 of each school year, the school board of each school district operating one or more high schools and the governing body of each private high school shall:

1. For each high school with an enrollment of at least 80 pupils but less than 500 pupils, designate the senior with the highest grade point average in all subjects as a scholar.

2. For each high school with an enrollment of at least 500 pupils but less than 1,000 pupils, designate the 2 seniors with the 2 highest grade point averages in all subjects as scholars.

3. For each high school with an enrollment of at least 1,000 pupils but less than 1,500 pupils, designate the 3 seniors with the 3 highest grade point averages in all subjects as scholars.

4. For each high school with an enrollment of at least 1,500 pupils but less than 2,000 pupils, designate the 4 seniors with the 4 highest grade point averages in all subjects as scholars.

5. For each high school with an enrollment of 2,000 or more pupils, designate the 5 seniors with the 5 highest grade point averages in all subjects as scholars.

(b) By February 15 of each school year, the school board of each school district operating one or more high schools and the governing body of each private high school may, for each high school with an enrollment of less than 80 pupils, nominate the senior with

the highest grade point average in all subjects who may be designated as a scholar by the state superintendent under par. (c) 3.

(c) The state superintendent shall:

1. For the Wisconsin school for the visually handicapped, designate the senior with the highest grade point average in all subjects as a scholar.

2. For the Wisconsin school for the deaf, designate the senior with the highest grade point average in all subjects as a scholar.

3. Designate not more than 10 seniors nominated under par. (b) as scholars.

4. For each public or private high school with an enrollment of at least 80 pupils, notify the school board of the school district operating the public high school or the governing body of the private high school of the number of scholars to be designated under par. (a).

5. For each public or private high school with an enrollment of less than 80 pupils, notify the school board of the school district operating the public high school or the governing body of the private high school that the school board or governing body may nominate a senior under par. (b) who may be designated as a scholar by the state superintendent.

(d) If 2 or more seniors from the same high school of at least 80 pupils have the same grade point average, the school board of the school district operating the high school or the governing body of the private high school shall make the designation under par. (a) of the senior who may be eligible for a higher education scholarship as a scholar.

(e) If 2 or more seniors from the same high school of less than 80 pupils have the same grade point average, the school board of the school district operating the public high school or the governing body of the private high school may make the nomination of the senior who may be designated as a scholar by the state superintendent.

SECTION 1142c. 39.41 (2) (a) of the statutes is amended to read:

39.41 (2) (a) ~~Beginning in the 1990-91 school year, if a pupil eligible to receive a higher education scholarship~~ If a designated scholar under sub. (1m) is admitted to and enrolls, on a full-time basis within one year after graduating from high school or, for scholars designated after January 1, 1992, by September 30 of the academic year immediately following the school year in which the senior was designated a scholar, in a center or institution within the university of Wisconsin system or in a vocational, technical and adult education district school that is participating in the program under this section, the pupil shall be exempt scholar shall receive a higher education scholarship that exempts the scholar from all tuition and fees, including segregated fees, at the center, institution or district school for one year, subject to the availability of funds.

SECTION 1143. 39.41 (2) (b) of the statutes is amended to read:

39.41 (2) (b) For each year that ~~the pupil a scholar who receives a scholarship under par. (a)~~ is enrolled full time, maintains at least a 3.0 grade point average, or the equivalent as determined by the center, institution or district school, and makes satisfactory progress toward an associate or a bachelor's degree, the pupil student shall be exempt from all tuition and fees, including segregated fees, in the subsequent year, subject to the availability of funds. No pupil scholar is eligible for an exemption for more than 4 years at a center or institution or more than 3 years at a district school.

SECTION 1144c. 39.41 (3) (a) of the statutes is amended to read:

39.41 (3) (a) ~~Beginning in the 1990-91 school year, subject to sub. (4), if a pupil eligible to receive a higher education scholarship~~ If a designated scholar under sub. (1m) is admitted to and enrolls, on a full-time basis within one year after graduating from high school or, for scholars designated after January 1, 1992, by September 30 of the academic year immediately following the school year in which the senior was designated a scholar, in a private institution of higher education that is located in this state and participating in the program under this section, the board shall pay the institution, on behalf of the pupil, an amount equal to 50% of the tuition and fees charged a resident undergraduate at the university of Wisconsin-Madison in the same academic year.

SECTION 1144d. 39.41 (3) (b) of the statutes is amended to read:

39.41 (3) (b) For each year that ~~the pupil a scholar who receives a scholarship under par. (a)~~ is enrolled full time, maintains at least a 3.0 grade point average, or the equivalent as determined by the private institution, and makes satisfactory progress toward a bachelor's degree, the pupil student is eligible for a higher education scholarship as determined under par. (a). No pupil scholar is eligible for a higher education scholarship for more than 4 years at a private institution of higher education.

SECTION 1145c. 39.41 (4) (a) of the statutes is amended to read:

39.41 (4) (a) The board shall make the payments under subs. (2) (c) and (3) ~~(a) subject to the availability of funds and~~ only if the center, institution, district school or private institution matches the amount of the payment from institutional funds, gifts or grants.

SECTION 1145d. 39.41 (4) (b) of the statutes is amended to read:

39.41 (4) (b) The board shall make the payments under subs. (2) (c) and (3) ~~(a)~~ from the appropriation under s. 20.235 (1) (fy) subject to the availability of funds. If the amount in the appropriation under s. 20.235 (1) (fy) in any fiscal year is insufficient to fully make the payments, the amount of each payment shall be reduced proportionately.

SECTION 1145e. 39.41 (4) (c) of the statutes is amended to read:

39.41 (4) (c) No student is eligible for an original grant scholarship under this section after the 1993-94 school year.

SECTION 1146. 39.41 (5) (b) of the statutes is amended to read:

39.41 (5) (b) Each pupil designated scholar who is eligible for a higher education scholarship under sub. ~~(1m) (2) (a) or (3) (a)~~ shall notify the board ~~by April 15~~ as soon as practicable of the institution of higher education he or she will be attending in the next academic year.

SECTION 1147. 39.41 (5) (c) of the statutes is amended to read:

39.41 (5) (c) Annually ~~by May 1~~, the board shall notify each pupil scholar who will be attending a participating ~~private~~ institution of higher education in the next academic year of the amount of his or her higher education scholarship.

SECTION 1148. 39.41 (8) of the statutes is amended to read:

39.41 (8) The state superintendent shall promulgate rules establishing criteria for the ~~selection of scholarship recipients~~ designation of scholars under sub. (1m) (c) 3.

~~SECTION 1148k. 40.02 (17) (intro.) of the statutes is amended to read:~~

~~40.02 (17) (intro.) "Creditable service" means the creditable current and prior service, expressed in years and fractions of a year to the nearest one-hundredth, for which a participating employee receives earnings and for which contributions have been made as required by s. 40.05 (1) and (2) and creditable military service, service credited under s. 40.25 (7) and service credited under s. 40.29, expressed in years and fractions of years to the nearest one-hundredth. How much service in any annual earnings period is the full-time equivalent of one year of creditable service shall be determined by rule by the department and the rules may provide for differing equivalents for different types of employment. Except as provided under pars. (i) and (k), the amount of creditable service for periods prior to January 1, 1982, shall be the amount for which the participant was eligible under the applicable laws and rules in effect prior to January 1, 1982. No more than one year of creditable service shall be granted for any annual earnings period. Creditable service is determined in the following manner for the following persons:~~

SECTION 1148m. 40.02 (17) (e) of the statutes is amended to read:

40.02 (17) (e) Each executive participating employee whose creditable service terminates on or after May 3, 1988, and each participating employee who is a present or former elected official or an appointee of a present or former elected official and who did not receive creditable service under s. 40.02 (17) (e), 1987 stats., or s. 40.02 (17) (e), 1989 stats., and whose creditable ser-

Vetoed
in Part

vice terminates on or after the effective date of this paragraph ... [revisor inserts date], who was previously in the position of the president of the university of Wisconsin system or in a position designated under s. 20.923 (4), (8) or (9), but did not receive creditable service because of age restrictions, may receive creditable service equal to the period of executive service not credited if the participant pays to the department a lump sum payment equal to 5.5% of one-twelfth of the employee's highest earnings in a single annual earnings period multiplied by the number of months of creditable service granted under this paragraph; except a participant who is a present or former elected official or an appointee of such an official may receive creditable service equal to the period of executive service not credited if the participant pays to the department a lump sum payment equal to the present value of the creditable service requested, in accordance with rates actuarially determined to be sufficient to fund the full cost of the increased benefits which will result from granting the creditable service. That amount shall be credited and treated as an employee required contribution for all purposes of the Wisconsin retirement system.

SECTION 1149. 40.02 (22) (a) of the statutes is amended to read:

40.02 (22) (a) Except as provided in pars. (b), ~~(e), (d), (e) and (f)~~ to (f) and s. 40.63 (1) (c), means the gross amount paid to an employee as salary or wages, including amounts provided through deferred compensation or tax shelter agreements, for personal services rendered to or for an employer, or which would have been available for payment to the employee except for the employee's election that part or all of the amount be used for other purposes and also includes the money value, as determined by the employer, of any board, lodging, fuel, laundry and other allowances provided for the employee in lieu of money. For purposes of this paragraph, the gross amount shall be determined prior to deductions for taxes, insurance premiums, retirement contributions or deposits, charitable contributions or similar amounts and shall be considered received as of the date when the earnings would normally be payable by the employer. For reporting and computation purposes, fractions of a dollar shall be disregarded in determining annual earnings.

SECTION 1149g. 40.02 (22) (f) of the statutes is amended to read:

40.02 (22) (f) Does not mean credits for payment of health insurance premiums converted from accumulated unused sick leave for a participating employee who qualifies for a disability benefit under s. 40.63 or 40.65, and who qualifies for the conversion of accumulated unused sick leave under s. 40.05 (4) (b) or (bc) or as provided by a participating employer's compensation plan or contract.

SECTION 1150. 40.02 (25) (a) 2 of the statutes is amended to read:

40.02 (25) (a) 2. Any state employee who is a member or employee of the legislature, a state constitutional officer, a district attorney who did not elect under s. 978.12 (6) to continue insurance coverage with a county, or who did elect such coverage but has terminated that election under s. 978.12 (6), a justice of the supreme court, court of appeals judge, a circuit judge or the chief clerk or sergeant at arms of the senate or assembly; or

SECTION 1151. 40.02 (25) (a) 3 of the statutes is amended to read:

40.02 (25) (a) 3. The blind employees of the Wisconsin workshop for the blind authorized under s. 47.03 (1) (b), 1989 stats., or of the nonprofit corporation with which the department of health and social services contracts under s. 47.03 (1m) (a), 1989 stats., as of the beginning of the calendar month following completion of 1,000 hours of service. Persons employed by an employer who are blind when hired shall not be eligible for life insurance premium waiver because of any disability which is directly or indirectly attributed to blindness and may convert life insurance coverage only once under the contract; or

SECTION 1152. 40.02 (25) (a) 6 of the statutes is amended to read:

40.02 (25) (a) 6. Any ~~district attorney or~~ state employee of the office of district attorney, other than the district attorney, in a county having a population of 500,000 or more who did not elect under s. 978.12 (6) to continue insurance coverage with that county, or who did elect such coverage but has terminated that election under s. 978.12 (6), and who has participated under the retirement system established under chapter 201, laws of 1937, and under the Wisconsin retirement system for a combined and consecutive period, of at least 6 months prior to attainment of age 70, not including any period of leave of absence without pay.

~~SECTION 1152e. 40.02 (25) (b) 1 of the statutes is amended to read:~~

~~40.02 (25) (b) 1. Any teacher who is employed by the university for an expected duration of not less than 6 months on at least a one-third full-time employment basis and who is not a participating employee.~~

~~SECTION 1152f. 40.02 (25) (b) 1m of the statutes is created to read:~~

~~40.02 (25) (b) 1m. Any teacher who is employed by the university and who is a participating employee.~~

SECTION 1152g. 40.02 (25) (b) 2m of the statutes is created to read:

40.02 (25) (b) 2m. A crew leader employed by the Wisconsin conservation corps board for whom the Wisconsin conservation corps board under s. 16.20 (10) (fm) has authorized group health care coverage;

SECTION 1152h. 40.02 (25) (b) 6g. of the statutes is created to read:

40.02 (25) (b) 6g. Any state constitutional officer, member or officer of the legislature, head of a state department or state agency who is appointed by the

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governor with senate confirmation, or head of a legislative service agency, as defined in s. 13.90 (1m) (a), who terminates all creditable service on or after the effective date of this subdivision [revisor inserts date], who is eligible for and has applied for a retirement annuity or a lump sum payment under s. 40.25 (1), who, if eligible, is receiving medicare coverage under both part A and part B of Title XVIII of the federal social security act, 42 USC 1395 to 1395zz, and who has acted under s. 40.51 (10m) to elect group health insurance coverage.

SECTION 1153. 40.02 (30) of the statutes is amended to read:

40.02 (30) "Executive participating employee" means a participating employee in a position designated under s. 19.42 (10) (L) or 20.923 (4), (4m), (8) or (9) or authorized under s. 230.08 (2) (e) during the time of employment. All service credited prior to May 17, 1988, as executive service as defined under s. 40.02 (31), 1985 stats., shall continue to be treated as executive service as defined under s. 40.02 (31), 1985 stats., but no other service rendered prior to May 17, 1988, may be changed to executive service as defined under s. 40.02 (31), 1985 stats.

SECTION 1153r. 40.02 (49) of the statutes is amended to read:

40.02 (49) "Retired employee" means a former insured employee who is not a participating employee and who is retired on an immediate or disability annuity or who receives a lump sum payment under s. 40.25 (1) which would have been an immediate annuity if paid as an annuity or who is an eligible employee under sub. (25) (b) 6 or 6g.

SECTION 1154. 40.02 (54) (f) of the statutes is amended to read:

40.02 (54) (f) The nonprofit corporation with which the department of health and social services contracts under s. 47.03 (1m) (a), 1989 stats.

Vetoed in Part SECTION 1154k. 40.04 (5m) of the statutes is created to read:

40.04 (5m) For any participating employee whose monthly annuity in the normal form, if computed under s. 40.23 (2m) (c) to (g) at the end of the participating employee's previous annual earnings period, would equal or exceed 65% of the participating employee's final average earnings, or 85% of the participating employee's final average earnings if his or her formula rate is determined under s. 40.23 (2m) (e) 4, all subsequent employee retirement contributions required under s. 40.05 (1) shall be credited as additional contributions under s. 40.05 (1) (a) 5 and an amount of employer retirement contributions equal to the contributions required under s. 40.05 (2) (a) or the employee retirement contributions required under s. 40.05 (1) (a), whichever is less, shall be credited as additional contributions under s. 40.05 (2) (g).

SECTION 1154ky. 40.04 (10) of the statutes is amended to read:

40.04 (10) An accumulated sick leave conversion account shall be maintained within the fund, to which shall be credited all money received under s. 40.05 (4) (b), (bc) and (bm) for health insurance premiums, as dividends or premium credits arising from the operation of health insurance plans and from investment income on any reserves established in the fund for health insurance purposes for retired employees and their surviving dependents. Premium payments to health insurers authorized in s. 40.05 (4) (b), (bc) and (bm) shall be charged to this account. This subsection does not prohibit the direct payment of premiums to insurers when appropriate administrative procedures have been established for direct payments.

SECTION 1154L. 40.05 (4) (a) 2 of the statutes is amended to read:

40.05 (4) (a) 2. For an insured employee who is an eligible employee under s. 40.02 (25) (a) 2 or (b) 1m, the employer shall pay required employer contributions toward the health insurance premium of the insured employee beginning on the date on which the employee becomes insured. For an insured employee who is currently employed but who is not an eligible employee under s. 40.02 (25) (a) 2 or (b) 1m, the employer shall pay required employer contributions toward the health insurance premium of the insured employee beginning on the first day of the 7th month beginning after the date on which the employee begins employment with the state, not including any leave of absence.

SECTION 1154Ld. 40.05 (4) (a) 2 of the statutes, as affected by 1991 Wisconsin Act ... (this act), is repealed and recreated to read:

40.05 (4) (a) 2. For an insured employee who is an eligible employee under s. 40.02 (25) (a) 2 or (b) 1m or 2m, the employer shall pay required employer contributions toward the health insurance premium of the insured employee beginning on the date on which the employee becomes insured. For an insured employee who is currently employed but who is not an eligible employee under s. 40.02 (25) (a) 2 or (b) 1m or 2m, the employer shall pay required employer contributions toward the health insurance premium of the insured employee beginning on the first day of the 7th month beginning after the date on which the employee begins employment with the state, not including any leave of absence.

SECTION 1154Le. 40.05 (4) (ad) of the statutes is amended to read:

40.05 (4) (ad) For health insurance, each insured retired employee who elects coverage under s. 40.51 (10) or (10m) shall pay the entire amount of the required premiums, except as provided in par. (bc).

SECTION 1154Lg. 40.05 (4) (b) of the statutes is amended to read:

40.05 (4) (b) Except as provided under par. (bc) and (bp), accumulated unused sick leave under ss. 13.121 (4), 36.30, 230.35 (2) and 757.02 (5) and subch. V of ch. 111 of any eligible employee shall, at the time

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of death, upon qualifying for an immediate annuity or for a lump sum payment under s. 40.25 (1) or upon termination of creditable service and qualifying as an eligible employee under s. 40.02 (25) (b) 6 or 10, be converted, at the employee's current basic pay rate, to credits for payment of health insurance premiums on behalf of the employee or the employee's surviving insured dependents. The full premium for any eligible employee who is insured at the time of retirement, or for the surviving insured ~~dependent dependents~~ of an eligible employee ~~in the event of death who is deceased~~, shall be deducted from the credits until the credits are exhausted and paid from the account under s. 40.04 (10), and then deducted from annuity payments, if the annuity is sufficient. The department shall provide for the direct payment of premiums by the insured to the insurer if the premium to be withheld exceeds the annuity payment. ~~The employee may elect to delay initiation of deductions for up to 5 years after the date of retirement if that employee is~~ Upon conversion of an employee's unused sick leave to credits under this paragraph, the employee or, if the employee is deceased, the employee's surviving insured dependents may elect to delay initiation of deductions from those credits for up to 5 years after the date of the conversion if the employee or surviving insured dependents are covered by a comparable health insurance plan or policy between the date of retirement and the time the employee elects during the period beginning on the date of the conversion and ending on the last day of the 2nd month after the date on which the employee or surviving insured dependents later elect to initiate deductions from his or her sick leave those credits. A health insurance plan or policy is considered comparable if it provides hospital and medical benefits which that are substantially equivalent to the standard health insurance plan established under s. 40.52 (1).

SECTION 1154Li. 40.05 (4) (bc) of the statutes is created to read:

40.05 (4) (bc) The accumulated unused sick leave of an eligible employee under s. 40.02 (25) (b) 6g shall be converted to credits for the payment of health insurance premiums on behalf of the employee on the date on which the department receives the employee's application for a retirement annuity or for lump sum payment under s. 40.25 (1). The employee's unused sick leave shall be converted at the salary rate that the employee would be receiving on the date of the conversion if the employee had continued to be employed in the position described in s. 40.02 (25) (b) 6g that the employee held immediately before the employee terminated all creditable service or, if the employee is a state elected official who would have been prohibited by law from receiving an increase in compensation during the official's term of office, at the salary rate that would have been payable to the employee on the date of the conversion if the employee had not been prohibited by law from receiving an increase in compensation during his or her term of office. The full premium

for the employee, or for the surviving insured dependents of the employee if the employee later becomes deceased, shall be deducted from the credits until the credits are exhausted and paid from the account under s. 40.04 (10), and then deducted from annuity payments, if the annuity is sufficient. The department shall provide for the direct payment of premiums by the insured to the insurer if the premium to be withheld exceeds the annuity payment.

SECTION 1154Lj. 40.05 (4) (br) of the statutes is amended to read:

40.05 (4) (br) 1. Employers shall pay contributions that shall be sufficient to pay for the present value of the present and future benefits authorized under ~~par. pars. (b) and (bc)~~. Subject to subd. 2, the board shall annually determine the contribution rate upon certification by the actuary of the department. The contribution rates determined under this paragraph shall become effective on January 1 of the calendar year in which they are applicable and shall remain in effect during that year, except that in 1985 the contribution rates shall become effective on July 1 and shall remain in effect during the remainder of 1985.

2. Beginning in 1985, the initial contribution rate determined under subd. 1 may not exceed the employer's costs under ~~par. pars. (b) and (bc)~~ for the previous calendar year by more than 0.2% of covered payroll. Each subsequent contribution rate determined under subd. 1 may not exceed the employer's costs under this paragraph for the previous calendar year by more than 0.2% of covered payroll.

~~SECTION 1154Lp. 40.25 (7) of the statutes is created to read:~~

~~40.25 (7) (a) Each participating employee whose creditable service terminates on or after the effective date of this paragraph ... [revisor inserts date], and who has performed service, other than military service, as an employee of the federal government or a state or local governmental entity in the United States, other than a participating employer, that is located within or outside of this state may receive creditable service for such service if all of the following conditions are met:~~

~~1. The participant files an application to receive creditable service under this paragraph not more than 90 days after termination of employment as a participating employee.~~

~~2. The participant has at least 3 continuous years of creditable service under the fund at the time of application under subd. 1.~~

~~3. The number of years of creditable service applied for under this paragraph does not exceed the number of years of creditable service that the participant has at the date of application or 10 years, whichever is less.~~

~~4. At the time of application under subd. 1, the participant furnishes evidence of such service which is acceptable to the department.~~

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5. At the time of application under subd. 1, the participant pays to the department a lump sum equal to the present value of the creditable service applied for under this paragraph, in accordance with rates actuarially determined to be sufficient to fund the full cost of the increased benefits that will result from granting the creditable service under this paragraph.

(b) Creditable service granted under par. (a) shall be calculated in an amount equal to the year and fractions of a year to the nearest one-hundredth of a year for service other than military service performed for the governmental entity, as determined by evidence of such service furnished under par. (a) 4. Creditable service granted under par. (a) shall be the same type of creditable service as the type that is granted to participants who are not executive participating employees, elected officials or protective occupation participants. A participating employee may apply to receive part or all of the creditable service that he or she is eligible to receive under par. (a).

(c) If a participant applies to receive creditable service under par. (a) and the department denies the participant creditable service, the department shall refund the participant's lump sum payment made under par. (a) 5.

(d) The lump sum payment under par. (a) 5 shall be credited and treated as an employee required contribution for all purposes of the retirement system, except for purposes of s. 40.23 (3).

(e) A participant may transfer available employee additional contribution accumulations to the employee required contribution account under par. (d) as payment of the lump sum under par. (a) 5.

(f) A participant may not receive creditable service under par. (a) for service that is used for the purpose of establishing entitlement to, or the amount of, any other benefit to be paid by any federal, state or local government entity, except a disability or OASDIH benefit or a benefit paid for service in the national guard.

SECTION 1154p. 40.51 (2) of the statutes is amended to read:

40.51 (2) Except as provided in subs. (10), (10m) and (11), any eligible employee may become covered by group health insurance by electing coverage within 30 days of being hired, to be effective as of the first day of the month which begins on or after the date the application is received by the employer, or by electing coverage prior to becoming eligible for employer contribution towards the premium cost as provided in s. 40.05 (4) (a) to be effective upon becoming eligible for employer contributions. Any employee who does not so elect at one of these times, or who subsequently cancels the insurance, shall not thereafter become insured unless the employee furnishes evidence of insurability satisfactory to the insurer, at the employee's own expense or obtains coverage subject to contractual waiting periods. The method to be used shall be specified in the health insurance contract.

SECTION 1154pm. 40.51 (8) of the statutes is amended to read:

40.51 (8) Every health care coverage plan offered by the state under sub. (6) is subject to s. 632.87 (3) and (4).

SECTION 1154pr. 40.51 (8) of the statutes is amended to read:

40.51 (8) Every health care coverage plan offered by the state under sub. (6) is subject to s. 632.87 (3) and (5).

SECTION 1154q. 40.51 (10m) of the statutes is created to read:

40.51 (10m) Any eligible employee, as defined in s. 40.02 (25) (b) 6g, may become covered under any health care coverage plan offered under sub. (6), without furnishing evidence of insurability, by submitting to the department, on a form provided by the department and within 30 days after the date on which the department receives the employee's application for a retirement annuity or for a lump sum payment under s. 40.25 (1), an election to obtain the coverage, by obtaining coverage subject to contractual waiting periods and by paying the cost of the required premiums, as provided in s. 40.05 (4) (ad).

SECTION 1154r. 40.51 (14) of the statutes, as created by 1989 Wisconsin Act 336, is amended to read:

40.51 (14) Every health care plan offered by the state under sub. (6) shall comply with s. ss. 632.894 and 632.896.

SECTION 1154n. 40.52 (3) of the statutes is amended to read:

40.52 (3) The group insurance board, after consulting with the board of regents of the university of Wisconsin system, shall establish the terms of a health insurance plan for graduate assistants, and for employees-in-training designated by the board of regents, who are employed on at least a one-third full-time basis and for teachers who are employed on at least a one-third full-time basis by the university of Wisconsin system with an expected duration of employment of at least 6 months but less than one year eligible employees under s. 40.02 (25) (b) 1.

SECTION 1155. 40.63 (1) of the statutes is amended to read:

40.63 (1) Notwithstanding the requirement for creditable service in at least 5 calendar years for retirement annuities under s. 40.23 (1) (a) and (am), any participating employee is entitled to a disability annuity from the Wisconsin retirement system, beginning on the date determined under sub. (8) if, prior to attaining his or her normal retirement date, the person all of the following apply:

(a) Has The employee has earned at least one-half year of creditable service in each of at least 5 calendar years not including any calendar year preceding by more than 7 calendar years the year in which the application for the disability annuity is received by the department, or has earned a total of at least 5 years of

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creditable service during that period of time, or, if the disability was a result of employment as a participating employee for an employer, last rendered services to a participating employer not more than 2 years prior to the date the application for the disability annuity is received by the department;

(b) ~~Becomes~~ The employee becomes unable to engage in any substantial gainful activity by reason of a medically determinable physical or mental impairment which can be expected to result in death or to be of long-continued and indefinite duration;

(c) ~~Is~~ The employee is not entitled to any earnings from the employer and the employer has certified that it has paid to the employee all earnings to which the employee is entitled, that the employee is on a leave of absence and is not expected to resume active service, or that the employee's participating employment has been terminated, because of a disability as described in par. (b) and as a consequence the employee is not entitled to any earnings from the employer; ~~and. In this paragraph, "earnings" does not include bonus compensation to which the employee is entitled under s. 25.156 (7) (a).~~

(d) ~~Is~~ Except as provided in sub. (8) (h) 2, the employee is certified in writing by at least 2 licensed and practicing physicians approved or appointed by the department, to be disabled as described in par. (b).

SECTION 1156. 40.63 (8) (h) 2 of the statutes is amended to read:

40.63 (8) (h) 2. The department received an application for the disability benefit in the form approved by the department and ~~the at least one written qualifying medical evidence certification~~ required under sub. (1) (d); and

SECTION 1157i. 40.81 (1) of the statutes is amended to read:

40.81 (1) An employer other than the state may provide for its employees the deferred compensation plan established by the board under s. 40.80. Any employer, including this state, who makes the plan under s. 40.80 available to any of its employees shall make it available to all of its employees under procedures established by the department under this subchapter.

SECTION 1157l. 40.86 (intro.) of the statutes is amended to read:

40.86 Covered expenses. (intro.) An employee-funded reimbursement account plan may provide reimbursement to an employee, ~~to the extent permitted under section 125 of the internal revenue code, as defined in s. 71.01,~~ for only the following expenses that are actually incurred and paid by an employee ~~and that the board determines are consistent with the applicable requirements of the internal revenue code, as defined in s. 71.01 (6):~~

SECTION 1158. 40.86 (2) of the statutes is amended to read:

40.86 (2) The employee's share of premiums for any group insurance benefit plan provided by the department under ~~subchs. IV and VI this chapter or any other group insurance benefit plan approved under s. 20.921 (1) (a) 3,~~ except premiums for income continuation benefits under s. 40.62.

SECTION 1159. 40.87 of the statutes is amended to read:

40.87 Treatment of compensation. Any part of gross compensation that an employer places in a reimbursement account under an employee-funded reimbursement account plan established under this subchapter which would have been treated as current earnings or wages if paid immediately to the employee shall be treated as current earnings or wages for purposes of any retirement, ~~deferred compensation plan~~ or group insurance benefit plan provided by the department.

~~SECTION 1159m. 42.10 of the statutes is amended to read:~~

~~**42.10 Cooperation to promote agriculture.** The state fair park board shall enter into a memorandum of understanding with the department of agriculture, food and trade and consumer protection to coordinate the activities of the state fair park board and that department. The state fair park board shall cooperate with the department of agriculture, food and trade and consumer protection in the conduct and promotion of fairs, exhibits and educational and promotional events related to agriculture and the activities of that department at state fair park.~~

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SECTION 1159mg. 42.11 (title) of the statutes is created to read:

42.11 (title) Olympic ice training center maintenance and operation.

SECTION 1159mn. 42.11 (3) of the statutes is created to read:

42.11 (3) The state fair park board shall enter into a lease with a private nonprofit corporation to operate and maintain the Olympic ice training center in accordance with the procedures used for leasing state parks under s. 26.08 (1). The state fair park board shall ensure that all costs of operation and maintenance of the center are paid by the lessee under the lease.

~~SECTION 1159n. 43.05 (10) of the statutes is amended to read:~~

~~43.05 (10) Administer aids to public library systems under s. 38. 43.24 and 43.25.~~

~~SECTION 1159nd. 43.19 (1) (a) of the statutes is renumbered 43.19 (2) (a).~~

~~SECTION 1159p. 43.19 (1) (b) of the statutes is renumbered 43.19 (3) (a) and amended to read:~~

~~43.19 (3) (a) In a federated public library system whose territory lies within 2 or more counties, the system board shall consist of at least 15 and not more than 20 members appointed by the county boards, acting jointly. Appointments shall be in proportion to~~

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population as nearly as practical, but each county shall be represented by at least one member on the system board. Each county board may appoint one county board member to the system board. The public library board governing the designated resource library shall have at least one member on the system board. At least 5 members of a 15- to 16-member system board, at least 6 members of a 17- to 19-member system board and at least 7 members of a 20-member system board shall be, at the time of their appointments, members of the library boards of participating municipalities, of participating counties, or of resource libraries designated under s. 43.16 or any combination thereof, except that at least one of these system board members shall be a member or representative of the governing body of a resource library designated for the system under s. 43.16. The remaining system board members shall include such representatives of the library boards governing public libraries of participating municipalities and counties and public members be appointed from the counties at large as the county board determines.

SECTION 1159q. 43.19 (1) of the statutes is created to read:

43.19 (1) In this section:

(a) "Nonpublic library" has the meaning given in s. 43.25 (1) (c).

(b) "System board" means the board of a federated public library system.

SECTION 1159qm. 43.19 (2) of the statutes is renumbered 43.19 (6), and 43.19 (6) (b), as renumbered, is amended to read:

43.19 (6) (b) A federated public library system board shall have the powers of a public library board under s. 43.58 with respect to system-wide functions and services. The local library boards shall retain responsibility for their public libraries in all other areas.

SECTION 1159qp. 43.19 (2) (c) of the statutes is created to read:

43.19 (2) (c) If a federated public library system whose territory lies within a single county is designated as a multitype library system under s. 43.25 (2), the county board shall appoint 3 additional members to the system board. These 3 members shall represent the interests of the nonpublic libraries participating in the multitype library system. At the time of his or her appointment, each member appointed under this paragraph shall be at least one of the following and at least one of the members shall meet the requirements of subd. 3:

1. A member of the governing body of a participating nonpublic library.

2. An administrator who is employed by a school board, a vocational, technical or adult education district board or other organization of which a participating nonpublic library is a part.

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3. A member of a school board of a school district that is located in whole or in part in the same county as the federated public library system.

SECTION 1159qr. 43.19 (2) (d) of the statutes is created to read:

43.19 (2) (d) The terms of the members who are serving on the system board on the date on which the initial members under par. (c) are appointed shall not be changed due to the initial appointments under par. (c).

SECTION 1159qs. 43.19 (3) (b) of the statutes is created to read:

43.19 (3) (b) If a federated public library system whose territory lies within 2 or more counties is designated as a multitype library system under s. 43.25 (2), the members appointed under par. (a) shall include at least 3 members appointed at large who shall represent the interests of nonpublic libraries participating in the multitype library system. At the time of his or her appointment, each member appointed under this paragraph shall be at least one of the following and at least one of the members shall meet the requirements of subd. 3:

1. A member of the governing body of a participating nonpublic library.

2. An administrator who is employed by a school board, a vocational, technical or adult education district board or other organization of which a participating nonpublic library is a part.

3. A member of a school board of a school district that is located in whole or in part in one of the counties within the federated public library system.

SECTION 1159qt. 43.19 (4) of the statutes is created to read:

43.19 (4) (a) Before the initial appointments are made under sub. (3) (b), the system board shall submit a plan to the county board of each county for approval by each county board. The plan shall describe how the system board will be restructured to comply with sub. (3) (b) and shall include a method for rotating the appointment authority for the members specified under sub. (3) (b) among the county boards.

(b) Once all of the county boards have approved the plan under par. (a), the system board shall file the plan with the division.

SECTION 1159qu. 43.19 (5) of the statutes is created to read:

43.19 (5) No person employed by a nonpublic library participating in a multitype library system may be appointed under sub. (2) or (3) to the board of the public library system that is designated as the multitype library system under s. 43.25 (2).

SECTION 1159qv. 43.21 (1) of the statutes is renumbered 43.21 (1g).

SECTION 1159qw. 43.21 (1) of the statutes is created to read:

43.21 (1) In this section:

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(a) "Nonpublic library" has the meaning given in s. 43.25 (1) (c).

(b) "System board" means the board of a consolidated public library system.

SECTION 1159qx. 43.21 (1m) of the statutes is created to read:

43.21 (1m) (a) If a consolidated public library system is designated as a multitype library system under s. 43.25 (2), the county board shall appoint 3 additional members to the system board. These 3 members shall represent the interests of the nonpublic libraries participating in the multitype library system. At the time of his or her appointment, each member appointed under this paragraph shall be at least one of the following and at least one of the members shall meet the requirements of subd. 3:

1. A member of the governing body of a participating nonpublic library.

2. An administrator who is employed by a school board, a vocational, technical or adult education district board or other organization of which a participating nonpublic library is a part.

3. A member of a school board of a school district that is located in whole or in part in the same county as the consolidated public library system.

(b) The terms of the members who are serving on the system board on the date on which the initial members under par. (a) are appointed shall not be changed due to the initial appointments under par. (a).

(c) No person employed by a nonpublic library participating in a multitype library system may be appointed under par. (a) to the board of the public library system that is designated as the multitype library system under s. 43.25 (2).

SECTION 1159qy. 43.21 (2) (b) of the statutes is amended to read:

43.21 (2) (b) A consolidated public library system board shall have the powers of a library board under ss. 43.58 and 43.60 and shall be responsible for the total program of public library service for the system territory.

SECTION 1159qz. 43.24 (title) of the statutes is amended to read:

43.24 (title). Public library systems; state aid.

SECTION 1159qb. 43.24 (3) of the statutes is renumbered 43.26 (1) and amended to read:

43.26 (1) Annually, the division shall review the reports and proposed service plans submitted by the public library systems under s. 43.17 (5) for conformity with this chapter and such rules and standards as are applicable. Upon approval, the division shall certify to the department of administration an estimated amount to which each public library system is entitled under this section ss. 43.24 and 43.25. Annually on or before December 1 of the year immediately preceding the year for which aids are to be paid, the department of administration shall pay each public library system

75% of the certified estimated amount from the appropriation appropriations under s. 20.255 (1) (c) and (ca). The division shall, on or before the following April 30, certify to the department of administration the actual amount to which the public library system is entitled under this section ss. 43.24 and 43.25. On or before July 1, the department of administration shall pay each public library system the difference between the amount paid on December 1 of the prior year and the certified actual amount of aid to which the public library system is entitled from the appropriation appropriations under s. 20.255 (1) (c) and (ca). The division may reduce state aid payments when any public library system or any participant thereof fails to meet the requirements of sub. (2) ss. 43.24 (2) or 43.25 (2) or (4). Beginning September 1, 1991, the division may reduce state aid payments under s. 43.24 to any public library system if the public library system or any participant in the public library system fails to meet the requirements of s. 43.15 (4).

SECTION 1159qd. 43.24 (5) of the statutes is renumbered 43.26 (2) and amended to read:

43.26 (2) Any interest earned from the investment of state aid paid to each public library system under sub. (3) (1) shall be allocated to the public library system receiving the aid payments.

SECTION 1159t. 43.25 of the statutes is created to read:

43.25 Multitype library systems. (1) DEFINITIONS. In this section:

(a) "Branch academic library" means a library of a postsecondary educational institution, but does not include a private medical school library, a private engineering school library, a library of a trade school, a library of a vocational, technical and adult education district or the central library of a junior college, a religious seminary, a 4-year private college, a 4-year private university or a university of Wisconsin system institution or center.

(b) "Fiscal year" means the fiscal year of a public library system seeking or receiving state aid under this section.

(c) "High school library" means a school library that is located in a school in which at least grades 10 to 12 are taught.

(d) "Institutional library" means a library that is located in a prison, a secured correctional facility, a mental health institute as defined in s. 51.01 (12) or a center for the developmentally disabled as defined in s. 51.01 (3).

(e) "Nonpublic library" means a school library, a library of a postsecondary educational institution or a special library.

(f) "Postsecondary educational institution" means a junior college, a religious seminary, a 4-year private college, a 4-year private university, a university of Wisconsin system institution or center, a private medical school, a private engineering school, a trade school

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or a vocational, technical and adult education district school.

Vetoed in Part (g) "School library" means a library that is located in a public or private school that provides an educational program for one or more grades between grades 1 and 12.

(h) "Special library" means a library that is not a public library. "Special library" includes an institutional library but excludes a school library or a library of a postsecondary educational institution.

(i) "Trade school" means a school that is required to be approved by the educational approval board under s. 38.51 or any school required to be licensed under s. 440.62.

(2) ESTABLISHMENT OF MULTITYPE LIBRARY SYSTEMS.

(a) *Designation.* The division may designate a public library system as a multitype library system if all of the following apply:

1. The public library system meets all of the requirements under pars. (c) to (f).

2. The division determines that there is sufficient funding appropriated under s. 20.255 (1) (ea) for the public library system to provide services under par. (e) 1 to 8.

(b) *Priority ranking.* The division shall establish a system for determining priorities for designating public library systems as multitype library systems. The division shall use this system of priorities if the division determines there is insufficient funding appropriated under s. 20.255 (1) (ea) to provide funding to all public library systems meeting the requirements in pars. (c) to (f).

(c) *Resolution required.* The public library system shall submit to the division a resolution stating its intent to be designated as a multitype library system. The public library system shall submit the resolution before the September 1 immediately preceding the beginning of a state fiscal biennium in order to be designated as a multitype library system beginning with that state fiscal biennium. Before a fixed date to be established by the division, the public library system shall submit a list of prospective participating nonpublic libraries and a letter of intent from each prospective participating nonpublic library.

(d) *Advisory council.* 1. The public library system board shall establish an advisory council to recommend policies, priorities and procedures for its multitype library system.

2. The public library system board shall adopt rules to establish the number of advisory council members, the method participating libraries shall use to select council members and the terms of office for the council members.

3. At least one member of the advisory council shall represent a school library, at least one member shall represent a library of a postsecondary educational institution and at least one member shall represent a special library.

4. The advisory council shall also include members who represent the interests of the public libraries participating in the multitype library system.

5. Each member of the advisory council shall be a practicing librarian at a library participating in the multitype library system.

(e) *Services required for participating nonpublic libraries.* Subject to par. (g), the public library system shall ensure that all of the following services are provided to nonpublic libraries participating in the multitype library system:

1. Interlibrary loan of materials from all of the libraries participating in the multitype library system.

2. Backup reference and interlibrary loan services from the public library system's resource library, including the development of access to specialized collections.

3. Referral or routing of reference and interlibrary loan requests from the nonpublic libraries participating in the multitype library system to libraries within and outside of the public library system.

4. In-service training for personnel.

5. Participation in the rapid and regular delivery and communication systems required under s. 43.24 (2) (f).

6. Participation in the service agreements required under s. 43.24 (2) (g).

7. Professional consultant services.

8. Inclusion in the planning activities required under s. 43.24 (2) (j), (k) and (m).

(f) *Plan required.* 1. The plan submitted under s. 43.17 (5) shall state how the public library system will provide the services under par. (e).

2. The public library system shall also prepare a written plan, which it shall submit with the plan it submits under s. 43.17 (5), that outlines how the public library system will ensure that the holdings of its participating nonpublic libraries are included in the indexing systems, computer data bases and other tools used to facilitate the sharing of resources within the public library system area.

(g) *Level of services.* The services provided under par. (e) need not be at the same level or on the same terms as the services provided to the public libraries participating in the public library system. All of the services provided under par. (e) need not be provided to each nonpublic library participating in the public library system.

(h) *Joint multitype library systems authorized.* Two or more public library systems that are designated as multitype library systems under this subsection may enter into an agreement to jointly provide the services under par. (e) to the nonpublic libraries participating in their multitype library systems. The agreement may authorize a joint advisory council to recommend policies, priorities and procedures for the multitype library systems. The joint advisory council shall meet the membership requirements and the rules adopted by the public library system board under par. (d).

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~~(3) PARTICIPATING PUBLIC LIBRARIES. A library that is a member of the public library system that is designated as a multitype library system under sub. (2) shall be a participating library in the multitype library system.~~

~~(4) PARTICIPATING NONPUBLIC LIBRARIES; REQUIREMENTS. A library that is not a member of the public library system is eligible as a participating library of a multitype library system if it meets all of the following requirements:~~

~~(a) Type of library. The library is a nonpublic library.~~

~~(b) Location. 1. Except as provided in subd. 2, the library is located in a county that participates in a public library system that is designated as a multitype library system.~~

~~2. If the library is operated by a school district, or by a vocational, technical and adult education district, and the district lies in 2 or more public library systems that are designated multitype library systems, the school board, or the vocational, technical and adult education district board, shall determine in which one of these multitype library systems the library will participate.~~

~~(c) Resources. The library maintains a cataloged collection of library and informational materials.~~

~~(d) Level of service. The library employs and compensates library staff to operate the library a minimum of 20 hours per week during the months in which the library is open to its primary clientele.~~

~~(e) Agreement. The library's governing authority enters into an agreement with the public library system stating that the library will comply with all of the following requirements:~~

~~1. The library will develop a schedule for entering and maintaining its bibliographic and library holding information into the computer data base maintained under s. 43.03 (9) and into the computer data base maintained by the public library system.~~

~~2. The library will participate in the interlibrary loan of materials to all residents of the public library system area in accordance with the policies of the public library system.~~

~~3. The library will adopt a written policy to make its collection and informational services directly accessible to residents of the public library system area to the extent feasible and will file the policy with the public library system.~~

~~(5) STATE AID. (a) Classifications. Annually, the department shall pay each public library system designated as a multitype library system an amount to ensure that the services under sub. (2)(e) are provided. The division shall determine the amount of the payment, using the following classifications for participating nonpublic libraries:~~

~~1. For each school library that is not a high school library, \$300 for fiscal year 1992 and \$318 for each fiscal year thereafter.~~

~~2. For each special library and each branch academic library that has less than 25,000 holdings in the computer data base maintained under s. 43.03 (9) on the date that the amount of the annual payment is determined under this subsection, for each high school library, for each central library of a trade school and for each branch library of a vocational, technical and adult education district, \$600 for fiscal year 1992 and \$636 for each fiscal year thereafter.~~

~~3. For each special library and each branch academic library that has at least 25,000 but less than 100,000 holdings in the computer data base maintained under s. 43.03 (9) on the date that the amount of the annual payment is determined under this subsection, for each central library of a vocational, technical and adult education district, for each private engineering school and for each central library of a junior college, of a religious seminary or of a university of Wisconsin system center, \$2,500 for fiscal year 1992 and \$2,650 for each fiscal year thereafter.~~

~~4. For each special library and each branch academic library that has at least 100,000 holdings in the computer data base maintained under s. 43.03 (9) on the date that the amount of the annual payment is determined under this subsection, for each private medical school library and for each central library of a 4-year private college, of a 4-year private university or of a university of Wisconsin system institution not specified in subd. 3, \$5,000 for fiscal year 1992 and \$5,300 for each fiscal year thereafter.~~

~~5. For the central library of the university of Wisconsin-Madison and for the central library of the university of Wisconsin-Milwaukee, \$25,000 each for fiscal year 1992 and \$26,500 each for each fiscal year thereafter.~~

~~(b) Additional annual payment. In addition to the annual payment under par. (a), annually the department shall pay each public library system that is designated as a multitype library system under sub. (2) an additional \$10,000.~~

~~(c) Proration. If the amount in the appropriation under s. 20.255 (1) (ea) is insufficient to make the full payments required under pars. (a) and (b), the department shall prorate the payments among the public library systems entitled to the payments.~~

~~(d) Review. A determination by the division as to the classification of a library under par. (a) is not subject to review under ch. 227.~~

~~(e) Reduction of state aid. If a public library system designated as a multitype library system under sub. (2) fails to meet the requirements under sub. (2)(e) or if a participating nonpublic library of that multitype library system fails to meet the requirements under sub. (4), the division may reduce the state aid payments made under this subsection to that public library system.~~

~~(6) EXCLUSION, WITHDRAWAL, ABOLITION. (a) Exclusion. With the approval of the division, a public~~

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library system may expel a participating nonpublic library from the multitype library system or reduce the services that the nonpublic library is provided under sub. (2) (e) if the nonpublic library fails to meet the requirements under sub. (4). If a participating nonpublic library is expelled, the division shall adjust state aid accordingly.

(b) *Withdrawal.* Only a nonpublic library may withdraw from a multitype library system. If a nonpublic library withdraws from its multitype library system, it shall comply with all of the following:

1. The governing body of the nonpublic library shall give notice, by registered mail, of its withdrawal to every other participating library in the multitype library system, to the board of the public library system designated as the multitype library system and to the division.

2. The withdrawing library shall return any items in its possession that are property of the public library system.

(c) *Notice of withdrawal.* The notice under par. (b) 1 shall be given to the public library system board at least 180 days before the close of the fiscal year.

(d) *Abolition.* Upon the adoption of a resolution by a two-thirds vote of the public library system board, the division may abolish the public library system's designation as a multitype library system if the public library system has been designated as a multitype library system for at least 3 years and the resolution is adopted at least 180 days before the close of the fiscal year. The resolution shall become effective at the end of that fiscal year.

SECTION 1159d. 43.26 (title) of the statutes is created to read:

43.26 (title) Public and multitype library systems; annual review; payments.

SECTION 1160. 44.015 (3) of the statutes is amended to read:

44.015 (3) Accept collections of private manuscripts, printed materials, tapes, films, optical disks and artifacts, and it may enforce any and all reasonable restrictions on accessibility to the public, use or duplication of said collections which are agreed upon by the donor and the historical society.

SECTION 1161. 44.02 (8) of the statutes is amended to read:

44.02 (8) Bind except when microfilmed or transferred to optical disks the unbound books, documents, manuscripts, pamphlets, and especially newspaper files in its possession.

SECTION 1162. 44.02 (24) of the statutes is amended to read:

44.02 (24) Promulgate by rule procedures, standards and forms necessary to certify, and shall certify, expenditures for preservation or rehabilitation of historic property for the purposes of ~~ss. s.~~ s. 71.07 (9r); 71.28 (7) and 71.47 (6). These standards shall be substantially similar to the standards used by the secre-

tary of the interior to certify rehabilitations under 26 USC 48 (g) (2) (C).

SECTION 1162d. 44.02 (27) of the statutes is created to read:

44.02 (27) Administer the historical markers program under s. 44.15 and provide staff to assist the historical markers council in performing its duties under s. 44.15.

SECTION 1163. 44.03 (3) of the statutes is amended to read:

44.03 (3) Every affiliated society shall make a report of its work annually to the historical society that contains the information specified in s. 181.651 (1) (a) to (c), which, in its entirety or in part, may be included in the publications of the historical society, and upon application of any affiliated society the historical society may accept, in behalf of the state, custody of or title to the property, records and collections of the affiliated society or may assist in the disposal thereof. If any affiliated society becomes, in the opinion of the board of curators of the historical society, inactive or defunct, title to such property, records and collections not otherwise provided for in the grants of donors or in the articles of incorporation of the inactive and defunct society, shall vest in the historical society which shall take appropriate action in the public interest for the protection or disposal of such property, records and collections. Preference in disposition shall be given to historical or related organizations in the area or to whatever county or local governmental unit that has aided such affiliate financially.

SECTION 1163r. 44.08 of the statutes is amended to read:

44.08 Humanities grants. From the appropriation under s. 20.245 (4) (f), the historical society shall provide funds in the 1989-94 1991-93 biennium to a nonprofit corporation that supports and conducts public humanities programming, if such funds are matched by federal funds, to make grants to nonprofit organizations and institutions for local and regional heritage projects.

SECTION 1164. 44.09 of the statutes is amended to read:

44.09 (title) District attorney, county, local and court records. The proper officer of any county, city, village, town, school district or other local governmental unit or a district attorney may offer, and the historical society may accept for preservation, title to such noncurrent records as in the historical society's judgment are of permanent historical value and which that are no longer needed for administrative purposes by such the local governmental unit or district attorney. The proper officer of any court may offer, and the historical society may accept for preservation, on order of the judge of the court, title to such records as have been photographed or microphotographed in accordance with SCR chapter 72, or which that have been retained for the period of time provided in SCR

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chapter 72, and which that are deemed by the historical society to be of permanent historical value.

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SECTION 1164b. 44.12 (title) of the statutes is amended to read:

44.12 (title) Educational facilities at Nelson Dewey historic site.

SECTION 1164c. 44.12 (1) of the statutes is repealed.

SECTION 1164d. 44.12 (2) of the statutes is amended to read:

44.12 (2) The purpose of this the state farm and craft museum, located at Nelson Dewey historic site, as an educational facility shall be to portray graphically the farm and craft practices of bygone days, so that the difficulties of pioneer farming, the great changes in the productivity of farm labor and the rise in rural income and standards of living over the years may be made vivid to this and future generations.

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SECTION 1164e. 44.15 (title) of the statutes is amended to read:

44.15 (title) Historical markers program.

SECTION 1164f. 44.15 (1) of the statutes is renumbered 44.15 (2) and amended to read:

44.15 (2) (title) CREATION. It is declared to be in the public interest to stimulate interest in and knowledge of the state by marking sites of special historical, architectural, cultural, archaeological, ethnic, geological or legendary significance, and maintaining and developing such sites approximately so as to preserve their individual characteristics. The historical markers program is created to call attention to the state's historical, cultural and natural heritage through a system of markers and plaques and to supplement, wherever possible, information contained in the state register of historic places. It is the purpose of this section the program to significantly increase the number of historical, cultural and natural heritage sites which are marked in this state and to accomplish such marking, maintenance and development through the historical markers council. In addition to powers specifically enumerated, the council shall have all powers necessary to perform its duties.

SECTION 1164g. 44.15 (1) of the statutes is created to read:

44.15 (1) DEFINITIONS. In this section,

(a) "Council" means the historical markers council.

(b) "Political subdivision" means a city, village, town or county.

SECTION 1164h. 44.15 (2) of the statutes is repealed.

SECTION 1164i. 44.15 (3) of the statutes is renumbered 44.15 (8) and amended to read:

44.15 (8) (title) DONATIONS; ASSISTANCE. (a) The council may accept gifts, appropriations and bequests made to it for the purposes of this section and use them as far as practicable in accordance with the wishes of the donor. All money so received shall

promptly be paid into the state treasury and be paid out on order of the council. The expenditures thereof shall be audited and paid as other disbursements by the state treasury are audited and paid.

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(b) The council may accept the aid, support and cooperation of county, city, village or town agencies, or private agencies or persons in executing its projects.

(9) (title) COOPERATION OF STATE AGENCIES. All state departments, independent agencies and institutions are directed to cooperate with it the council in the performance of its duties. Applicable laws shall be liberally construed in favor of such cooperation.

SECTION 1164j. 44.15 (3) to (7) and (10) of the statutes are created to read:

44.15 (3) MARKERS AND PLAQUES. (a) In consultation with the council, the historical society shall do all of the following:

1. Plan, develop and publicize a uniform system of marking for state and local sites of historical, architectural, cultural, archaeological, ethnic, geological and legendary significance. The marking system shall constitute large markers of standard design, in one or more sizes, with narrative text describing the associated site.

2. Plan, develop and publicize a system of plaques for the districts, sites, buildings, structures and objects listed on the state register of historic places and a system of plaques for marking state and local sites of special historical, architectural, cultural, archaeological, ethnic, geological or legendary significance. The system of plaques shall constitute small plaques of various types, each with a standard design, intended to identify the district, site, building, structure or object, and generally without narrative text. Any narrative text included on a plaque shall be standardized for a specific type of plaque. The historical society shall consider and respond to reasonable requests to establish new types of plaques.

3. Establish criteria for the selection of appropriate sites for markers and plaques under this subsection. The historical society shall accept applications for approval of the placement of markers and plaques, and for any narrative text for markers. The historical society shall approve those applications that meet the criteria established by the historical society.

4. Publish a book listing the locations and text of all markers in this state.

(b) The markers and plaques approved by the historical society under this subsection may not be used to mark sites other than those approved by the historical society and shall be used subject to any conditions established by the historical society. No marker or plaque may include the name of the current owner of the property. Without the approval of the historical society, no person may erect or use a marker or plaque that is identical to or misleadingly resembles the markers and plaques approved under this subsection. The historical society may require the removal of any

Vetoed in Part marker or plaque that does not meet the requirements of this subsection.

(4) COST-SHARING GRANTS. (a) A state agency, political subdivision, individual, partnership, corporation or association that applies for approval to place a marker under sub. (3) (a) 1 may apply to the historical society for a cost-sharing grant. The application shall include information requested by the council. In consultation with the council, the historical society shall approve cost-sharing grants for markers that meet the criteria and conditions established under this section.

(b) The historical society shall approve cost-sharing grants equal to 50% of the cost of manufacturing a marker and delivering the marker to the installation site. The grants shall be funded from the appropriation under s. 20.245 (3) (c).

(c) The historical society may limit the number of cost-sharing grants awarded to any one applicant in a fiscal year, in order to award grants to the largest number of applicants. If the funds in any fiscal year are insufficient to fund all grant applications, the historical society shall give unfunded applications first priority in the following fiscal year.

(5) STATE-FUNDED MARKERS. In consultation with the council, the historical society may identify and authorize construction of individual markers or plaques, or any series of markers or plaques, to be funded from the appropriation under s. 20.245 (3) (d). No matching funds are required for a marker or plaque that is constructed under this subsection. Funds under this subsection may be used for the purchase of plaques to be installed on historical properties owned by the state and for the construction of markers or plaques in other states or countries.

(6) MAINTENANCE. Any approval issued for a marker or plaque by the historical society under this section shall include a requirement that the applicant maintain the marker or plaque, and shall also include authorization permitting the historical society or council, if necessary, to enter the property and maintain the marker or plaque. The historical society may issue orders to maintain markers and plaques, and may maintain markers or plaques.

(7) STATE-OWNED PROPERTY. Each board, commission, committee, department or officer in state government shall cooperate with the historical society in the placement of markers or plaques on state-owned property, and shall place and maintain such markers or plaques, as supplied by the historical society, at locations identified by the historical society.

(10) RULES. In consultation with the council, the historical society shall promulgate rules to implement and administer the program. The rules shall include all of the following:

(a) Policies and procedures for the uniform systems of markers and plaques under sub. (3) (a) 1 and 2.

(b) Criteria for the selection of appropriate sites for markers and plaques under sub. (3) (a) 3.

(c) Procedures and criteria for the awarding of cost-sharing grants under sub. (4).

SECTION 1164jm. 44.18 of the statutes is created to read:

44.18 Heritage arts tourism. From the appropriation under s. 20.245 (4) (fm), the historical society shall provide funds to develop sites in this state associated with famous artists and authors for the purpose of promoting heritage arts tourism.

SECTION 1164kd. 44.20 (title) of the statutes is amended to read:

44.20 (title) Historic and archaeological sites.

SECTION 1164ke. 44.20 (1) of the statutes is amended to read:

44.20 (1) The historical society shall operate and maintain the historic sites known as Stonefield Village, Pendarvis, Villa Louis, Old Wade House, Madeline Island, Nelson Dewey, First Capitol and Old World Wisconsin and the archaeological site known as Aztalan.

SECTION 1164kg. 44.20 (2) of the statutes is amended to read:

44.20 (2) No historic or archaeological site may be closed without specific authorization to do so from the legislature and the governor.

SECTION 1164m. 44.20 (3) of the statutes is created to read:

44.20 (3) (a) Beginning January 1, 1993, the admission fees at Old World Wisconsin shall be \$4 for an individual 17 years of age or older and \$1.50 for a child under 17 years of age.

(b) Beginning January 1, 1993, the admission fees at all of the historic sites other than Old World Wisconsin shall be \$2 for an individual 17 years of age or older and 50 cents for a child under 17 years of age.

SECTION 1164p. 44.20 (5) of the statutes is amended to read:

44.20 (5) Annually by December 1, the director of the historical society shall submit a report to the joint committee on finance regarding program revenues and expenditures for each historic or archaeological site under sub. (1) and on the condition of the historic or archaeological sites.

SECTION 1164r. 44.34 (12) of the statutes is created to read:

44.34 (12) Prepare and distribute to all cities, villages and counties, no later than January 1, 1992, a model historic preservation ordinance.

SECTION 1164s. 44.42 (title), (1) (intro.) and (2) of the statutes are amended to read:

44.42 (title) Negotiations with political subdivisions and school boards. (1) (intro.) Upon receipt of a notice from a political subdivision under s. 66.037 (4) or a school board under s. 120.12 (21) concerning a proposed action affecting a historic property, the officer shall determine whether the action would have an adverse effect upon a historic property which is:

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(2) The officer shall, within 30 days of receipt of the notice under s. 66.037 (4) or 120.12 (21), reach a determination under sub. (1) or notify the political subdivision or school board in writing that an extension of time, not to exceed 30 additional days, will be required to make adequate determinations and the reasons for requiring the extension. If the officer determines that the proposed action which is the subject of that notice will have an adverse effect on the property which would be subject to that action, the officer may require negotiations with the political subdivision or school board proposing such action in an attempt to reduce such effects. If the negotiations result in an agreement as to the means of reducing such effects, that agreement shall be incorporated into the proposed action of the political subdivision or school board. The officer shall prepare a written report on the effects and the status of all negotiations. The officer shall submit the report to the governor and to the chief clerk of each house of the legislature for distribution to the appropriate standing committees under s. 13.172 (3).

Vetoed in Part SECTION 1165b. 44.47 (1) (b) of the statutes is amended to read:

44.47 (1) (b) "Archaeological site" means any land or the bed of any stream or lake where there are objects or other evidence of archaeological interest, aboriginal mounds and earthworks, ancient burial grounds, prehistoric and historical ruins, Indian mounds, historic and prehistoric watercraft and associated objects, aircraft and other archaeological and historical features.

SECTION 1165c. 44.47 (1) (bm) of the statutes is created to read:

44.47 (1) (bm) "Council" means the submerged cultural resources council.

SECTION 1165d. 44.47 (1) (i) of the statutes is created to read:

44.47 (1) (i) "Submerged cultural resource" means an archaeological site or historic property that is located beneath the surface of a lake or stream.

SECTION 1165f. 44.47 (5m) of the statutes is created to read:

44.47 (5m) SUBMERGED CULTURAL RESOURCES. (a) The historical society shall coordinate the activities of the state relating to the preservation, management and public use of submerged cultural resources. The historical society may enter into agreements with federal and state agencies, political subdivisions and non-profit organizations regarding the preservation, management and use of submerged cultural resources and the management of bottomland preserves. On or before February 1 of each odd-numbered year, the historical society shall submit a report to the governor and to the chief clerk of each house of the legislature, for distribution to the appropriate standing committees under s. 13.172 (3), on submerged cultural

resources activities and implementation of this subsection. **Vetoed in Part**

(b) The historical society may by rule designate areas of state-owned lakebeds or stream beds as bottomland preserves, for the purpose of enhancing preservation, management and public use of any submerged cultural resources within the bottomland preserve. A bottomland preserve may encompass more than one object or archaeological site.

(c) Before designation of an area as a bottomland preserve, the historical society shall consider all of the following:

1. If the preserve will provide preservation, management and public use of submerged cultural resources.

2. The extent to which an inventory of submerged cultural resources has been conducted for the area within the proposed bottomland preserve.

3. Whether a plan has been prepared for the management of submerged cultural resources within the proposed bottomland preserve and for the recreational management and development of the proposed bottomland preserve.

4. The existence of an entity that will assume responsibility for the management of the bottomland preserve.

5. The availability of existing or planned facilities necessary for recreational uses of the bottomland preserve, including roads, boat landings, marinas, boat and diving charter services, hotels, medical decompression facilities and rescue agencies.

(d) The historical society may promulgate rules relating to the access, use, stewardship, management, protection and recreational development of bottomland preserves, and the preservation, conservation, curation and display of submerged cultural resources and objects removed from underwater archaeological sites.

(e) The council shall:

1. Make recommendations to the historical society regarding the creation and management of bottomland preserves.

2. As requested by the state archaeologist, review applications for archaeological permits and make recommendations regarding issuance of permits.

3. As requested by the secretary of natural resources, review applications for archaeological permits for the recovery of abandoned property, including nonhistorical shipwrecks of potential recreational value, and make recommendations regarding issuance of permits.

4. Advise the historical society regarding the administration of this subsection.

SECTION 1165g. 44.47 (7) (a) 1 of the statutes is amended to read:

44.47 (7) (a) 1. Whoever violates sub. (2) or any rules promulgated under sub. (5m) (d) shall forfeit not less than \$100 nor more than \$500.

SECTION 1165h. 44.47 (7) (b) of the statutes is amended to read:

44.47 (7) (b) The director may refuse to issue or renew or may suspend or revoke the permit of any person who has violated this section. The director may refuse to name a school or scientific institution as the custodian of objects or data under any permit or agreement, if that school or scientific institution has failed in its duty to care for and preserve objects or data belonging to the state or has failed to make such objects or data conveniently available to ~~students of~~ archaeology the public.

SECTION 1165mb. 44.53 (1) (f) of the statutes is amended to read:

44.53 (1) (f) Plan and implement, when funds are available in the appropriations under s. 20.215 (1) (b) and (c), a program of contracts with or grants-in-aid to groups or, in appropriate cases, individuals of exceptional talent engaged in or concerned with the arts. Annually, the board shall award a grant of \$15,000 to ~~very special arts Wisconsin, incorporated~~ \$50,000 to the Florentine opera company and shall award a grant of \$50,000 to the Wisconsin chamber orchestra to support ~~its~~ concerts on the square series. No grantee may receive any funds distributed as grants-in-aid under this paragraph unless the grantee provides at least 10% of the estimated total cost of the project, either in the form of moneys or in-kind contributions of equivalent value, to be funded under this paragraph.

Vetoed
in Part

SECTION 1165md. 44.53 (1) (j) of the statutes is created to read:

44.53 (1) (j) Annually, in addition to funds received by a symphonic orchestra within this state with a budget in excess of \$6,500,000 from the appropriation under s. 20.215 (1) (b) for any other purpose, award \$450,000 to a symphonic orchestra within this state with a budget in excess of \$6,500,000 to fund statewide tours of the orchestra, to be funded from the appropriation under s. 20.215 (1) (b).

Vetoed
in Part

Vetoed
in Part SECTION 1165l. 44.60 (1m) of the statutes is created to read:

44.60 (1m) Annually, the board shall award arts incubator grants from the appropriation under s. 20.215 (1) (b) in the amount of \$75,000.

SECTION 1166. 45.01 of the statutes, as affected by 1991 Wisconsin Act 2, is amended to read:

45.01 (title) Wisconsin veterans museum; space for. The department of administration shall provide suitable space for the purpose of a memorial hall, designated as the G.A.R. memorial hall Wisconsin veterans museum, dedicated to the men and women of Wisconsin who served in the armed forces of the United States in the civil war of 1861 to 1865 or in any subsequent wars, as enumerated in s. 45.35 (5) (a) to (g), or in Grenada, Lebanon, Panama or a Middle East crisis under s. 45.34, and the department of veterans affairs shall operate and conduct ~~such memorial hall the Wisconsin veterans museum~~.

SECTION 1167. 45.02 of the statutes is amended to read:

45.02 **Memorial collection.** The battle flags of Wisconsin units serving in the nation's wars, and all relics and mementos of such wars donated to or otherwise acquired by the state for display in the ~~G.A.R. memorial hall~~ Wisconsin veterans museum shall constitute the memorial collection. The department of veterans affairs shall catalog and identify all war relics and mementos of the memorial collection, restore, preserve and safeguard such items, procure additions to such collection, provide proper display equipment, and to so display such collection as to make it instructive and attractive to visitors.

SECTION 1167p. 45.34 (2) (e) of the statutes, as created by 1991 Wisconsin Act 2, is repealed and recreated to read:

45.34 (2) (e) The person served in support of Operation Desert Shield or Operation Desert Storm under all of the following conditions:

1. Under an active duty order, a unit assignment order or an involuntary extension of an active duty order or in the Middle East or in territorial or international waters adjacent to the Middle East.

2. Under honorable conditions.

3. Between August 1, 1990, and the ending date of Operation Desert Shield or Operation Desert Storm, as established by the department of veterans affairs by rule.

SECTION 1168. 45.35 (4) of the statutes is amended to read:

45.35 (4) **DEPARTMENT STAFF.** The secretary shall appoint under the classified service such persons as are necessary to carry out the policy of the board and for the proper conduct of the ~~memorial hall~~ Wisconsin veterans museum. All persons appointed by the department shall, if possible, be veterans as defined in sub. (5) and preference shall be given to disabled veterans.

SECTION 1168j. 45.35 (5g) of the statutes is created to read:

45.35 (5g) **RESIDENCY OF VETERANS.** A person who is living in this state and would be a veteran, except that the person does not have a permanent address, shall be considered a resident of this state for purposes of making application for benefits under this chapter if the person does not intend, at the time of applying for benefits, to permanently remove himself or herself from the state at a definite time. The person need not intend to remain in the state permanently to be a resident of the state under this subsection. A person applying for benefits under this chapter who lacks a permanent address shall provide an affidavit stating his or her identity and intention to remain living in the state.

Vetoed
in Part

SECTION 1169. 45.35 (8) (b) 3 of the statutes is amended to read:

45.35 (8) (b) 3. Subchapter II, except as provided under ss. s. 45.74 (6) and 45.80 (2) (c).

SECTION 1170. 45.35 (13) (b) of the statutes is amended to read:

45.35 (13) (b) The department may also receive moneys or other gifts and bequests in its name for the benefit of the G.A.R. memorial hall Wisconsin veterans museum. All moneys so received shall be deposited in the state treasury and credited to the veterans trust fund and is appropriated therefrom by s. 20.485 (2) (z) to the department to be used, as far as practicable in accordance with the wishes of the donors, and in accordance with the policies adopted by the board.

SECTION 1170j. 45.35 (14) (fg) of the statutes is created to read:

45.35 (14) (fg) To provide to each community-based residential facility, as defined in s. 50.01 (1g), hospital, as defined in s. 50.33 (2), and nursing home, as defined in s. 50.01 (3), sufficient written documents containing the information required under s. 146.805 to meet their needs. The department shall update that information as often as necessary to provide accurate and necessary information. The department may not charge a fee for providing the documents.

SECTION 1170l. 45.351 (1m) of the statutes is created to read:

45.351 (1m) VIETNAM-RELATED ILLNESSES. (a) The department may grant health care aid under sub. (1) for the purposes under par. (b) to a veteran or a veteran's dependents if the veteran is suffering from non-Hodgkin's lymphoma or soft-tissue sarcoma and if the veteran served on active duty in the U.S. armed forces or in forces incorporated as part of the U.S. armed forces between August 5, 1964, and July 1, 1975. In that case, the requirements established by the department under sub. (1) are modified if the veteran provides the department with a physician's statement that the veteran is diagnosed as having non-Hodgkin's lymphoma or soft-tissue sarcoma. The department may not require a veteran suffering from non-Hodgkin's lymphoma or soft-tissue sarcoma, or that veteran's dependents, to spend available liquid assets as a condition of receipt of aid under sub. (1).

(b) The department may grant health care aid under sub. (1) for all of the following purposes:

1. The treatment of non-Hodgkin's lymphoma or soft-tissue sarcoma regardless of whether or not a transfer to a U.S. department of veterans affairs hospital is medically feasible.

2. The nonemergency treatment of non-Hodgkin's lymphoma or soft-tissue sarcoma without requiring the veteran to obtain prior authorization from the department for that treatment.

3. The nonemergency out-of-state treatment of non-Hodgkin's lymphoma or soft-tissue sarcoma regardless of whether or not appropriate health care is available in the state.

4. The nonemergency surgery related to non-Hodgkin's lymphoma or soft-tissue sarcoma without

requiring the veteran to seek the surgery at a U.S. department of veterans affairs hospital.

(c) A person may submit an application for benefits under this subsection later than 120 days after receiving medical treatment for non-Hodgkin's lymphoma or soft-tissue sarcoma.

(d) The department may provide a health care grant under sub. (1) for other diseases in addition to those covered by this subsection if the department determines that the disease has a positive association with exposure to agent orange or other herbicides used in Vietnam during the period specified under par. (a).

SECTION 1171. 45.351 (2) (a) 1 of the statutes is amended to read:

45.351 (2) (a) 1. The department may lend any veteran not more than \$4,000 on loans approved before August 9, 1989, and \$4,500 on loans approved during the period beginning on August 9, 1989. The loan is to be used for the purchase of a business or business property or the repairing of or adding to his or her home or business property, the construction of a garage, the education of the veteran or his or her children or to provide essential economic assistance if the department determines, after disregarding any payment described under s. 45.85, that the veteran satisfies the need requirements established by the department by rule. The need requirements may include, but are not limited to, consideration of the veteran's resources and credit available upon manageable terms. The department may prescribe loan conditions, but the interest rate shall be 3% per year for loan applications received by the department before July 20, 1985, and the interest rate shall be 6% per year for loan applications received by the department on or after July 20, 1985, and the term shall not exceed 10 years. The department may lend not more than the loan amount available to a veteran under this subdivision to a veteran's surviving spouse, whether remarried or not, or to the parent of a deceased veteran's children for the education of the minor or dependent children if the surviving spouse or parent is a resident of and living in this state on the date of application.

SECTION 1172. 45.351 (2) (a) 2. a. of the statutes is amended to read:

45.351 (2) (a) 2. a. The department may lend a veteran not more than \$10,000 to be used for the purchase of a business or business property or for the establishment or operation of a business including providing necessary working capital or acquiring or purchasing needed machinery, equipment, materials, supplies or services used in producing business income. The department may grant a loan under this subdivision only to a veteran who is or will be devoting full time to the business activities for which the loan is requested. The department shall promulgate rules providing criteria for determining business purposes eligible for a loan and for establishing methods

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to secure a loan. The department may prescribe loan conditions, but the interest rate shall be 7% per year for loan applications that the department receives before the effective date of this subd. 2. a. [revisor inserts date], and 7.5% per year for loan applications that the department receives on or after the effective date of this subd. 2. a. [revisor inserts date], and the term shall not exceed 5 years.

SECTION 1173. 45.351 (2) (b) 2. a. of the statutes is amended to read:

45.351 (2) (b) 2. a. For loans approved before August 9, 1989, \$25,000 the effective date of this subd. 2. a. [revisor inserts date], \$30,000.

SECTION 1174. 45.351 (2) (b) 2. b. of the statutes is amended to read:

45.351 (2) (b) 2. b. For loans approved during the period beginning August 9, 1989 on the effective date of this subd. 2. b. [revisor inserts date], and ending on June 30, 1990, \$28,000 1992, \$31,000.

SECTION 1175. 45.351 (2) (b) 2. cm. of the statutes is amended to read:

45.351 (2) (b) 2. cm. For loans approved beginning July 1, 1990, \$30,000 1992, \$32,800.

SECTION 1175m. 45.352 of the statutes is created to read:

Vetoed
in Part

45.352 Services to older veterans. (1) DEFINITIONS. In this section:

(a) "Department" means the department of veterans affairs.

(b) "Rural county" means a county that is not an urban county.

(c) "Urban county" means a county that is located in a federal standard metropolitan statistical area that predominantly contains residents of this state.

(2) RETIRED SENIOR VOLUNTEER PROGRAM. (a) From the appropriation under s. 20.485 (2) (rs), the department may provide grants to one retired senior volunteer program operating in an urban county and to one retired senior volunteer program operating in a rural county. To be eligible for a grant under this subsection, a retired senior volunteer program shall do all the following:

1. Meet all of the requirements for a retired senior volunteer program under s. 46.85.

2. Have a U.S. department of veterans affairs health care facility in the program's service area.

3. Sign a memorandum of understanding agreed to and signed by a U.S. department of veterans affairs health care facility in the program's service area that is willing to cooperate with the retired senior volunteer program in providing services to homebound veterans. The department shall assist the retired senior volunteer program in developing the memorandum of understanding. The memorandum of understanding shall be signed by the head administrator of the health care facility and by the retired senior volunteer program director. The memorandum of understanding shall describe the responsibilities of the retired senior

volunteer program and of the U.S. department of veterans affairs health care facility. The memorandum of understanding shall provide that the recruiting of volunteers for the program shall be the responsibility of the retired senior volunteer program but that the program shall cooperate with the U.S. department of veterans affairs office of voluntary services in the recruitment efforts. The memorandum of understanding shall provide that recruitment presentations shall be made to selected veterans organizations in the program's service area at least annually. The memorandum of understanding shall provide that special efforts will be made to recruit veterans age 60 and older and veterans' wives, widows and other family members as senior volunteers.

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(b) From the appropriation under s. 20.485 (2) (rs), the department shall provide a grant to each retired senior volunteer program that meets the requirements under par. (b) in an amount sufficient to enable the retired senior volunteer program to provide meal and transportation allowances for 6 senior volunteers.

SECTION 1176. 45.365 (1) (d) of the statutes is amended to read:

45.365 (1) (d) The home shall include a geriatric evaluation, research and education program. The initial program staff shall be funded by s. 20.485 (1) (fa), and additional staff may be funded only by s. 20.485 (1) (hm), (j) and (mj), until July 1, 1989. On and after July 1, 1989, the entire program staff shall be funded by from the appropriations under s. 20.485 (1) (hm), (j) and (mj).

SECTION 1177. 45.37 (2) (a) of the statutes is amended to read:

45.37 (2) (a) *Residence*. Was a resident of this state at the time of entering service with the armed forces and is a resident of this state on the date of application for membership. Residence may not be initiated by residence in a U.S. department of veterans affairs facility admission to the home. A person who lacks a permanent address shall be considered a resident of this state for purposes of this paragraph if the person currently lives in this state and does not intend to permanently remove himself or herself from the state at a definite time. The person need not intend to remain in the state permanently to be a resident of this state under this paragraph. A person applying for membership in the home shall provide an affidavit stating his or her identity and intention to remain living in the state.

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SECTION 1178. 45.37 (2) (f) of the statutes is repealed and recreated to read:

45.37 (2) (f) *Financial information*. Provides a complete financial statement containing information that the department determines is necessary to evaluate the financial circumstances of the veteran and his or her spouse. The department may require a member of the home to provide the department with information necessary for the department to determine the financial circumstances of the member and his or her

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spouse. If a member fails to provide the addition information, the department may discharge the member from the home.

SECTION 1179. 45.37 (2) (g) of the statutes is repealed.

SECTION 1180. 45.37 (5) (a) of the statutes is amended to read:

45.37 (5) (a) The veteran is a member, or if not a member is institutionalized elsewhere because of physical or mental disability, and the spouse had lived with ~~such~~ the veteran for not less than one year 6 months immediately before making application for membership.

SECTION 1181. 45.37 (6) (a) of the statutes is amended to read:

45.37 (6) (a) Was married to and living with the deceased veteran not less than ~~one year~~ 6 months immediately prior to the death of the veteran, or was married to the veteran at the time the veteran entered the service and was widowed by the death of the veteran in the service or as a result of physical disability incurred during such service, or the period during which the surviving spouse was married to and lived with the deceased veteran plus the period of widowhood is ~~one year~~ 6 months or more, or if the surviving spouse was married to and living with the veteran less than ~~one year~~ 6 months and a child was born of the marriage; and

SECTION 1182. 45.37 (9) (a) of the statutes is repealed.

SECTION 1183. 45.37 (9) (b) of the statutes is repealed.

SECTION 1184. 45.37 (9) (c) of the statutes is amended to read:

45.37 (9) (c) *Work therapy program compensation.* The board shall establish a pay plan for compensation of members for services rendered to the home under its work therapy program. ~~A member admitted to the home prior to January 1, 1974, who is participating in such program and whose monthly income is insufficient to permit the member to retain the amount set forth in par. (a), shall receive direct payment thereunder from the department on the basis of the amount due for services or on the basis of the difference between the member's total monthly income and the amount the member would be permitted to retain under par. (a) if the member's income was sufficient to permit maximum retention, whichever is less. A member admitted to the home after December 31, 1973, may receive payment for services only if the payment conforms with the requirements in ss. 49.45 and 49.46 and rules promulgated thereunder.~~

SECTION 1185. 45.37 (9) (d) of the statutes is repealed and recreated to read:

45.37 (9) (d) *Member payments.* Members shall pay the amount due the state for care and maintenance of the member within 30 days after the receipt of the home's billing statement by the member or by the

member's personal representative. The department may subject any bill not paid within 30 days after receipt of the billing statement to an interest assessment of 1% per month or fraction of a month. If payment is not made within 60 days after the receipt of the billing statement, the department may discharge the member from the home.

SECTION 1186. 45.37 (9) (e) of the statutes is amended to read:

45.37 (9) (e) *U.S. department of veterans affairs payments.* Payment of amounts due the state for care and maintenance of a member shall be made to the fullest extent possible from sources of income other than pension or compensation paid by the U.S. department of veterans affairs.

SECTION 1187. 45.37 (9) (f) of the statutes is repealed.

SECTION 1188. 45.37 (9) (g) of the statutes is repealed and recreated to read:

45.37 (9) (g) *Work therapy or hobby shop income.* A member is not required to use income received from services rendered to the home under its work therapy program or from the sale of products or services through the hobby shop as payment for the care or maintenance of the member at the home.

SECTION 1189. 45.37 (9a) of the statutes is repealed.

SECTION 1190. 45.37 (9b) of the statutes is repealed.

SECTION 1191. 45.37 (9c) of the statutes is repealed and recreated to read:

45.37 (9c) *PERSONAL FUNDS OF MEMBER.* A member may, in writing, authorize the home to receive, hold and account for his or her personal funds. Section 49.498 (8) and the rules promulgated under that subsection apply to the funds of a member held by the home under this subsection. The department may transfer the personal funds of a member received under this subsection to the Wisconsin veterans home members fund under s. 25.37. Upon request of the member, the department shall pay to the member the amount of the member's personal funds requested by the member.

SECTION 1192. 45.37 (10) (a) of the statutes is amended to read:

45.37 (10) (a) Except as otherwise provided in this subsection, the application and admission of any applicant admitted under this section ~~before, on or after July 31, 1975~~ shall constitute a valid and binding contract between such member and the department. If a member dies leaving ~~legal dependents~~ a relative that is entitled to an interest in the property of the member under the rules of intestate succession or a will the existence of which is made known to the commandant of the home within 60 days of such member's death, the member's property shall constitute a part of the member's estate, except that personal effects of nominal monetary value of such a deceased member

who is not survived by a member spouse may be distributed by the commandant to surviving relatives of such member who request such personal effects within a reasonable time after such member's death. ~~For the purposes of this section the spouse of the member shall be deemed to be such member's legal dependent.~~

SECTION 1193. 45.37 (11) of the statutes is amended to read:

45.37 (11) DISPOSITION OF PROPERTY DESCENDING TO STATE. If a member dies without legal dependents a relative that is entitled to an interest in the property of the member under the rules of intestate succession and without leaving a will the existence of which is made known to the commandant of the home within 60 days of the member's death, the member's property, except personal effects of nominal monetary value which are distributed by the commandant at the commandant's discretion to surviving relatives of the member who request such personal effects immediately after the member's death, shall be converted to cash and turned over by the commandant of the home to the state treasurer to be paid into the appropriation under s. 20.485 (1) (h), without administration. The amount is subject to refund within 6 years to the estate of a veteran if it is subsequently discovered that the veteran left a will or a relative that is entitled to an interest in the property of the member under the rules of intestate succession or to any creditor or legal dependent of the veteran who establishes right to the fund or property or any portion thereof. The attorney general department, upon being satisfied that a claim out of such funds or property is legal and valid may certify the same to the department which, shall pay the same out of such funds or property, except that payment of claims for a member's funeral and burial expenses may not exceed a total of ~~\$655~~ \$1,500 including any amount allowed by the United States for the member's funeral and burial and the right for burial and interment provided in sub. (15) (a).

SECTION 1194. 45.37 (14) of the statutes is amended to read:

45.37 (14) POWERS OF COMMANDANT OVER PERSONAL FUNDS OF MEMBERS. The commandant of the home may receive, disburse and account for ~~personal funds of members of the home, received from any source other than state funds or payments received under Title XVI of the federal social security act, under policies adopted by the board of veterans affairs.~~

SECTION 1194d. 45.37 (15) (a) of the statutes is amended to read:

45.37 (15) (a) A veteran who at the time of death is a resident of this state or who, after serving in the U.S. armed forces or in forces incorporated as part of the U.S. armed forces, was a resident of the state for 15 consecutive year, is eligible for burial and interment at the cemetery of the home known as the "Wisconsin Veterans Memorial Cemetery". Cost of preparing grave and erection of marker shall be paid from the appropriation made by s. 20.485 (1) (gk).

SECTION 1195. 45.37 (15) (c) of the statutes is amended to read:

45.37 (15) (c) Expenses incident to the burial at the home of a member shall be paid from the estate of the decedent, except that if there is no estate or the estate is insufficient, the expense of burial, or necessary part thereof, shall be paid from the appropriation under s. 20.485 (1) (gk) and the amount expended therefor shall not exceed \$400 the amount established for funeral and burial expenses under s. 49.30 (1) (b).

SECTION 1196. 45.37 (16) of the statutes is repealed.

~~SECTION 1197d. 45.396 (1) (intro.) of the statutes is amended to read:~~

~~45.396 (1) (intro.) In this section, "part-time:~~

~~(b) "Part-time classroom study" means any of the following:~~

~~SECTION 1197g. 45.396 (1) (a), (am), (b) and (c) of the statutes are renumbered 45.396 (1) (b) 1, 2, 3 and 4.~~

~~SECTION 1197j. 45.396 (1) (a) of the statutes is created to read:~~

~~45.396 (1) (a) "Income" means the amount of gross income received from employment during the period of the correspondence course or part-time classroom study together with any income from other sources received during that period.~~

~~SECTION 1200. 45.396 (2) of the statutes is amended to read:~~

~~45.396 (2) Any Except as provided in sub. (6) or (7), any veteran upon the completion of any correspondence course or part-time classroom study from an institution of higher education, as defined in s. 39.32 (1) (a), located in this state or from any public or private high school may be reimbursed in whole or in part for the cost of the course, including necessary textbooks, by the department upon presentation to the department of a certificate from the school indicating that the veteran has completed the course and stating the cost of the course and necessary textbooks, and upon application for reimbursement completed by the veteran and received by the department no later than 60 days after the termination of the course for which the application for reimbursement is made. The department shall accept and process an application received more than 60 days after the termination of the course if the applicant shows good cause for the delayed receipt. The department may not require that an application be received sooner than 60 days after a course is completed. Benefits granted under this section shall be paid out of the appropriation under s. 20.485 (2) (vm).~~

~~SECTION 1200m. 45.396 (3m) of the statutes is repealed.~~

SECTION 1201d. 45.396 (7) of the statutes is created to read:

45.396 (7) (a) No veteran may receive a grant under this section if the department determines, after disregarding any payment described under s. 45.85, that

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the income of the veteran and his or her spouse exceeds \$500 for each dependent in excess of 2 dependents plus whichever of the following applies:

1. For applications for grants received during the period beginning on the effective date of this subdivision [revisor inserts date], and ending on June 30, 1992, \$31,000.

2. For applications for grants received beginning on July 1, 1992, \$32,800.

(b) In determining eligibility for grants under this section, the department shall verify all reported income amounts by contacting the employer designated by the veteran or spouse, securing a copy of their prior year's income tax returns or obtaining a profit and loss statement from the veteran for at least 6 of the 12 months immediately preceding the loan application date.

SECTION 1201m. 45.397 (2) (d) of the statutes is amended to read:

45.397 (2) (d) The department determines that the veteran's proposed program will provide retraining that could enable the veteran to find gainful employment. In making its determination, the department shall consider whether the proposed program provides adequate employment skills and is in an occupation for which favorable employment opportunities are anticipated.

SECTION 1201p. 45.397 (3) (dg) of the statutes is created to read:

45.397 (3) (dg) Coordination with other occupational training programs.

SECTION 1201r. 45.397 (4) of the statutes is amended to read:

45.397 (4) ANNUAL EXPENDITURE. The total amount of grants made under this section may not exceed \$70,000 \$140,000 in any fiscal year, beginning with the 1990-91 1991-92 fiscal year.

SECTION 1201t. 45.397 (5) of the statutes is created to read:

45.397 (5) REPORT. Beginning in 1993, the department shall include in its biennial report under s. 15.04 (1) (d) information relating to the veterans retraining grant program, including the number of veterans obtaining gainful employment after receiving a grant and a description of the veterans receiving grants, including their sex, age, race, educational level, service-connected disability status and income before and after obtaining gainful employment. This information may be based on a valid statistical sample.

SECTION 1201w. 45.43 (1) (a) of the statutes, as affected by 1991 Wisconsin Act 2, is amended to read:

45.43 (1) (a) Except as provided under par. (b), the county board shall elect a county veterans' service officer who shall be a Wisconsin resident who served on active duty under honorable conditions in the U.S. armed forces or in forces incorporated as part of the U.S. armed forces, except service on active duty for

training purposes, for 90 days or more in time of war as set forth in s. 45.35 (5) (a) to (g) or, if having served less than 90 days, was honorably discharged for a service-connected disability or for a disability subsequently adjudicated to have been service-connected; who served in Grenada, Lebanon, Panama or a Middle East crisis under s. 45.34; who served under section 1 of executive order 10957 dated August 10, 1961; or whose service entitled the veteran to receive the armed forces expeditionary medal established by executive order 10977 on December 4, 1961, the Vietnam service medal established by executive order 11231 on July 8, 1965, the navy expeditionary medal or the marine corps expeditionary medal.

SECTION 1202. 45.43 (5) (e) of the statutes is created to read:

45.43 (5) (e) Perform the duties prescribed by law, including those duties under pars. (a) to (d), separately and distinctly from any other county department.

SECTION 1202d. 45.43 (6) (b) of the statutes, as affected by 1991 Wisconsin Act 2, is amended to read:

45.43 (6) (b) Except as provided under par. (c), the county board may appoint assistant county veterans' service officers who shall be persons Wisconsin residents who served on active duty under honorable conditions in the U.S. armed forces or in forces incorporated as part of the U.S. armed forces, except service on active duty for training purposes, for 90 days or more in time of war as set forth in s. 45.35 (5) (a) to (g) or, if having served less than 90 days, was honorably discharged for a service-connected disability or for a disability subsequently adjudicated to have been service-connected; who served in Grenada, Lebanon, Panama or a Middle East crisis under s. 45.34; who served under section 1 of executive order 10957 dated August 10, 1961; or whose service entitled the veteran to receive the armed forces expeditionary medal established by executive order 10977 on December 4, 1961, the Vietnam service medal established by executive order 11231 on July 8, 1965, the navy expeditionary medal or the marine corps expeditionary medal.

~~SECTION 1202m. 45.43 (7) (d) of the statutes is created to read:~~

~~45.43 (7) (d) 1. From the appropriation under s. 20.485 (2) (re), the department shall grant \$50,000 in fiscal year 1991-92 and \$50,000 in fiscal year 1992-93 to the Milwaukee office of the national association of Black veterans for the operation of the long-term transitional housing program of the minority homeless veterans' reintegration project operating in Milwaukee county on June 30, 1991.~~

~~2. From the appropriation under s. 20.485 (2) (re), the department may award grants not to exceed \$25,000 in fiscal year 1991-92 and not to exceed \$25,000 in fiscal year 1992-93 to county veterans' service offices in counties other than Milwaukee county for the purpose of contracting for the operation of long-term transitional housing for homeless veterans.~~

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in Part

SECTION 1202p. 45.55 of the statutes is created to read:

45.55 Assistance to homeless veterans. (1) Within 60 days after the effective date of this subsection [revisor inserts date], and at least every 6 months thereafter, the department shall make an inventory of the properties that it has acquired and held for 12 months or more as the result of defaults of loans made under subch. II. That inventory shall include an evaluation of which of those properties located in counties where there are a significant number of homeless persons could be made available for sale or lease under this section. The department shall establish a list of those properties and shall give a copy of the list to any entity listed in sub. (3) upon request. That list of properties shall include the proposed sale price or lease price, or both, of each property.

(2) The department may sell or lease the property available under sub. (1) for whatever consideration the department considers appropriate, including at a discount, if it is in the best interest of the veterans trust fund and the loan programs under subch. II.

(3) The property may be sold or leased to a veterans organization, a county veterans housing authority created under s. 66.39, a government unit, as defined in s. 108.02 (17), or a nonprofit organization, as defined in s. 108.02 (19), if that entity enters into an agreement as provided in sub. (4).

(4) The department may enter into an agreement to sell or lease property available under sub. (1) to one of the entities in sub. (3) if that entity agrees to do all of the following:

(a) Utilize the property as a facility primarily for homeless veterans and their families.

(b) Comply with all zoning laws relating to the property.

(c) Make use of the property in a way that is not incompatible with the use of other properties in the area where the property is located.

(5) The department, when entering into an agreement under sub. (4), shall give preference to entities that meet all of the following criteria:

(a) Have demonstrated a commitment to work with, and on behalf of, homeless persons.

(b) Have demonstrated the ability to operate a facility for homeless persons.

(c) Have a plan for utilizing the voluntary services of homeless persons or others to rehabilitate and repair the property in order to improve its habitability.

(d) Have a plan for utilizing the assistance of veterans organizations or others in the establishment, operation and maintenance of a facility for homeless persons.

SECTION 1203. 45.71 (1) (intro.) of the statutes is amended to read:

45.71 (1) (intro.) "Anticipated annual shelter payment" means the total annual payments anticipated for the following, as determined by the department or

authorized lender on the basis of the loan applied for under s. 45.79 ~~or 45.80~~:

SECTION 1204. 45.71 (1) (b) of the statutes is amended to read:

45.71 (1) (b) Insurance premiums for coverage required under s. 45.79 (3) (b) ~~or 45.80 (4) (b)~~.

SECTION 1205. 45.71 (9) (b) of the statutes is amended to read:

45.71 (9) (b) Unless temporary in nature and except as provided under s. 45.79 (2m) ~~or 45.85~~, pensions and disability compensation shall be considered income.

SECTION 1206. 45.71 (13) (a) (intro.) of the statutes is repealed.

SECTION 1207. 45.71 (13) (a) 1 to 3 of the statutes are renumbered 45.71 (13) (a) to (c).

SECTION 1208. 45.71 (13) (b) of the statutes is repealed.

SECTION 1209. 45.74 (1) (a) of the statutes is amended to read:

45.74 (1) (a) The amount of ~~\$27,000~~ \$39,000 for loan applications approved ~~under s. 45.79 during the period of July 1, 1981 to April 7, 1987, and for loan applications approved under s. 45.80 during the period of July 1, 1981 to June 30, 1988 before the effective date of this paragraph~~ [revisor inserts date].

SECTION 1210. 45.74 (1) (b) of the statutes is repealed.

SECTION 1211. 45.74 (1) (c) of the statutes is amended to read:

45.74 (1) (c) The amount of ~~\$36,500~~ \$40,300 for loan applications approved ~~under s. 45.79 or 45.80 during the period beginning on August 9, 1989 the effective date of this paragraph~~ [revisor inserts date], and ending on June 30, ~~1990~~ 1992.

SECTION 1212. 45.74 (1) (d) of the statutes is amended to read:

45.74 (1) (d) The amount of ~~\$39,000~~ \$42,600 for loan applications approved on or after July 1, ~~1990~~ 1992.

SECTION 1213. 45.74 (6m) (a) of the statutes is repealed.

SECTION 1214. 45.745 (6) (a) of the statutes is repealed.

SECTION 1215. 45.75 of the statutes is repealed.

SECTION 1216. 45.76 (1) (title) of the statutes is amended to read:

45.76 (1) (title) MORTGAGE LOAN PROGRAM.

SECTION 1217. 45.76 (1) (c) 1. (intro.) of the statutes is amended to read:

45.76 (1) (c) 1. (intro.) A loan of not more than \$15,000 to improve a home, including construction of a garage but not ~~to include~~ including any of the following:

SECTION 1218. 45.76 (1) (d) 2 of the statutes is repealed and recreated to read:

45.76 (1) (d) 2. Refinancing the balance due on a construction period loan, bridge loan or other financ-

ing if the financing was used for a purpose designated in par. (b) and has a term of 24 months or less.

SECTION 1220. 45.76 (2) of the statutes is repealed.

SECTION 1221. 45.79 (title) of the statutes is amended to read:

45.79 (title) Mortgage loan program.

SECTION 1222. 45.79 (2m) of the statutes is created to read:

45.79 (2m) DISABILITY COMPENSATION DISREGARD. Notwithstanding ss. 45.74 (1) and 45.745 (1), in determining eligibility for a loan under this section, the department or authorized lender may not consider as income any service-connected disability compensation received by a veteran from the U.S. department of veterans affairs under 38 USC 301 to 315, 331 to 337 and 351 to 363.

SECTION 1223. 45.80 of the statutes is repealed.

SECTION 1224. 45.85 (4) of the statutes is repealed.

SECTION 1225. 46.03 (1) of the statutes is amended to read:

46.03 (1) INSTITUTIONS GOVERNED. Maintain and govern the Ethan Allen school, the Lincoln Hills school, the Mendota and the Winnebago mental health institutes, ~~the Wisconsin workshop for the blind until the date specified in the contract with a nonprofit corporation under s. 47.03 (1m) (a), and the centers for the developmentally disabled.~~

SECTION 1225t. 46.03 (6) (c) of the statutes is amended to read:

46.03 (6) (c) Direct the psychiatric service in all secured correctional facilities for juveniles that are operated by the department, making its services available to those committed to the department as delinquent children.

SECTION 1225u. 46.03 (6) (d) of the statutes is amended to read:

46.03 (6) (d) Direct the educational programs in all secured correctional facilities for juveniles that are operated by the department.

SECTION 1226. 46.03 (7m) of the statutes is amended to read:

46.03 (7m) FOSTER CARE. For the federal fiscal years commencing October 1, 1990 1992, and October 1, 1991, ~~respectively~~ 1993, ensure that there are no more than 2,400 ~~and~~ 2,200 children in foster care placements for more than 24 months, consistent with the best interests of each child. Services provided in connection with this requirement shall comply with the requirements under P.L. 96-272.

SECTION 1227. 46.03 (9) of the statutes is repealed.

Vetoed in Part SECTION 1227m. 46.03 (11) of the statutes is created to read:

~~46.03 (11) HUNGER PREVENTION REPORT. Annually prepare a report that describes any reductions in fed-~~

~~eral funding for programs that prevent hunger and the impact of those reductions on this state and submit the report on or before January 1 to the chief clerk of each house of the legislature for distribution under s. 13.172 (2).~~

~~SECTION 1227n. 46.03 (11m) of the statutes is created to read:~~

~~46.03 (11m) FOOD DONATION EDUCATION. Conduct an educational program to increase awareness of the exemption from civil liability under s. 895.51 (2) for persons who donate or sell certain foods to charitable organizations or food distribution services.~~

SECTION 1228. 46.03 (18) (a) of the statutes is amended to read:

46.03 (18) (a) The department of health and social services shall establish a uniform system of fees for services provided or purchased by the department of health and social services, a county department under s. 46.215, 46.22, 51.42 or 51.437, except for services relating to adoption, or services provided to courts, for provision of child support and paternity establishment services to recipients of aid to families with dependent children or for outreach, information and referral services, or where as determined by the department of health and social services, a fee is administratively unfeasible or would significantly prevent accomplishing the purpose of the service. A county department under s. 46.215, 46.22, 51.42 or 51.437 shall apply the fees which it collects under this program to cover the cost of such services. The department of health and social services shall report to the joint committee on finance no later than ~~January 31~~ March 1 of each year on the number of children placed for adoption by the department of health and social services during the previous year and the costs to the state for services relating to such adoptions.

~~SECTION 1228d. 46.03 (18) (c) of the statutes is amended to read:~~

~~46.03 (18) (c) The department shall make collections from the person liable under par. (b) who in the opinion of the department is best able to pay, giving due regard to the present needs of the person or of his or her lawful dependents. In the case of a minor, the department may not consider the income and assets of a stepparent who has not adopted the minor in determining the ability to pay of the minor's parent. The department may bring action in the name of the department to enforce the liability established under par. (b). The department may not collect from the parent of a minor receiving treatment for alcohol or drug abuse, except as provided in s. 51.47. This paragraph does not apply to the recovery of fees for the care and services specified under s. 46.10.~~

SECTION 1228r. 46.03 (32) of the statutes is amended to read:

46.03 (32) REIMBURSEMENT TO VISITING FAMILIES. The department may reimburse families visiting girls at Lincoln Hills school a secured correctional facility.

Vetoed in Part

Vetoed in Part

If the department decides to provide the reimbursement, it shall establish criteria for the level of reimbursement, which shall include family income and size and other relevant factors.

SECTION 1229. 46.03 (38) (a) of the statutes is amended to read:

46.03 (38) (a) Request proposals from persons in this state for studies of the effectiveness of various program changes, referred to as welfare reform, to the aid to families with dependent children program and the medical assistance program, including the work experience and job training program under s. 49.50 (7j), community work experience programs under s. 49.50 (7m), the requirement under s. 49.50 (7) (f) that certain recipients of aid to families with dependent children with children under age 6 participate in training programs, the requirement under s. 49.50 (7) (g) that certain teenage recipients of aid to families with dependent children remain in school, the modification of the earned income disregard under s. 49.19 (5) (am) and the extension of medical assistance benefits under ss. 49.46 (1) (co) and 49.47 (4) (am), ~~and the state health insurance program pilot projects under s. 46.90 (4m).~~ The studies shall evaluate the effectiveness of the various efforts, including their cost-effectiveness, in helping individuals gain independence through the securing of jobs, the availability of health insurance coverage and providing financial incentives and in identifying barriers to independence.

SECTION 1230. 46.03 (38) (b) of the statutes is amended to read:

46.03 (38) (b) Enter into more than one contract for the conduct of studies under this subsection. At least one contract shall meet the federal requirements for evaluating the federal welfare reform waivers. The department shall expend not more than 50% of the funds appropriated under s. 20.435 ~~(6)~~ (4) (br) for the study or studies which are designed solely to meet the federal requirements for evaluating the federal welfare reform waivers. The department shall enter into the contracts on or before January 1, 1989, ~~except that the department shall enter into the contract to evaluate the state health insurance pilot projects on or before July 1, 1989.~~ The department shall ensure that interim reports are submitted on or before January 1, 1990, and final reports are submitted on or before July 1, 1993, to the chief clerk of each house of the legislature for distribution to the legislature under s. 13.172 (2); ~~except that the department shall ensure that the final report of the study of the state health insurance pilot projects is submitted on or before January 1, 1991.~~

SECTION 1231. 46.03 (39) of the statutes is created to read:

46.03 (39) ADOLESCENT PROGRAMMING RECOMMENDATIONS. Identify and provide ways to improve coordination of adolescent and parent educational programs and services at the state and local levels by doing all of the following:

(a) Identifying and recommending ways to eliminate governmental barriers to local development of

coordinated educational programs and services for adolescents and parents of adolescents.

(b) Identifying and recommending ways to support and involve parents of adolescents in the planning, coordination and delivery of services for adolescents.

SECTION 1231m. 46.03 (40) of the statutes is created to read:

46.03 (40) GRANTS FOR PILOT PROGRAMS OR DEMONSTRATION PROJECTS. Comply with all of the following whenever the department provides a grant after the effective date of this subsection [revisor inserts date], for a pilot program or demonstration project:

(a) State on the grant application that the funding for the program or project will be provided by the department once or for a limited period of time, whichever is applicable.

(b) Require the applicant to provide, as part of the grant application, a plan that describes:

1. How activities funded by the grant will be phased out or how the program or project will be eliminated; or

2. What other funding sources will be available to support the program or project when state funding is eliminated.

SECTION 1232. 46.032 of the statutes is amended to read:

46.032 Income maintenance administration. County departments under ss. 46.215, 46.22 and 46.23 shall annually enter into a contract with the department detailing the reasonable cost of administering the income maintenance programs under ss. 49.046, 49.19, 49.45 to 49.47 and 49.50 (7) (e) and (7g) and the food stamp program under 7 USC 2011 to 2029 when so appointed by the department. Contracts created under this section control the distribution of payments under s. 20.435 ~~(7)~~ (4) (de) + and (nL) in accordance with the reimbursement method established under s. 49.52 (1) (ad). The department may reduce its payment to any county under s. 20.435 ~~(7)~~ (4) (de) + and (nL) if federal reimbursement is withheld due to audits, quality control samples or program reviews.

~~SECTION 1232c. 46.10 (3) of the statutes is amended to read:~~

~~46.10 (3) After investigation of the liable persons' ability to pay, the department shall make collection from the person who in the opinion of the department under all of the circumstances is best able to pay, giving due regard to relationship and the present needs of the person or of the lawful dependents. However, the in the case of a minor, the department may not consider the income and assets of a stepparent who has not adopted the minor in determining the ability to pay of the minor's parent. The liability of relatives for maintenance shall be in the following order: first, the spouse of the patient; then, in the case of a minor, the parent or parents.~~

SECTION 1232f. 46.10 (8m) (intro.) of the statutes is renumbered 46.10 (8m) (a) (intro.) and amended to read:

Vetoed
in Part

46.10 (8m) (a) (intro.) ~~For Except as provided in par. (b), for county departments under s. 51.42 or 51.437, the department shall do all of the following:~~

SECTION 1232g. 46.10 (8m) (a) of the statutes is renumbered 46.10 (8m) (a) 1 and amended to read:

46.10 (8m) (a) 1. Deduct 100% of all money collected on or after January 1, 1975, from the chargeable cost of care at the mental health institutes;

SECTION 1232h. 46.10 (8m) (am) of the statutes is renumbered 46.10 (8m) (a) 2.

SECTION 1232i. 46.10 (8m) (b) of the statutes is renumbered 46.10 (8m) (a) 3 and amended to read:

46.10 (8m) (a) 3. Return to boards 70% of all collections made for county hospitals; ~~and.~~

SECTION 1232im. 46.10 (8m) (b) 2 of the statutes is created to read:

46.10 (8m) (b) 2. Paragraph (a) 2 and 4 does not apply to services provided under s. 51.06 (1) (d) that are billed under s. 51.437 (4m) (c) 2m.

SECTION 1232j. 46.10 (8m) (c) of the statutes is renumbered 46.10 (8m) (a) 4 and amended to read:

46.10 (8m) (a) 4. Return to boards 50% of collections made by the department for services other than those specified under par. (a); ~~(am) or (b) 1, 2 or 3.~~

SECTION 1232k. 46.10 (8m) (d) of the statutes is renumbered 46.10 (8m) (b) 1 and amended to read:

46.10 (8m) (b) 1. ~~Paragraphs (a) and (am) do~~ Paragraph (a) 1 and 2 does not apply to primary psychiatric care, which shall be billed on the basis of total chargeable cost. Collections for primary care shall be deducted from the chargeable cost of other types of care provided at the institutes.

SECTION 1233. 46.215 (1) (n) of the statutes is amended to read:

46.215 (1) (n) To collect and transmit information to the department of health and social services so that a federal energy assistance payment ~~or weatherization services~~ may be made to an eligible household; ~~to collect and transmit information to the department of administration so that weatherization services may be made available to an eligible household;~~ to receive applications from individuals seeking low-income energy assistance under s. 49.80 (4) ~~or weatherization services under s. 16.39;~~ to provide information on the income eligibility for weatherization of a recipient of low-income energy assistance to an entity with which the department of ~~health and social services~~ administration contracts for provision of weatherization under s. ~~49.80 (9)~~ 16.39; and to receive a request, determine a correct payment amount, if any, and provide payment, if any, for emergency assistance under s. 49.80 (8).

SECTION 1234b. 46.215 (2) (c) of the statutes is amended to read:

46.215 (2) (c) A county department of social services shall submit to the department of health and social services plans and contracts for care and ser-

vices to be purchased. The contracts shall be developed under s. 46.036. The department of health and social services shall review the 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 of health and social services to submit the contracts to the committee for review and approval. The department of health and social services may not make any payments to a county for programs included in a contract under review by the committee. The department of health and social services shall reimburse each county for the approved contracts from the appropriations under s. 20.435 (3) (oo) and (7) (b); ~~and (o) and (of) or under s. 20.435 (3) (cd), as appropriate, under s. 49.52.~~

~~SECTION 1234d. 46.215 (2) (c) of the statutes, as affected by 1991 Wisconsin Act ... (this act), is repealed and recreated to read:~~ **Vetoed in Part**

~~46.215 (2) (c) A county department of social services shall submit to the department of health and social services plans and contracts for care and services to be purchased. The contracts shall be developed under s. 46.036. The department of health and social services shall review the 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 of health and social services to submit the contracts to the committee for review and approval. The department of health and social services may not make any payments to a county for programs included in a contract under review by the committee. The department of health and social services shall reimburse each county under s. 49.52 for the approved contracts from the appropriations under s. 20.435 (3) (oo) and (7) (b) and (o).~~

SECTION 1235r. 46.22 (1) (b) 10 of the statutes is amended to read:

46.22 (1) (b) 10. To collect and transmit information to the department of health and social services so that a federal energy assistance payment ~~or weatherization services~~ may be made to an eligible household; ~~to collect and transmit information to the department of administration so that weatherization services may be made available to an eligible household;~~ to receive applications from individuals seeking low-income energy assistance under s. 49.80 (4) ~~or weatherization services under s. 16.39;~~ to provide information on the income eligibility for weatherization of a recipient of low-income energy assistance to an entity with which the department of ~~health and social services~~ administration contracts for provision of weatherization under s. ~~49.80 (9)~~ 16.39; and to receive a request, determine a correct payment amount, if any, and provide payment, if any, for emergency assistance under s. 49.80 (8).

SECTION 1235t. 46.22 (1) (c) 1. b. of the statutes is amended to read:

46.22 (1) (c) 1. b. State institutions. Mendota mental health institute, Winnebago mental health institute, university of Wisconsin hospital and clinics, ~~center centers~~ for the developmentally disabled and ~~Ethan Allen school~~ secured correctional facilities, as defined in s. 48.02 (15m).

SECTION 1237. 46.22 (1) (c) 2 of the statutes is amended to read:

46.22 (1) (c) 2. Subdivision 1 does not authorize the county department of social services to make investigations regarding admission to or release from the Waupun correctional institution, the Columbia correctional institution, the Racine correctional institution authorized under s. 301.16 (1e), the correctional institution authorized under s. 301.046 (1), ~~the correctional institution authorized under s. 301.132, the correctional institution authorized under s. 301.16 (1n), the correctional institution authorized under s. 301.048 (4) (b),~~ the Oshkosh correctional institution, the Green Bay correctional institution, the Dodge correctional institution, the Taycheedah correctional institution, county houses of correction, jails, detention homes or reforestation camps.

SECTION 1238b. 46.22 (1) (e) 3 of the statutes is amended to read:

46.22 (1) (e) 3. A county department of social services shall submit to the department of health and social services plans and contracts for care and services to be purchased. The contracts shall be developed under s. 46.036. The department of health and social services shall review the 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 of health and social services to submit the contracts to the committee for review and approval. The department of health and social services may not make any payments to a county for programs included in the contract that is under review by the committee. The department of health and social services shall reimburse each county for the approved contracts from the appropriations under s. 20.435 (3) (oo) and (7) (b), and (o) and (of) or under s. 20.435 (3) (cd), according to s. 49.52.

~~SECTION 1238d. 46.22 (1) (e) 3 of the statutes, as affected by 1991 Wisconsin Act ... (this act), is repealed and recreated to read:~~

~~46.22 (1) (e) 3. A county department of social services shall submit to the department of health and social services plans and contracts for care and services to be purchased. The contracts shall be developed under s. 46.036. The department of health and social services shall review the 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 of health and social services to submit the contracts to the committee for review and approval. The department of health and social services~~

~~may not make any payments to a county for programs included in the contract that is under review by the committee. The department of health and social services shall reimburse each county according to s. 49.52, for the approved contracts from the appropriations under s. 20.435 (3) (oo) and (7) (b) and (o).~~

SECTION 1239. 46.25 (7) (a) of the statutes is repealed.

SECTION 1240. 46.25 (7) (b) of the statutes is renumbered 46.25 (7) and amended to read:

46.25 (7) ~~After December 31, 1989, the~~ The department may represent the state in any action to establish paternity or to establish or enforce a support or maintenance obligation. The department may delegate its authority to represent the state in any action to establish paternity or to establish or enforce a support or maintenance obligation under this section to an attorney responsible for support enforcement under s. 59.458 (1) pursuant to a contract entered into under s. 59.07 (97). The department shall ensure that any such contract is for an amount reasonable and necessary to assure quality service. The department may, by such a contract, authorize a county to contract with any attorney, collection agency or other person to collect unpaid child support or maintenance. If a county fails to fully implement the programs under s. 59.07 (97), the department may implement them and may contract with any appropriate person to obtain necessary services. The department shall establish a formula for disbursing funds appropriated under s. 20.435 ~~(7)~~ (4) (p) to carry out a contract under this subsection.

SECTION 1241b. 46.25 (12) (intro.) of the statutes is amended to read:

46.25 (12) (intro.) From the appropriations under s. 20.435 ~~(7)~~ (4) (ch) and (nL), the department shall, if sufficient funds are available, pay a county \$100 for an action to establish paternity in which all of the following conditions are met:

SECTION 1243. 46.253 (title) of the statutes is amended to read:

46.253 (title) Community work experience program for absent parents.

SECTION 1244b. 46.253 (2) of the statutes is amended to read:

46.253 (2) The department may contract with ~~up to 2 counties each with a population of less than 500,000 and with a low rate of unemployment~~ any county to establish a ~~pilot~~ community work experience program for parents who are not custodial parents and who fail to pay child support. The department shall fund the program from the appropriation under s. 20.435 ~~(7)~~ (4) (df).

SECTION 1246. 46.255 (7) of the statutes is amended to read:

46.255 (7) The department may provide a certification under sub. (1) to a state agency or authority under s. 21.49 (2) (e), 36.11 (6) (b), 36.25 (14), 36.34 (1), 39.30 (2) (e), 39.38 (2), 39.435 (6), 39.44 (4), 39.47 (2m), 45.351 (2) (c), 45.396 (6), 45.74 (6), 45.80 ~~(2) (e)~~,

**Vetoed
in Part**

**Vetoed
in Part
Vetoed
in Part**

**Vetoed
in Part**

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144.245 (5m) (b), 144.25 (8) (L), 145.245 (5m) (b), 234.04 (2), 234.49 (1) (c), 234.59 (3) (c), 234.65 (3) (f), 234.90 (3) (d) or (3g) (c), 234.905 (3) (d) or 949.08 (2) (g).

SECTION 1247. 46.257 of the statutes is repealed.

SECTION 1248. 46.258 (1) of the statutes is amended to read:

46.258 (1) The department shall ~~establish a pilot fund a child support order revision program from the appropriation under s. 20.435 (7) (4) (ga). The program may expend \$77,400 \$151,000 in fiscal year 1989-90 1991-92 and \$77,400 \$245,200 in fiscal year 1990-94 1992-93 to award grants to 4 counties for the counties to establish programs to revise child support orders awarded before July 1, 1987. The county shall revise an equal number of review child support orders awarded to persons whose children receive benefits under s. 49.19 and to persons whose children do not receive benefits under s. 49.19 and shall initiate actions to revise the orders based on that review. The county shall review child support orders awarded to persons whose children receive benefits under s. 49.19 and child support orders awarded to persons whose children do not receive benefits under s. 49.19 in proportion to the number of those 2 categories of orders in the county's child support case load. Before a county may initiate an action to revise a child support order for a person whose children do not receive benefits under s. 49.19, the custodial parent of the children must voluntarily consent to the revision. The program specified under this subsection shall begin on August 9, 1989, and end on June 30, 1991. By December 1, 1990, the department shall submit an evaluation of the program to the governor and the chief clerk of each house of the legislature for distribution to the appropriate standing committees on children and welfare, in the manner provided in s. 13.172 (3) 1993.~~

SECTION 1249b. 46.258 (2) of the statutes is renumbered 46.258 (2) (a) and amended to read:

Vetoed in Part 46.258 (2) (a) From the appropriation under s. 20.435 (7) (4) (g), the department shall provide state incentive payments, at a rate of 20% of the amount by which the amount that a county collects above the projected state increase for collections, to counties that meet child support collection and child support administrative efficiency criteria in child support in a year for persons whose children receive benefits under s. 49.19 exceeds the amount that the county collected in child support in the previous year for persons whose children received benefits under s. 49.19.

~~SECTION 1249bg. 46.258 (2) (b) of the statutes is created to read:~~

~~46.258 (2) (b) From the appropriation under s. 20.435 (4) (g), the department shall provide state incentive payments at a rate of 10% above the federal cap on incentives for child support collections for persons whose children do not receive benefits under s. 49.19.~~

SECTION 1251m. 46.26 (3) (c) of the statutes is amended to read:

46.26 (3) (c) ~~Within the limits of the appropriations under s. 20.435 (3) (cd) and (oo) From the funds authorized to be allocated for juvenile delinquency-related services under s. 46.40 (1) (b),~~ the department of health and social services shall allocate funds to each county for services under this section.

Vetoed in Part

SECTION 1252. 46.26 (3) (e) of the statutes is amended to read:

46.26 (3) (e) The department of health and social services may carry forward \$500,000 or 10% of its funds allocated under this subsection and not encumbered or carried forward under par. (dm) by counties by December 31, whichever is greater, to the next fiscal year 2 calendar years. The department may transfer moneys from or within s. 20.435 (3) (cd) to accomplish this purpose. The department may allocate these transferred moneys to counties with persistently high rates of juvenile arrests for serious offenses during the next fiscal year 2 calendar years to improve community-based juvenile delinquency-related services. The allocation does not affect a county's base allocation.

~~SECTION 1252d. 46.26 (3) (e) of the statutes, as affected by 1991 Wisconsin Act ... (this act), is repealed and recreated to read:~~

Vetoed in Part

~~46.26 (3) (e) The department of health and social services may carry forward \$500,000 or 10% of its funds allocated under this subsection and not encumbered or carried forward under par. (dm) by counties by December 31, whichever is greater, to the next 2 calendar years. The department may transfer funds allocated for juvenile delinquency-related services from one calendar year to the next calendar year to accomplish this purpose. The department may allocate these transferred moneys to counties with persistently high rates of juvenile arrests for serious offenses during the next 2 calendar years to improve community-based juvenile delinquency-related services. The allocation does not affect a county's base allocation.~~

SECTION 1253. 46.26 (4) (a) of the statutes is amended to read:

46.26 (4) (a) ~~The Except as provided in par. (c),~~ the department of health and social services shall bill counties or deduct from the allocations under s. 20.435 (3) (cd) for the costs of care, services and supplies purchased or provided by the department of health and social services for each person receiving services under ss. 48.34, 48.366 and 51.35 (3) or the department of corrections for each person receiving services under s. 48.366. The department of health and social services may not bill a county for or deduct from a county's allocation the cost of care, services and supplies provided to a person subject to an order under s. 48.366 after the person reaches 19 years of age. Payment shall be due within 60 days of the billing date. If any payment has not been received within 60

days, the department of health and social services ~~shall may~~ withhold aid payments in the amount due from the appropriations under s. 20.435 (3) (cd) or (7) (b).

SECTION 1253b. 46.26 (4) (a) of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

Vetoed
in Part

46.26 (4) (a) Except as provided in par. (c), the department of health and social services shall bill counties or deduct from the funds authorized to be allocated for juvenile delinquency-related services under s. 46.40 (1) ~~(b)~~ for the costs of care, services and supplies purchased or provided by the department of health and social services for each person receiving services under ss. 48.34, 48.366 and 51.35 (3) or the department of corrections for each person receiving services under s. 48.366. The department of health and social services may not bill a county for or deduct from a county's allocation the cost of care, services and supplies provided to a person subject to an order under s. 48.366 after the person reaches 19 years of age. Payment shall be due within 60 days of the billing date. If any payment has not been received within 60 days, the department of health and social services may withhold aid payments in the amount due from the appropriation under s. 20.435 (7) (b).

SECTION 1254. 46.26 (4) (b) 1 of the statutes is amended to read:

46.26 (4) (b) 1. Assessment of costs under par. (a) shall be made periodically on the basis of a per person per day cost estimate adjusted at least annually by the department. Liability Except as provided in par. (c), liability shall apply to county departments under s. 46.21, 46.22 or 46.23 in the county of the court exercising jurisdiction under ch. 48 for each person receiving services from the department of health and social services under ss. 48.34, 48.366 and 51.35 (3) or the department of corrections under s. 48.366. In multicounty court jurisdictions, the county of residency within the jurisdiction shall be liable for costs under this subsection. Assessment of costs under par. (a) shall also be made according to the general placement type or level of care provided, as defined by the department, and prorated according to the ratio of the amount designated under sub. (3) (c) and (d) to the total applicable estimated costs of care, services and supplies provided by the department of health and social services under ss. 48.34, 48.366 and 51.35 (3) or the department of corrections under s. 48.366.

SECTION 1255. 46.26 (4) (c) of the statutes is created to read:

46.26 (4) (c) Notwithstanding pars. (a) and (b) 1, the department of health and social services shall pay, from the appropriation under s. 20.435 (3) (hm), the costs of care, services and supplies provided for each person receiving services under ss. 48.34, 48.366 and 51.35 (3) who was under the guardianship of the department pursuant to an order under ch. 48 at the time that the person was adjudicated delinquent.

SECTION 1256. 46.26 (4) (d) 2 of the statutes is amended to read:

46.26 (4) (d) 2. Beginning July 1, ~~1989~~ 1991, and ending December 31, ~~1989~~ 1991, the per person daily cost assessment to counties shall be ~~\$104.30~~ \$107.95 for care in a juvenile correctional institution, ~~\$104.30~~ \$107.95 for care for children transferred from a juvenile correctional institution under s. 51.35 (3), the dollar amount set by the department of corrections by rule for maintaining a prisoner in an adult correctional institution, ~~\$107.07~~ \$119.94 for care in a child caring institution, ~~\$67.92~~ \$75.58 for care in a group home for children, ~~\$43.52~~ \$29.91 for care in a foster home and ~~\$10.32~~ \$11.56 for departmental aftercare services.

SECTION 1257. 46.26 (4) (d) 3 of the statutes is amended to read:

46.26 (4) (d) 3. In calendar year ~~1990~~ 1992, the per person daily cost assessment to counties shall be ~~\$105.15~~ \$108.75 for care in a juvenile correctional institution, ~~\$105.15~~ \$108.75 for care for children transferred from a juvenile correctional institution under s. 51.35 (3), the dollar amount set by the department of corrections by rule for maintaining a prisoner in an adult correctional institution, ~~\$110.30~~ \$124.70 for care in a child caring institution, ~~\$69.98~~ \$78.58 for care in a group home for children, ~~\$44.82~~ \$31.10 for care in a foster home and ~~\$10.20~~ \$11.68 for departmental aftercare services.

SECTION 1258. 46.26 (4) (d) 4 of the statutes is amended to read:

46.26 (4) (d) 4. Beginning January 1, ~~1991~~ 1993, and ending June 30, ~~1991~~ 1993, the per person daily cost assessment to counties shall be ~~\$105.99~~ \$110.11 for care in a juvenile correctional institution, ~~\$105.99~~ \$110.11 for care for children transferred from a juvenile correctional institution under s. 51.35 (3), the dollar amount set by the department of corrections by rule for maintaining a prisoner in an adult correctional institution, ~~\$113.63~~ \$127.18 for care in a child caring institution, ~~\$72.40~~ \$80.13 for care in a group home for children, ~~\$46.17~~ \$31.72 for care in a foster home and ~~\$10.09~~ \$11.85 for departmental aftercare services.

SECTION 1259m. 46.26 (6) (a) of the statutes is amended to read:

46.26 (6) (a) The intent of this subsection is to develop criteria to assist the legislature in allocating funding, excluding funding for base allocations, from ~~the appropriations under s. 20.435 (3) (cd) and (oo) funds authorized to be allocated for juvenile delinquency-related services under s. 46.40 (1) (b)~~ for purposes described in this section.

Vetoed
in Part

SECTION 1261. 46.26 (7) (intro.) of the statutes is amended to read:

46.26 (7) ALLOCATIONS OF FUNDS. (intro.) Within the limits of the availability of federal funds and of the appropriations under s. 20.435 (3) (cd) and (oo), the department shall allocate funds for community youth

and family aids for the period beginning July 1, 1989 1991, and ending June 30, 1991 1993, as provided in this subsection to county departments under ss. 46.215, 46.22 and 46.23 as follows:

SECTION 1261d. 46.26 (7) (intro.) of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

46.26 (7) ALLOCATIONS OF FUNDS. (intro.) From the funds authorized to be allocated for juvenile delinquency-related services under s. 46.40 (1) (b), the department shall allocate funds for community youth and family aids for the period beginning July 1, 1991, and ending June 30, 1993, as provided in this subsection to county departments under ss. 46.215, 46.22 and 46.23 as follows:

SECTION 1262. 46.26 (7) (a) of the statutes is amended to read:

46.26 (7) (a) For community youth and family aids under this section, amounts not to exceed \$30,849,900 \$34,784,800 for the last 6 months of 1989, \$61,699,800 1991, \$69,569,600 for 1990 1992 and \$30,849,900 \$34,784,800 for the first 6 months of 1991 1993.

SECTION 1263. 46.26 (7) (b) 1 of the statutes is amended to read:

46.26 (7) (b) 1. For an adjustment to compensate selected counties, amounts not to exceed \$3,991,000 \$4,907,800 for the last 6 months of 1989, \$5,103,800 1991, \$5,991,200 for 1990 1992 and \$916,800 \$1,000,200 for the first 6 months of 1991 1993.

SECTION 1264. 46.26 (7) (b) 2 of the statutes is amended to read:

46.26 (7) (b) 2. To determine eligibility for payments under this paragraph for fiscal year 1989-90 1991-92, the department shall determine a percentage for each county by dividing the combined number of 1986 1988 and 1987 1989 assaultive and total Part I juvenile arrests in a county by the population of that county under 18 years of age. A county having a percentage exceeding 3.5% is eligible to receive these payments.

SECTION 1265. 46.26 (7) (b) 3 of the statutes is amended to read:

46.26 (7) (b) 3. To determine eligibility for payments under this paragraph for fiscal year 1990-91 1992-93, the department shall determine a percentage for each county by using the procedure under subd. 2, updating the arrest data to reflect current statistics, if available. A county having a percentage exceeding 3.5% is eligible to receive these payments.

SECTION 1266. 46.26 (7) (bn) of the statutes is amended to read:

46.26 (7) (bn) For counties not eligible for payments under par. (b), amounts not to exceed \$100,000 for the last 6 months of 1989 1991, \$200,000 for 1990 1992 and \$100,000 for the first 6 months of 1991 1993.

SECTION 1267. 46.26 (7) (e) of the statutes is amended to read:

46.26 (7) (e) For emergencies related to community youth and family aids under this section, amounts not to exceed \$125,000 for the last 6 months of 1989 1991, \$250,000 for 1990 1992 and \$125,000 for the first 6 months of 1991 1993. A county is eligible for payments under this paragraph only if it has a population of not more than 45,000 and it is not eligible for payments under par. (b).

SECTION 1268. 46.26 (7) (f) of the statutes is amended to read:

46.26 (7) (f) For adjustments to have allocations to compensate for increases in per person daily cost assessments, amounts not to exceed \$1,116,300 \$362,300 for the last 6 months of 1989, \$2,445,500 1991, \$1,092,400 for 1990 1992 and \$1,330,500 \$758,000 for the first 6 months of 1991 1993. The department shall allocate funds under this paragraph in accordance with the requirements of sub. (3) (d).

SECTION 1269m. 46.26 (7) (g) of the statutes is amended to read:

46.26 (7) (g) For adjustments to provide increases for community program allocations, amounts not to exceed \$3,118,400 \$819,200 for 1990 1992 and \$2,604,400 \$826,300 for the first 6 months of 1991 1993.

SECTION 1270. 46.26 (8) (a) of the statutes is amended to read:

46.26 (8) (a) From the amount of the allocations specified in sub. (7) (g) (a), the department shall allocate \$666,700 in the last 6 months of 1991, \$1,333,400 in 1990 1992 and \$666,700 in the first 6 months of 1991 1993 for alcohol and other drug abuse treatment programs.

SECTION 1271. 46.26 (8) (b) of the statutes is amended to read:

46.26 (8) (b) From the amount of the allocations specified in sub. (7) (b) 1, the department shall allocate \$333,300 in the last 6 months of 1991, \$666,600 in 1990 1992 and \$333,300 in the first 6 months of 1991 1993 for alcohol and other drug abuse treatment programs.

SECTION 1273. 46.263 of the statutes is created to read:

46.263 Runaway services. From the appropriation under s. 20.435 (7) (cw), the department shall allocate \$100,000 in fiscal year 1991-92 and \$100,000 in fiscal year 1992-93 to maintain runaway services programs that provide crisis intervention and follow-up services to runaway and homeless children and adolescents in crisis and to the families of runaway and homeless children and adolescents in crisis.

SECTION 1274d. 46.264 (3) of the statutes is amended to read:

46.264 (3) GRANTS. From the appropriation under s. 20.435 (7) (3) (ej), the department may award grants to counties which meet the requirements under sub. (4) to provide early intervention programs for high-risk youths. The early intervention program shall pro-

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vide school, school-related and after-school programs and activities to youths who are at high risk of later involvement in serious delinquent acts, in order to reduce the likelihood of such later involvement.

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in Part

~~SECTION 1274g. 46.264 (4) (c) of the statutes is created to read:~~

~~46.264 (4) (c) The criteria promulgated by rule under par. (b) for participation in the program shall include a requirement that the contractual and staffing patterns of the proposed service providers under the program and the planning, management and delivery of services under the program reflect the cultural characteristics of the population to be served by the program.~~

SECTION 1275g. 46.265 (1) of the statutes is amended to read:

46.265 (1) The From the appropriation under s. 20.435 (3) (jk), the department may shall allocate \$250,000 in each fiscal year to enter into a contract with an organization to provide services in a county having a population of 500,000 or more for the diversion of youths from gang activities into productive activities, including placement in appropriate educational, recreational and employment programs. Notwithstanding s. 16.75, the department may enter into a contract under this section subsection without soliciting bids or proposals and without accepting the lowest responsible bid or offer.

SECTION 1276c. 46.265 (2) of the statutes is amended to read:

46.265 (2) From the appropriation under s. 20.435 (7) (3) (cx), the department shall allocate \$300,000 in each fiscal year 1990-91 to the organization that it has contracted with under sub. (1) for alcohol and other drug abuse education and treatment services for participants in that organization's youth diversion program participants.

SECTION 1276d. 46.265 (3) of the statutes is created to read:

46.265 (3) From the appropriation under s. 20.435 (3) (jk), the department shall allocate \$100,000 in each fiscal year to enter into a contract with an organization to provide services in Racine county, and \$100,000 in each fiscal year to enter into a contract with an organization to provide services in Kenosha county, for the diversion of youths from gang activities into productive activities, including placement in appropriate educational, recreational and employment programs, and for alcohol or other drug abuse education and treatment services for participants in that organization's youth diversion program. Notwithstanding s. 16.75, the department may enter into a contract under this subsection without soliciting bids or proposals and without accepting the lowest responsible bid or offer.

Vetoed
in Part

~~SECTION 1276g. 46.265 (4) of the statutes is created to read:~~

~~46.265 (4) The organizations with which the department contracts under this section shall reflect a~~

~~contractual and staffing pattern that reflects the cultural characteristics of the population served by those organizations. The planning, management and delivery of services under the programs contracted for under this section shall reflect the cultural characteristics of the population to be served by those programs.~~

Vetoed
in Part

SECTION 1277. 46.266 (1) (intro.) of the statutes is amended to read:

46.266 (1) (intro.) Notwithstanding s. 49.45 (6m) (ag), for the period beginning on July 1, 1989 1991, and ending on June 30, 1994 1993, the department may transfer or credit funds from the appropriation under s. 20.435 (1) (b) to the appropriation under s. 20.435 (7) (b), in order to provide funding of community services for an eligible individual, if all of the following apply:

SECTION 1278. 46.266 (1) (a) of the statutes is renumbered 46.266 (1) (a) (intro.) and amended to read:

46.266 (1) (a) (intro.) Except as provided in par. (am), a nursing home terminates use of a bed occupied by the individual as part of a plan submitted by the nursing home and approved by the department. The department may waive the requirement under this paragraph for relocations that are part of a plan submitted by the nursing home and approved by the department that the department expects will result in all of the following:

SECTION 1279. 46.266 (1) (a) 1 of the statutes is created to read:

46.266 (1) (a) 1. A finding by the federal health care financing administration that the nursing home is no longer an institution for mental diseases.

SECTION 1280. 46.266 (1) (a) 2 of the statutes is created to read:

46.266 (1) (a) 2. Licensure of the nursing home as a nursing home under s. 50.03.

SECTION 1281. 46.266 (1) (a) 3 of the statutes is created to read:

46.266 (1) (a) 3. Certification by the department of the nursing home as a provider of medical assistance.

~~SECTION 1281m. 46.267 of the statutes is created to read:~~

~~46.267 Juvenile restitution and community service work projects. (1) A county may provide juvenile restitution and community service work project services.~~

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in Part

~~(2) Except as provided in sub. (3), the circuit judges in a county that provides a project under sub. (1) shall approve written general policy guidelines for the operation of that county's project.~~

~~(3) Two or more contiguous counties may establish a joint project under sub. (1). If a joint project is established, the circuit judges of the counties involved shall approve written general policy guidelines for the operation of the project.~~

~~(4) A county or counties if a joint project is established, may provide the services under this section~~

Vetoed in Part through county staff or may contract with any person or public or private entity to provide the services.

(5) Prior to December 1, 1991, the department shall establish minimum performance standards and request for proposal procedures that shall govern eligibility for and distribution of state funding to juvenile restitution and community service work projects under s. 20.435 (3) (cs).

SECTION 1282. 46.268 (1) (intro.) of the statutes is amended to read:

46.268 (1) (intro.) Notwithstanding s. 49.45 (6m) (ag), the department may, for the period beginning on July 1, 1989 1991, and ending on June 30, 1991 1993, transfer or credit funds from the appropriation under s. 20.435 (1) (b) to the appropriation under s. 20.435 (7) (bc), in order to provide funding of community services for an eligible individual, if all of the following apply:

SECTION 1282g. 46.27 (5) (c) of the statutes is amended to read:

46.27 (5) (c) Within the limits of state and federal funds allocated under sub. (7), provide for ongoing ease care management services in accordance with the requirements established under sub. (6d) (a) 1, periodic case plan review and follow-up services for any person receiving long-term community support services under sub. (6) (b).

SECTION 1282m. 46.27 (6d) of the statutes is created to read:

46.27 (6d) CARE MANAGEMENT REQUIREMENTS. (a) The department, after consulting with representatives of counties, hospitals, and individuals who receive services under this section, shall do all of the following:

1. Establish minimum requirements for the provision of care management services, as defined by the department, including standards for care, times for performance of duties, and size of caseloads.

2. Specify a reasonable schedule for phasing in the requirements established under subd. 1.

3. Provide technical consultation and assistance to the administrator of the program, as designated under sub. (3) (b), with respect to the requirements established under subd. 1.

(b) The department need not promulgate as rules under ch. 227 the requirements under par. (a) 1 or the schedule under par. (a) 2.

SECTION 1285. 46.27 (11) (a) of the statutes is renumbered 46.27 (11) (am).

SECTION 1286. 46.27 (11) (a) of the statutes is created to read:

46.27 (11) (a) In this subsection, "physically disabled" means having a condition that affects one's physical functioning by limiting mobility or the ability to see or hear, that is the result of injury, disease or congenital deficiency and that significantly interferes with or limits at least one major life activity and the performance of one's major personal or social roles.

SECTION 1288. 46.27 (11) (c) 4 of the statutes is amended to read:

46.27 (11) (c) 4. The department may, from the appropriation under s. 20.435 (1) (o), provide reimbursement for services provided under this subsection by counties that are in excess of the current average annual per person rate, as established by the department, and are less than or equal to the average amount approved in the waiver received under par. (a) (am).

SECTION 1289. 46.27 (11) (c) 6 of the statutes is created to read:

46.27 (11) (c) 6. No county, private nonprofit agency or county aging unit, as defined in s. 46.81 (1) (a), may use funds received under this subsection to provide residential services in any community-based residential facility, as defined in s. 50.01 (1g), or group home, as defined in s. 48.02 (7), that has more than 4 beds, unless one of the following applies:

a. The department approves the provision of services in a community-based residential facility or group home that has 5 to 8 beds.

b. The department approves the provision of services in a community-based residential facility that entirely consists of independent apartments, each of which has an individual lockable entrance and exit and individual separate kitchen, bathroom, sleeping and living areas, to individuals who are eligible under this subsection and are physically disabled or are at least 65 years of age.

SECTION 1290. 46.271 (1) (intro.) of the statutes is amended to read:

46.271 (1) (intro.) From the appropriation under s. 20.435 (7) (bd), the department shall allocate \$150,000 in 1989-91 \$100,000 in fiscal year 1991-92 and \$100,000 in fiscal year 1992-93 to applying county departments under s. 46.215, 46.22, 46.23, 51.42 or 51.437 or to a county aging unit under the conditions specified in sub. (3) to establish pilot projects for home and community-based long-term support services. Funds allocated to the pilot projects shall be used to do any of the following:

SECTION 1290g. 46.275 (1) of the statutes is amended to read:

46.275 (1) LEGISLATIVE INTENT. The intent of the program under this section is to relocate or divert persons from the state centers for the developmentally disabled into appropriate community settings with the assistance of home and community-based services and with continuity of care. The intent of the program is also to minimize its impact on state employees through redeployment of employees into vacant positions.

SECTION 1290h. 46.275 (1m) (b) of the statutes is amended to read:

46.275 (1m) (b) "Program" means the community integration program for residents or potential residents of state centers for the developmentally disabled, for which a waiver has been received under sub. (2).

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SECTION 1290i. 46.275 (2) (intro.) of the statutes is amended to read:

46.275 (2) DEPARTMENTAL POWERS AND DUTIES (intro.) The department may request a waiver from the secretary of the U.S. department of health and human services, under 42 USC 1396n (c), authorizing the department to integrate medical assistance recipients who reside or who are diverted from residing in state centers for the developmentally disabled into their communities by providing home and community-based services as part of the medical assistance program. If the department requests this waiver, it shall include all assurances required under 42 USC 1396n (c) (2) in its request. If the department receives this waiver, at the end of the 3-year period during which the waiver remains in effect the department may request an additional 3-year extension of the waiver. If the department receives this waiver, it shall:

SECTION 1290j. 46.275 (4) (a) of the statutes is amended to read:

46.275 (4) (a) Any medical assistance recipient who is living in, or who but for the receipt of services under this section would require the level of care provided in, a state center for the developmentally disabled is eligible to participate in the program. Such a recipient may apply, or any person may apply on behalf of such a recipient, for participation in the program.

SECTION 1290k. 46.275 (4) (f) of the statutes is amended to read:

46.275 (4) (f) To the extent provided in 42 USC 1396n, if a person who has been relocated or diverted from a state center for the developmentally disabled under this program discontinues participating in the program for any reason other than institutional placement, the department may reallocate on a case-by-case basis the funding within the relocating county to another medical assistance recipient who is developmentally disabled and who, but for this program, would require the level of care provided in a state center for the developmentally disabled.

SECTION 1290L. 46.275 (5) (e) of the statutes is created to read:

46.275 (5) (e) Beginning January 1, 1994, and annually thereafter on the first day of each succeeding waiver year, as defined in 42 USC 1396n (c), the department shall increase the per diem reimbursement rate under this subsection by a percentage equal to the average percentage rate increase provided in the same fiscal year to intermediate care facilities for the mentally retarded under s. 49.45 (6m), except that reimbursement rate increases under this paragraph may not result in rates that exceed those permitted in the waiver under 42 USC 1396n (c).

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SECTION 1290m. 46.277 (2) (e) of the statutes is created to read:

46.277 (2) (e) Authorize services under this section, if so requested by a county department participating in the program, for the number of eligible persons that

corresponds to the number of nursing home beds in the county that are delicensed under sub. (3) (b) 1.

SECTION 1290n. 46.277 (3) (b) 2 of the statutes is amended to read:

46.277 (3) (b) 2. Each county department participating in the program shall provide home or community-based care to persons eligible under this section, except that the number of persons who receive home or community-based care under this section may not exceed the number of nursing home beds that are delicensed as part of a plan submitted by the facility and approved by the department. The county department may request that the department authorize services under this section for the number of eligible persons that corresponds to the number of nursing home beds in the county that are delicensed under this subdivision.

SECTION 1291. 46.277 (5) (a) of the statutes is amended to read:

46.277 (5) (a) The provisions of s. 46.275 (5) (a), (b) 1 to 4 and (d) apply to funding received by counties under the program.

SECTION 1292. 46.277 (5) (d) of the statutes is created to read:

46.277 (5) (d) 1. In this paragraph, "physically disabled" means having a condition that affects one's physical functioning by limiting mobility or the ability to see or hear, that is the result of injury, disease or congenital deficiency and that significantly interferes with or limits at least one major life activity and the performance of one's major personal or social roles.

2. No county may use funds received under this section to provide residential services in any community-based residential facility, as defined in s. 50.01 (1g), or group home, as defined in s. 48.02 (7), that has more than 4 beds, unless one of the following applies:

a. The department approves the provision of services in a community-based residential facility or group home that has 5 to 8 beds.

b. The department approves the provision of services in a community-based residential facility that entirely consists of independent apartments, each of which has an individual lockable entrance and exit and individual separate kitchen, bathroom, sleeping and living areas, to individuals who are eligible under this section and are physically disabled or are at least 65 years of age.

SECTION 1292g. 46.277 (5) (e) of the statutes is created to read:

46.277 (5) (e) Annually on January 1, beginning January 1, 1994, the department shall increase the per diem reimbursement rate under this subsection by a percentage equal to the average percentage rate increase provided in the same state fiscal year to skilled care facilities and intermediate care facilities under s. 49.45 (6m) (ag) 8, except that reimbursement rate increases under this paragraph may not result in rates that exceed those permitted in the waiver under 42 USC 1396n (c).

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SECTION 1293. 46.277 (5m) of the statutes is amended to read:

46.277 (5m) **REPORT.** By ~~July~~ October 1 of each year, the department shall submit a report to the joint committee on finance and to the chief clerk of each house of the legislature, for distribution to the appropriate standing committees under s. 13.172 (3), describing the cost and quality of services used under the program and the extent to which existing services have been used under the program in the preceding calendar year.

SECTION 1293g. 46.28 (1) (am) of the statutes is created to read:

46.28 (1) (am) "Child with long-term care needs" means any of the following:

1. A child adjudged delinquent for whom a case disposition is made under s. 48.34.
2. A child found in need of protection or services for whom an order is made under s. 48.345.
3. A child placed under s. 48.63.
4. A child who is eligible under 42 USC 1396a (e) (3).

SECTION 1293h. 46.28 (1) (cg) of the statutes is created to read:

46.28 (1) (cg) "Eligible individual" means an individual who is elderly or chronically disabled, a child with long-term care needs, a homeless individual or a victim of domestic abuse.

SECTION 1293i. 46.28 (1) (cr) of the statutes is created to read:

46.28 (1) (cr) "Homeless individual" has the meaning given in 42 USC 11302 (a).

SECTION 1293jm. 46.28 (1) (d) of the statutes is amended to read:

46.28 (1) (d) "Residential facility" means a living unit for the elderly or chronically disabled that is developed by a sponsor and that is not physically connected to a nursing home or hospital except by common service units for laundry, kitchen or utility purposes and that may include buildings and grounds for activities related to residence, including congregate meal sites, socialization, physical rehabilitation facilities and child care facilities.

SECTION 1293L. 46.28 (1) (f) of the statutes is created to read:

46.28 (1) (f) "Victim of domestic abuse" means an individual who has encountered domestic abuse, as defined in s. 46.95 (1) (a).

SECTION 1293m. 46.28 (2) (intro.) of the statutes is amended to read:

46.28 (2) (intro.) The department may approve any residential facility for financing by the authority if it determines that the residential facility will help meet the housing needs of ~~the elderly and the chronically disabled~~ an eligible individual, based on factors that include:

SECTION 1294. 46.29 (1) (intro.) of the statutes is amended to read:

46.29 (1) (intro.) From the appropriation under s. 20.435 (6) (d), the department shall allocate up to \$12,000 in ~~1990-94~~ each fiscal year for operation of the council on physical disabilities. The council on physical disabilities shall do all of the following:

SECTION 1295. 46.30 (4) (a) of the statutes is amended to read:

46.30 (4) (a) The department shall allocate the federal community services block grant funds received under 42 USC 9903 and deposited in the appropriations under s. 20.435 ~~(6) (4) (mc)~~ and ~~(7) (md)~~ and the state supplement under s. 20.435 ~~(7) (4) (cr)~~ as provided in this subsection.

SECTION 1296. 46.30 (4) (cm) of the statutes is amended to read:

46.30 (4) (cm) The department shall allocate all of the funds under s. 20.435 ~~(7) (4) (cr)~~ to community action agencies and organizations, including any of the 11 federally recognized tribal governing bodies in this state and limited-purpose agencies, in proportion to the share of funds actually allocated to these entities under 42 USC 1315 and from other federal and private foundation sources that provide funds for job creation and development for individuals with low incomes.

SECTION 1296h. 46.31 of the statutes is created to read:

46.31 New hope project. (1) From the appropriation under s. 20.435 (4) (dk), the department shall allocate funds to new hope project, inc., for a demonstration project that will be conducted in 2 areas in the city of Milwaukee, if all of the following conditions are satisfied:

(a) A person who lives in either of the 2 areas is eligible to enter the project if he or she is at least 18 years of age and has a family income below 200% of the poverty line, as defined in s. 49.43 (9m), for a family the size of the person's family.

(b) The project assists a participant who is not employed to obtain a job other than a community service job under par. (c).

(c) The project assists a participant who is not employed before entering the project and who does not obtain a job under par. (b) within a reasonable time, as determined by new hope project, inc., to obtain a community service job and funds the wages paid for that community service job.

(d) If a participant is employed before starting the project or becomes employed under par. (b) but his or her wages are lower than wage levels established by new hope project, inc., the project assists the participant in obtaining state and federal earned income tax credits and, if the wages plus the earned income tax credits are lower than the established wage levels, provides the participant with wage supplements.

(e) If a participant is employed, the project assists the participant to obtain and, if necessary, funds any of the following services needed by a participant and his or her family:

1. Health care.
2. Child care.
3. Counseling and training for job retention or advancement.

(g) New hope project, inc., contracts for an evaluation of the project of a quality sufficient to show whether and to what extent the project has succeeded in reducing welfare dependency, unemployment and poverty.

(h) New hope project, inc., demonstrates that it has obtained funds for the project from other public or private sources in an amount that is at least equal to the amount of state funds appropriated for the program.

(2) New hope project, inc., may require a participant to pay a portion of the cost of health care and child care funded by the project.

(3) The contract under sub. (1) (g) shall require an interim evaluation to be submitted to the department no later than January 1, 1993. New hope project, inc., may not use funds appropriated under s. 20.435 (4) (dk) to fund the evaluation under sub. (1) (g).

(4) This section does not apply after December 31, 1994.

~~SECTION 1296r. 46.35 of the statutes is created to read:~~

Vetoed
in Part

~~**46.35 Community service jobs.** (1) AWARD OF GRANT. From the appropriation under s. 20.435 (7) (cu), the department shall award a grant of \$200,000 in fiscal year 1991-92 and a grant of \$200,000 in fiscal year 1992-93 to a nonprofit corporation to provide community service jobs and individualized academic instruction, career guidance, basic life skills training and work skills development for persons who meet all of the following eligibility criteria:~~

- ~~(a) Are at least 18 years of age, but have not attained the age of 24 years~~
- ~~(b) Reside in a county that has a population of 500,000 or more.~~
- ~~(c) Have an income that is at or below 150% of the nonfarm federal poverty line for the continental United States, as defined by the federal department of labor under 42 USC 9902 (2).~~
- ~~(d) Are school dropouts or are school graduates with skill deficiencies.~~

~~(2) APPLICATIONS AND CRITERIA. The department shall provide application procedures and selection criteria for the awarding of grants under this section in accordance with the department's request-for-proposal procedures.~~

~~(3) COMMUNITY SERVICE PROJECTS. (a) A grant recipient under this section shall provide the community service jobs specified under sub. (1) in cooperation with community service project sponsors~~

~~whose projects are approved by the grant recipient in accordance with the criteria specified in pars. (b) to (d).~~

Vetoed
in Part

~~(b) To qualify as an approved community service project under par. (a), a project must serve a valid public purpose, provide employment, education and training opportunities for project participants and consist of activities in the areas of urban restoration, urban conservation, human services, art or entrepreneurship, or any combination of those activities.~~

~~(c) Before approving a community service project under par. (a), a grant recipient under this section shall evaluate the proposed project according to the following criteria:~~

- ~~1. The extent of funding for the project from sources other than the grant recipient.~~
- ~~2. The extent and value of all in-kind services, equipment, supplies and materials that the project sponsor agrees to furnish.~~
- ~~3. The nature, location, scope, cost and duration of the project.~~
- ~~4. The effect of the project on the quality of life of the residents of the county in which the project is located.~~
- ~~5. The visibility of the project's operations and results.~~
- ~~6. The feasibility of the project.~~
- ~~7. The effectiveness of the project in preparing project participants for careers.~~
- ~~8. The ability of the project to generate future fee-for-services contracts for the project sponsor or grant recipient or both.~~

~~(d) A grant recipient under this section may not approve a community service project under par. (a) in which project participants are used in any manner in connection with a labor dispute, are used to impair an employment contract or collective bargaining agreement or are used to displace a permanent employee of the project sponsor, including an employee who has been temporarily laid off by the project sponsor.~~

~~SECTION 1296t. 46.39 of the statutes is created to read:~~

Vetoed
in Part

~~**46.39 Community aids system.** (1) ESTABLISHMENT. From the funds allocated under s. 46.40, the state shall provide the primary funding for the state-administered, county-operated portion of the human services delivery system, which shall address human service needs.~~

~~(2) SERVICES. The community aids system shall do all of the following:~~

~~(a) Provide human services that are tailored to address individual needs and designed to promote self-sufficiency and protect and enhance the rights of individuals.~~

~~(b) Provide human services that are community-based, culturally appropriate, cost-effective and in the least restrictive setting consistent with individual needs.~~

Vetoed
in Part

~~(c) Provide human services that are designed to prevent or reduce personal and social problems as part of a statewide prevention strategy in coordination with the education, health care, employment and law enforcement systems.~~

~~(d) Create planning and program development mechanisms to determine which human services programs are most effective in meeting the needs of persons receiving services under the community aids system.~~

~~(3) STATE INVOLVEMENT IN HUMAN SERVICES. In administering the community aids system, the department shall do all of the following:~~

~~(a) Implement goals for the human services delivery system as a whole.~~

~~(b) Request funding for the human services system, based on needs.~~

~~(c) Provide leadership to assist counties in implementing or contracting for human services programs and in developing improved methods of delivering human services.~~

~~(d) Encourage and facilitate communication and cooperation among counties regarding ways to effectively deliver human services.~~

~~(e) Establish program standards and monitor county compliance with those standards and the terms of the state-county contract under s. 46.031 to ensure the provision of high-quality human services programs and equal access to those programs.~~

~~(f) Collect data from counties on, and communicate with the legislature, the governor and the public about, the performance, effectiveness, needs and expenditures of the human services delivery system.~~

~~(4) COUNTY INVOLVEMENT IN PROVIDING HUMAN SERVICES. In providing or contracting for the provision of human services, counties shall do all of the following:~~

~~(a) Establish and periodically review and update local human services system goals, consistent with state goals for the system as a whole.~~

~~(b) Provide data to the department to facilitate assessment of the performance, effectiveness, needs and expenditures of the human services delivery system.~~

~~(c) Propose program initiatives tailored to meet local needs.~~

~~(d) Monitor program operations to assure compliance with state and county program requirements and terms of the state-county contract under s. 46.031.~~

~~(e) Comply with state and federal service and reporting requirements.~~

~~(f) Cooperate with the department and other counties to share information that will improve the delivery of human services in the state.~~

SECTION 1296y. 46.40 (title) of the statutes is amended to read:

46.40 (title) Community aids funding.

SECTION 1297. 46.40 (intro.) of the statutes is amended to read:

46.40 Allocation of community aids funds. (intro.) Within the limits of available federal funds and of the appropriations under s. 20.435 (7) (b), (i) and (o), the department shall allocate to county departments under ss. 46.215, 46.22, 46.23, 51.42 and 51.437, to county aging units and private nonprofit organizations as authorized under s. 46.87 (3) (c) 4 and (4) and to private nonprofit child care providers as authorized under s. 46.98 (2) (a) 2 funds for community social, mental health, developmental disabilities and alcohol and other drug abuse services for the period beginning July 1, 1989 1991, and ending June 30, 1994 1993, as follows:

SECTION 1297c. 46.40 (intro.) of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed.

SECTION 1297d. 46.40 (1) to (3) of the statutes, as affected by 1991 Wisconsin Act (this act), are repealed and recreated to read:

46.40 (1) ALLOCATION OF COMMUNITY AIDS FUNDS. Within the limits of available federal funds and of the appropriations under s. 20.435 (3) (oo) and (7) (b) and (o), the department shall allocate to county departments under ss. 46.215, 46.22, 46.23, 51.42 and 51.437 and to private nonprofit child care providers as authorized under s. 46.98 (2) (a) 2 funds for human services, including prevention, intervention, treatment and aftercare, for the period beginning on January 1, 1992, and ending on December 31, 1992, and for each calendar year thereafter, in the proportion in which all counties expended funds on clients in each of the following categories, as reported by all counties to the department in the most recent calendar year for which data is available:

- (a) Persons with developmental disabilities.
- (b) Delinquent and status offender children.
- (c) Persons who abuse alcohol or other drugs.
- (d) Persons with mental health problems.
- (e) Persons who have physical or sensory disabilities.
- (f) Elderly and other adults.
- (g) Children who are, or who are alleged to be, abused or neglected, or who are threatened with abuse or neglect.
- (h) Children and families, including child day care services.

(2) **ADMINISTRATIVE COSTS.** The department shall promulgate rules designating the portion of funds that a county department under s. 46.215, 46.22, 46.23, 51.42 or 51.437 may expend for administrative costs in each allocation under sub. (1) and designating the expenses that may be claimed as allowable administrative costs.

(3) **EMERGENCY FUNDS.** For emergencies, the department may allocate not more than \$250,000 for 1992 and not more than \$125,000 for the first 6

Vetoed
in Part

Vetoed
in Part

~~months of 1993. The emergency funds may be expended for emergencies occurring in any program or service provided under sub. (1). Among other uses, the emergency funds may be used to replace funds that would otherwise be expended on community-based services but that are diverted to pay for unanticipated costs, beyond county control, incurred by a county as a result of a court order to provide certain services, including institutional services.~~

SECTION 1298. 46.40 (1) (a) of the statutes is amended to read:

46.40 (1) (a) For social services under s. 49.52 (1) (d) and services under s. 51.423 (2), the department shall allocate not more than ~~\$98,544,900~~ \$119,157,000 for the last 6 months of ~~1989~~ 1991, not more than ~~\$208,915,200~~ \$239,505,600 for ~~1990~~ 1992 and not more than ~~\$110,725,100~~ \$122,147,800 for the first 6 months of ~~1991~~ 1993.

SECTION 1299. 46.40 (1) (b) of the statutes is amended to read:

46.40 (1) (b) From the amount under par. (a) for ~~1989~~ 1991, the department shall allocate to each county for the last 6 months of ~~1989~~ 1991 an amount equal to the amount allocated to the county as its the basic county allocation for the first 6 months of ~~1989~~ 1991 under s. 46.40 (1) (b), ~~1987~~ (d), 1989 stats., and s. 46.40 (1) (e), 1989 stats.

SECTION 1300. 46.40 (1) (c) of the statutes is amended to read:

46.40 (1) (c) From the amount under par. (a) for ~~1990~~ 1992, the department shall allocate to each county for ~~1990~~ 1992 an amount equal to ~~106%~~ of the amount allocated to the county as the basic county allocation for ~~1989~~ 1991 under par. (b) and s. 46.40 (1) (d), ~~1987~~, 1989 stats., and s. 46.40 (1) (e), 1989 stats., minus the portion of the amount by which the federal social services block grant funds under 42 USC 1397 to 1397e received by this state in fiscal year ~~1989-90~~ 1991-92 exceeds the amount received in fiscal year ~~1990-91~~ 1992-93 that will distribute the reduction as an equal percentage reduction to each county.

SECTION 1301. 46.40 (1) (d) of the statutes is amended to read:

46.40 (1) (d) ~~The~~ From the amount under par. (a) for 1993, the department shall allocate to each county for the first 6 months of ~~1991~~ the percentage of the 1993, an amount under par. (a) for the first 6 months of 1991 equal to ~~112.36%~~ of the amount allocated to the county as the basic county allocation for the first 6 months of ~~1989~~ 1991 under s. 46.40 (1) (d), ~~1987~~ 1989 stats., and s. 46.40 (1) (e), 1989 stats.

SECTION 1302. 46.40 (1) (e) of the statutes is repealed.

SECTION 1303. 46.40 (2) of the statutes is amended to read:

46.40 (2) CATEGORICAL ALLOCATION FOR SERVICES TO CHILDREN. (a) For services to children and families, the department shall allocate not more than

~~\$1,947,200~~ \$2,187,900 for the last 6 months of ~~1989~~ 1991, not more than ~~\$4,128,000~~ \$4,397,700 for ~~1990~~ 1992 and not more than ~~\$2,187,900~~ \$2,242,800 for the first 6 months of ~~1991~~ 1993.

(b) In addition to the amounts under par. (a), the department shall allocate, for community treatment of abused and neglected children, not more than ~~\$250,000~~ \$280,900 for the last 6 months of ~~1989~~ 1991, not more than ~~\$530,000~~ \$564,600 for ~~1990~~ 1992 and not more than ~~\$280,900~~ \$288,000 for the first 6 months of ~~1991~~ 1993.

SECTION 1304. 46.40 (3) of the statutes is amended to read:

46.40 (3) SUPPORTIVE HOME CARE. For supportive home care services, the department shall allocate not more than ~~\$6,207,500~~ \$6,453,100 for the last 6 months of ~~1989~~ 1991, not more than ~~\$12,638,400~~ \$12,970,700 for ~~1990~~ 1992 and not more than ~~\$6,453,100~~ \$6,615,100 for the first 6 months of ~~1991~~ 1993.

SECTION 1305v. 46.40 (4) (a) of the statutes, as affected by 1991 Wisconsin Act 6, is renumbered 46.40 (4) (a) 1 and amended to read:

46.40 (4) (a) 1. For distribution under s. 46.98 (2) for child day care services under s. 46.98 (3), the department shall allocate, from the appropriation under s. 20.435 (7) (b), not more than ~~\$6,633,300~~ \$4,386,600 for the last 6 months of ~~1989~~ 1991, not more than ~~\$11,766,300~~ \$9,057,700 for ~~1990~~ 1992 and not more than ~~\$6,305,000~~ \$4,645,800 for the first 6 months of ~~1991~~ 1993.

SECTION 1306. 46.40 (4) (a) 2 of the statutes is created to read:

46.40 (4) (a) 2. For distribution under s. 46.98 (2) for child day care services under s. 46.98 (3), the department shall allocate, from the federal child care and development block grant funds received under 42 USC 9858 and appropriated under s. 20.435 (7) (c), not more than \$3,909,400 for the last 6 months of 1991, not more than \$8,315,700 for 1992 and not more than \$4,581,500 for the first 6 months of 1993.

SECTION 1307m. 46.40 (4) (b) of the statutes, as created by 1991 Wisconsin Act 6, is amended to read:

46.40 (4) (b) 1. For distribution under s. 46.98 (2g) for child day care services under s. 46.98 (2m), the department shall allocate, from the ~~amount under par. (a)~~ appropriation under s. 20.435 (7) (b), not more than ~~\$1,918,400~~ \$1,918,400 for the last 6 months of 1991, not more than ~~\$995,100~~ \$3,773,000 for ~~1990~~ 1992 and not more than ~~\$1,990,200~~ \$1,881,800 for the first 6 months of ~~1991~~ 1993. The department may carry forward funds allocated under this paragraph, but not encumbered by December 31, for distribution under s. 46.98 (2g) for child day care services under s. 46.98 (2m) in the following calendar year.

2. For distribution under s. 46.98 (2g) for child day care services under s. 46.98 (2m), the department shall allocate, from the federal child care grant moneys received under 42 USC 603 (n) and appropriated

under s. 20.435 (7) (o), not more than \$2,877,400 for the last 6 months of 1991, not more than \$1,469,300 \$5,754,800 for 1990 1992 and not more than \$2,938,500 \$2,877,400 for the first 6 months of 1991 1993.

SECTION 1308. 46.40 (5) of the statutes is amended to read:

46.40 (5) COMMUNITY SUPPORT PROGRAMS. For community support programs for the chronically mentally ill under s. 51.421, the department shall allocate not more than \$833,300 \$936,300 for the last 6 months of 1989 1991, not more than \$1,766,600 \$1,882,000 for 1990 1992 and not more than \$936,300 \$959,800 for the first 6 months of 1991 1993.

SECTION 1308d. 46.40 (5) of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

46.40 (5) PILOT PROGRAMS. (a) *Review*. The department shall regularly review and evaluate pilot programs created under this subsection to determine whether the programs should be implemented in every county in the state.

(b) *Department recommendation*. Within 3 years after a program created under this subsection starts to provide services to clients, the department shall develop a recommendation regarding whether the program should be implemented in every county in the state. In developing its recommendation, the department shall consult with county departments, county elected officials and advocacy organizations and shall consider the following factors:

1. The extent to which the goals established for the pilot program are being addressed by the program.
2. Whether the costs of the program are balanced by positive benefits to program participants.
3. Whether other counties in the state have needs that could be addressed by the program.
4. Whether the program is a cost-effective way of providing services to program participants.

(c) *Proposed legislation*. The department shall submit its recommendation regarding a pilot program created under this subsection as proposed legislation to the chairperson of an appropriate standing committee in each house of the legislature. The proposed legislation shall specify which, if any, program requirements shall be retained if the program is implemented statewide and shall include a sunset date for the remaining program requirements. When the department submits its proposed legislation, it shall also provide an estimate of the cost of implementing the program statewide, a timetable for statewide implementation and a recommendation regarding the allocation under sub. (f) into which the program shall be incorporated.

(d) *Legislative action*. After reviewing the department's proposed legislation regarding a pilot program and making any revisions or modifications, the stand-

~~ing committees shall introduce legislation on the subject matter of the pilot program.~~

Vetoed
in Part

(e) *Current pilot programs*. For pilot programs, the department shall allocate the following:

1. For grants to county departments under s. 46.23, 51.42 or 51.437 for programs to provide supported employment opportunities for severely disabled persons, the department shall allocate not more than \$60,000 for 1992 and not more than \$30,000 for the first 6 months of 1993.

2. For grants for services to persons with epilepsy under s. 46.57, the department shall allocate not more than \$150,000 for 1992 and not more than \$75,000 for the first 6 months of 1993.

3. For grants to counties for family-based child welfare services, the department shall allocate not more than \$1,143,600 for 1992 and not more than \$578,000 for the first 6 months of 1993.

SECTION 1309. 46.40 (6) of the statutes is amended to read:

46.40 (6) COMMUNITY-BASED PROGRAMS FOR THE DEVELOPMENTALLY DISABLED. (a) For community-based programs for the developmentally disabled, the department shall allocate not more than \$660,000 \$741,600 for the last 6 months of 1989 1991, not more than \$1,399,200 \$1,490,600 for 1990 1992 and not more than \$741,600 \$760,200 for the first 6 months of 1991 1993.

(b) In addition to the amounts under par. (a), the department shall allocate for community-based programs for the developmentally disabled not more than \$480,400 \$539,800 for the last 6 months of 1989 1991, not more than \$1,018,400 \$1,085,000 for 1990 1992 and not more than \$539,800 \$553,300 for the first 6 months of 1991 1993 based on the number of individuals on the waiting list for services for the developmentally disabled in each county.

SECTION 1309f. 46.40 (6) to (12) of the statutes, as affected by 1991 Wisconsin Act (this act), are repealed.

SECTION 1310. 46.40 (7) (a) of the statutes is renumbered 46.40 (7) and amended to read:

46.40 (7) FAMILY SUPPORT PROGRAMS. For family support programs for the families of disabled children under s. 46.985, the department shall allocate not more than \$985,600 \$1,476,900 for the last 6 months of 1989 1991, not more than \$1,971,200 \$2,968,600 for 1990 1992 and not more than \$985,600 \$2,403,400 for the first 6 months of 1991 1993.

SECTION 1311. 46.40 (7) (b) of the statutes is repealed.

SECTION 1312. 46.40 (7) (c) of the statutes is repealed.

SECTION 1313. 46.40 (8) of the statutes is amended to read:

46.40 (8) ALZHEIMER'S FAMILY AND CAREGIVER SUPPORT. For services to persons with Alzheimer's dis-

Vetoed
in Part

ease and their caregivers under s. 46.87, the department shall allocate not more than ~~\$566,600~~ \$920,000 for the last 6 months of ~~1989~~ 1991, not more than ~~\$1,767,800~~ \$1,849,200 for ~~1990~~ 1992 and not more than ~~\$920,000~~ \$943,100 for the first 6 months of ~~1991~~ 1993.

SECTION 1314. 46.40 (9) of the statutes is amended to read:

46.40 (9) EMERGENCIES. For emergencies, the department may allocate not more than ~~\$300,000~~ \$125,000 for the last 6 months of ~~1989~~ 1991, not more than ~~\$600,000~~ \$250,000 for ~~1990~~ 1992 and not more than ~~\$300,000~~ \$125,000 for the first 6 months of ~~1991~~ 1993.

SECTION 1315. 46.40 (10) of the statutes is amended to read:

46.40 (10) ALCOHOL, DRUG ABUSE AND MENTAL HEALTH BLOCK GRANT. (a) For alcohol and drug abuse services funded through moneys received under 42 USC 300x to 300x-9, the department shall allocate not more than ~~\$1,641,800~~ \$1,641,800 for the last 6 months of ~~1989~~ 1991, not more than ~~\$3,283,500~~ \$3,283,500 for ~~1990~~ 1992 and not more than ~~\$1,641,700~~ \$1,641,700 for the first 6 months of ~~1991~~ 1993.

(am) In addition to the amounts allocated under par. (a), for alcohol and other drug abuse treatment for youth funded through moneys received under 42 USC 300x to 300x-9 the department shall allocate not more than ~~\$225,000~~ \$225,000 for the last 6 months of ~~1991~~ 1991, not more than ~~\$450,000~~ \$450,000 in ~~1990~~ 1992 and not more than ~~\$225,000~~ \$225,000 for the first 6 months of ~~1991~~ 1993.

(b) For mental health services funded through moneys received under 42 USC 300x to 300x-9, the department shall allocate not more than ~~\$125,000~~ \$125,000 for the last 6 months of ~~1989~~ 1991, not more than ~~\$250,000~~ \$250,000 for ~~1990~~ 1992 and not more than ~~\$125,000~~ \$125,000 for the first 6 months of ~~1991~~ 1993.

SECTION 1316. 46.40 (11) of the statutes is amended to read:

46.40 (11) FAMILY-BASED SERVICES. For family-based child welfare services, the department shall allocate not more than ~~\$28,000~~ \$565,800 for the last 6 months of ~~1989~~ 1991, not more than ~~\$1,146,300~~ \$1,135,000 for ~~1990~~ 1992 and not more than ~~\$565,800~~ \$574,400 for the first 6 months of ~~1991~~ 1993.

SECTION 1317. 46.40 (12) of the statutes is amended to read:

46.40 (12) ALCOHOL AND OTHER DRUG ABUSE TREATMENT PROGRAMS. For the expansion of existing ~~or the creation of new~~ alcohol and other drug abuse treatment programs, the department shall allocate not more than ~~\$5,333,300~~ \$2,666,700 for the last 6 months of ~~1991~~ 1991, not more than ~~\$5,360,100~~ \$2,666,700 for ~~1990~~ 1992 and not more than ~~\$2,666,700~~ \$2,733,600 for the first 6 months of ~~1991~~ 1993. The department may allocate funds to a county only if the county submits to the department a plan for the use of the funds. Each year the department shall allocate funds to a county in the

same proportion as the county's proportion of the total expenditures by counties of funds from all sources for alcohol and other drug abuse treatment, as reported to the department for the most recent year available. A county may not use funds allocated under this subsection to reduce its expenditures from other sources for alcohol and other drug abuse treatment below the level of the year before the year for which the funds are allocated.

SECTION 1317m. 46.41 of the statutes is created to read. **Vetoed in Part**

46.41 Transfers of community aids funds. (1) In this section, "county board" means the county board of supervisors in a county with a single-county department under s. 46.215, 46.22, 46.23, 51.42 or 51.437 or the county boards of supervisors in counties with a multicounty department under s. 46.22, 46.23, 51.42 or 51.437.

(2) General purpose revenue and federal funds allocated by the department to counties under s. 46.40 (1), and required county matching funds under ss. 49.52 (1) (d) and 51.423 (2), may be transferred by a county board from one allocation under s. 46.40 (1) to another during a calendar year as follows:

(a) During a calendar year, beginning January 1, 1993, a county board may transfer funds between allocations, in an amount not exceeding 10% of each allocation, for the purpose of providing services under another allocation. A county board shall hold a public hearing prior to the proposed transfer of funds, if it anticipates that there would be a reduction of services provided under an allocation from which funds are to be transferred.

(b) During a calendar year, beginning January 1, 1993, a county board may transfer funds between allocations in addition to the percentage specified in par. (a), in an amount not exceeding an additional 10% of each allocation, for the purpose of providing services under another allocation. Prior approval of such a transfer by the department is required. A county board shall hold a public hearing prior to the proposed transfer of funds if it anticipates that there would be a reduction of services provided under an allocation from which funds are to be transferred.

(c) During a calendar year, beginning January 1, 1992, a county board in a county with a population of 50,000 or less may transfer funds between allocations, in excess of the percentage specified in par. (b), if the county department incurs unanticipated costs associated with services that a court orders it to provide.

(d) During calendar year 1992, a county board may transfer funds between allocations in excess of the percentage specified in par. (b) for the purpose of providing services under another allocation. A county board shall hold a public hearing prior to the proposed transfer of funds if it anticipates that there would be a reduction of services provided under an allocation from which funds are to be transferred.

Vetoed
in Part

~~(3) A county board may submit a request to the department for a permanent adjustment in the amounts of the allocations under s. 46.40 (1) if it has transferred funds under this section for 3 consecutive years.~~

SECTION 1317s. 46.45 (3) (a) of the statutes is amended to read:

46.45 (3) (a) Except as provided in par. (b), at the request of a county, tribal governing body or private nonprofit organization, the department shall carry forward up to 3% of the total amount allocated to the county, tribal governing body or nonprofit organization for a calendar year, except for funds allocated for day care under ss. 46.98 (2) (a) 2 and 49.52 (1) (d) and funds allocated under s. 46.40 (1) ~~(b)~~ for services to delinquent children, for use by the county, tribal governing body or nonprofit organization in the following calendar year. The department may not carry forward more than 25% of the amount allocated to a county, tribal governing body or nonprofit organization for any allocation under s. 46.40 (2), (3), (5), (6), (7), (8), (9), (10), (11) or (12) (1) ~~or (3)~~. The department may carry forward funds allocated under s. 46.40 (1) ~~(b)~~ for services to delinquent children as provided in s. 46.26 (3) (dm) and (e) and may carry forward funds allocated for day care under ss. 46.98 (2) (a) and 49.52 (1) (d) as provided in sub. (1). All funds carried forward for a tribal governing body or nonprofit organization and all federal child welfare funds, under 42 USC 620 to 626, and federal alcohol, drug abuse and mental health block grant funds, under 42 USC 300x to 300x-9, carried forward for a county shall be used for the purpose for which the funds were originally allocated. Except as provided under par. (am), other funds carried forward may be used for any purpose under s. 20.435 (7) (b). If a county match was required by s. 49.52 (1) (d) or 51.423 (2) when funds carried forward were originally allocated, the county match requirement applies to the funds in the following calendar year.

Vetoed
in Part

Vetoed
in Part

Vetoed
in Part

SECTION 1318. 46.45 (4) of the statutes is repealed.

SECTION 1319. 46.45 (5) of the statutes is amended to read:

46.45 (5) The department may carry forward up to \$250,000 of any funds not carried forward under subs. (1) to ~~(4) (3)~~ to pay a county owed funds for the purchase or provision of mental health services, social services or services under s. 46.26 or 46.27 due to a prior year audit adjustment.

SECTION 1320. 46.48 (2) (a) of the statutes is amended to read:

46.48 (2) (a) The department shall allocate ~~\$425,000 for fiscal year 1989-90 and \$1,425,000 for in each fiscal year 1990-91~~ to eligible counties for services related to child abuse and neglect, including child abuse and neglect prevention, investigation and treatment.

SECTION 1321. 46.48 (2) (f) of the statutes is amended to read:

46.48 (2) (f) The department may carry forward funds allocated under this subsection, but not encumbered by December 31, 1990, for allocation for the purpose under this subsection in ~~1991~~ the following calendar year.

SECTION 1322. 46.48 (4) of the statutes is amended to read:

46.48 (4) SUPPORTED EMPLOYMENT. For grants to county departments under s. 46.23, 51.42 or 51.437 for programs to provide supported employment opportunities for severely disabled persons, the department shall allocate \$60,000 for in each fiscal year 1989-90 and \$60,000 for fiscal year 1990-91.

SECTION 1322d. 46.48 (4) of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed.

SECTION 1323. 46.48 (5) of the statutes is amended to read:

46.48 (5) RELOCATION SERVICES FOR MENTALLY ILL PERSONS. For program start-up and services to mentally ill persons relocated or diverted from a skilled nursing facility or intermediate care facility at risk of being determined by the federal health care financing administration to be an institution for mental diseases, as defined under 42 CFR 435.1009 (e), the department may allocate not more than \$500,000 ~~for fiscal year 1989-90 and not more than \$500,000 for in each fiscal year 1990-91~~. County matching funds are required for allocations under this subsection. A county's required match equals 9.89% of the county's allocation. The department may carry forward funds allocated under this subsection, but not encumbered by December 31, for allocation for the purpose under this subsection in the following calendar year.

SECTION 1324. 46.48 (6) of the statutes is amended to read:

46.48 (6) SERVICES TO PERSONS WITH EPILEPSY. For grants for services to persons with epilepsy under s. 46.57, the department shall allocate not more than \$75,000 ~~for the last 6 months of 1989, not more than \$150,000 for 1990 and not more than \$75,000 for the first 6 months of 1991~~ in each fiscal year. The department may carry forward not more than 25% of the total amount allocated ~~for a calendar year~~ to a county, tribal governing body or nonprofit organization under this subsection, but not encumbered by December 31, for allocation for use by the county, tribal governing body or nonprofit organization for the purpose under this subsection in the following calendar year.

SECTION 1324d. 46.48 (6) of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed.

SECTION 1325. 46.48 (7) of the statutes is amended to read:

46.48 (7) SERVICES TO RESIDENTS OF CHRISTIAN LEAGUE FOR THE HANDICAPPED. The department shall

allocate \$53,800 in each fiscal year 1989-90 and \$53,800 in fiscal year 1990-91 to county departments under s. 46.23, 51.42 or 51.437 of the counties which that are fiscally responsible for persons who resided in the Christian league for the handicapped in Walworth county on the date that the facility gave up its status as a medical assistance provider for the purpose of providing services to those persons.

SECTION 1326. 46.48 (8) (a) of the statutes is amended to read:

46.48 (8) (a) The department shall allocate \$497,200 in each fiscal year 1989-90 and \$497,200 in fiscal year 1990-91 to counties for the purpose of supplementing payments for the care of an individual who attains age 18 after 1986 and who resided in a foster home, as defined in s. 48.02 (6), for at least 2 years immediately prior to attaining age 18 and, for at least 2 years, received exceptional foster care payments in order to avoid institutionalization, as provided under rules promulgated by the department, so that the individual may live in a family home or other noninstitutional situation after attaining age 18. No county may use funds provided under this paragraph to replace funds previously used by the county for this purpose.

Vetoed
in Part

SECTION 1328m. 46.48 (9) of the statutes is amended to read:

46.48 (9) ENERGY EMERGENCY AND OUTREACH SERVICES. For energy emergency and outreach services to elderly and rural low-income households in the south central area of the state, the department shall allocate not more than \$30,000 in fiscal year 1989-90 and not more than \$30,000 in fiscal year 1990-91 \$40,000 annually to the agency agencies that administer the program under s. 49.80 in Dane and Dodge and Columbia counties.

Vetoed
in Part

SECTION 1329f. 46.48 (10m) (a) of the statutes is amended to read:

46.48 (10m) (a) For foster care payments under s. 49.19 (12) (b) and to provide additional funding for payments under s. 49.19 (12) (a), the department shall allocate to counties not more than \$297,700 \$643,900 in fiscal year 1989-90 1991-92 and not more than \$962,500 \$861,600 in fiscal year 1990-91 1992-93.

SECTION 1330. 46.48 (11) of the statutes is amended to read:

46.48 (11) TREATMENT ALTERNATIVE PROGRAM. For grants under s. 46.65, the department shall allocate not more than \$65,400 in fiscal year 1989-90 and not more than \$261,300 in each fiscal year 1990-91 for grants to applicants that have previously received grants under s. 46.65. The department shall allocate

Vetoed
in Part

not more than \$250,000 in each of fiscal years 1991-92 and 1992-93 for a grant to Milwaukee county under s. 46.65. The contractual and staffing patterns of the

Vetoed
in Part

grant recipients under this subsection and the planning, management and delivery of services under this subsection shall reflect the cultural characteristics of the population to be served.

SECTION 1330m. 46.48 (14) of the statutes is created to read:

46.48 (14) DOMESTIC AND ELDER ABUSE TRAINING. The department shall allocate \$70,000 in each fiscal year to provide grants of \$35,000 each to 2 hospitals, one urban and one rural, to provide training to nurses and emergency room physicians to identify symptoms of domestic abuse and elder abuse. A hospital receiving a grant under this subsection shall provide an amount equal to 100% of the state grant for the training program. A hospital receiving a grant under this subsection shall coordinate the training program with domestic abuse shelters and nursing homes in the community.

Vetoed
in Part

SECTION 1331g. 46.48 (16) (a) and (b) of the statutes are consolidated, renumbered 46.48 (16) (b) and amended to read:

46.48 (16) (b) For funding of an 8-bed community-based residential facility in which English and Spanish are spoken, to provide treatment for alcohol and other drug abuse to residents of a 1st class city, the department may allocate not more than \$124,100 for fiscal year 1989-90 and not more than \$248,200 for each fiscal year 1990-91 as a grant to the New Beginning residential treatment program that is located on 12th Street and National Avenue in the city of Milwaukee. The department shall also allocate not more than \$25,000 for fiscal year 1989-90 to rehabilitate the 8-bed community-based residential facility under this subsection. (b) This subsection paragraph does not apply after June 30, 1993.

SECTION 1331h. 46.48 (16) (a) of the statutes is created to read:

46.48 (16) (a) In this subsection, "long-term treatment" means treatment that is, in the majority of instances, not less than 5 months and not more than 12 months in duration.

SECTION 1331i. 46.48 (16) (c) of the statutes is created to read:

46.48 (16) (c) The department shall allocate not more than \$479,100 in fiscal year 1991-92 and not more than \$958,100 in fiscal year 1992-93 to the county department under s. 51.42 for the provision of residential long-term treatment for alcohol and other drug abuse, including treatment with respect to family relationships, antisocial behavior and employability, in a treatment facility, as defined in s. 51.01 (19), in a 1st class city.

Vetoed
in Part

SECTION 1332. 46.48 (18) (a) of the statutes is amended to read:

46.48 (18) (a) The department shall allocate \$40,000 \$200,000 in fiscal year 1989-90 1991-92 and \$80,000 \$110,000 in fiscal year 1990-91 1992-93 to the career youth development center in the city of Milwaukee. Of these amounts, \$25,000 \$90,000 shall be allocated in fiscal year 1991-92 for the construction of an inpatient substance abuse treatment facility, \$80,000 shall be allocated in each fiscal year 1989-90 and \$50,000 shall be allocated in fiscal year 1990-91

for the operation of a minority youth substance abuse treatment program. ~~The remaining \$15,000 in fiscal year 1989-90 and the remaining \$30,000 shall be allocated in each fiscal year 1990-91 shall be allocated for drug prevention programs for high school athletes in the Milwaukee public school system.~~

SECTION 1333. 46.48 (19) (a) of the statutes is amended to read:

46.48 (19) (a) If the department has developed and submitted a plan for a pilot project to the governor as provided in par. (b), it shall allocate ~~\$150,000 in fiscal year 1989-90 1991-92 \$450,000 plus any amount that was required to be allocated under this paragraph but was not encumbered in fiscal year 1990-91 and shall allocate \$900,000 in fiscal year 1990-91 1992-93~~ to fund a multidisciplinary prevention and treatment team in Milwaukee county for cocaine-abusing women and their children. The multidisciplinary prevention and treatment team must coordinate its activities with other prevention and treatment programs in Milwaukee county for cocaine-abusing women and their children. Residents from other counties may be served by the multidisciplinary prevention and treatment team. The department may carry forward funds allocated under this paragraph, but not encumbered by December 31, for allocation for the purpose under this paragraph in the following calendar year. ~~The contractual and staffing patterns of the multidisciplinary prevention and treatment team and the planning, management and delivery of services under this paragraph shall reflect the cultural characteristics of the population to be served.~~

Vetoed
in Part

Vetoed
in Part

Vetoed
in Part

SECTION 1334b. 46.48 (20) (a) of the statutes is amended to read:

46.48 (20) (a) The department shall allocate ~~\$30,000 in fiscal year 1989-90 and \$90,000 in fiscal year 1990-91 1991-92 and \$30,000 in fiscal year 1992-93~~ to applying private nonprofit organizations that provide protective payment services in a county with a population of 500,000 or more to homeless individuals who have alcohol and other drug abuse problems and receive supplemental security income under 42 USC 1381 to 1383c or supplemental payments under s. 49.177 for the purpose of expanding those protective payment services.

SECTION 1335b. 46.48 (21) (a) of the statutes is amended to read:

46.48 (21) (a) The department shall allocate ~~\$210,000 in fiscal year 1990-91 1991-92 and \$120,000 in fiscal year 1992-93~~ to applying county departments under s. 46.23 or 51.42 or private nonprofit organizations for the purpose of providing counseling by alcohol and other drug abuse counselors who are certified by the Wisconsin alcoholism and drug abuse counselor certification board at locations where homeless individuals gather or for the purpose of providing protective payment services to homeless individuals who have alcohol and other drug abuse problems and who

receive supplemental security income under 42 USC 1381 to 1383c or supplemental payments under s. 49.177. In allocating funds under this subsection, the department shall give priority to an applicant in a county with a high percentage of the state's homeless population.

Vetoed
in Part

SECTION 1336am. 46.48 (22) of the statutes is amended to read:

Vetoed
in Part

46.48 (22) ALCOHOL AND OTHER DRUG ABUSE PROGRAM FOR WOMEN. The department shall allocate ~~\$35,100 \$35,000 for fiscal year 1989-90 1991-92 and \$35,200 \$35,000 for fiscal year 1990-91 1992-93~~ as a grant to the ARC community services center for women and children in Dane county, to address a projected operation deficit of the center, to provide additional funding for transportation and meal expenses for chemically dependent women who receive services from the center, and to provide additional funding for staff of the center.

SECTION 1336b. 46.48 (23) of the statutes is created to read:

Vetoed
in Part

46.48 (23) CHILD ABUSE PREVENTION AND TREATMENT. The department shall allocate \$50,000 in each fiscal year as a grant to the family service association of Brown county, inc., to support a child abuse prevention specialist and to provide preschool prevention programming regarding physical and sexual abuse.

SECTION 1336d. 46.48 (23g) of the statutes is created to read:

46.48 (23g) SERVICES TO INDIVIDUALS DISCHARGED FROM MICHIGAN SHORES NURSING HOME. The department shall allocate ~~\$145,100 in fiscal year 1991-92 and \$59,900 in fiscal year 1992-93~~ to county departments under s. 46.215, 46.22, 46.23, 51.42 or 51.437 of the counties that are fiscally responsible to provide community services to individuals discharged from the Michigan shores nursing home in Manitowoc county as a result of the closure of that facility for the purpose of providing community services to those individuals. County matching funds are required for this allocation. A county's required match equals 9.89% of the county's allocation.

Vetoed
in Part

SECTION 1336f. 46.48 (23m) of the statutes is created to read:

Vetoed
in Part

46.48 (23m) ADOPTION SERVICES PILOT PROGRAM. (a) The department shall allocate \$200,000 in each of fiscal years 1991-92 and 1992-93 as a grant to the Milwaukee county department of social services for the purpose of providing an adoption services pilot program as specified under par. (b).

(b) The Milwaukee county department of social services shall use the amounts awarded under par. (a) to provide an adoption services pilot program. In providing that pilot program, the Milwaukee county department of social services shall expend the amounts awarded under par. (a) as follows:

Vetoed
in Part

1. To support a project coordinator to supervise and provide technical assistance for the pilot program, \$50,000 in each fiscal year.
2. To assist in the recruitment of prospective adoptive parents, \$3,000 in each fiscal year.
3. To provide the services that are necessary to finalize an adoption, \$125,000 in each fiscal year.
4. To support a part-time staff person to coordinate requests for adoption assistance under s. 48.975, \$20,000 in each fiscal year.
5. To evaluate the pilot program, \$2,000 in each fiscal year.

SECTION 1336p. 46.48 (24p) of the statutes is created to read:

46.48 (24p) PRISONER REINTEGRATION PROGRAM. (a) In this subsection, "prisoner" has the meaning given in s. 301.01 (2).

(b) The department shall allocate \$125,000 in fiscal year 1991-92 and \$125,000 in fiscal year 1992-93 to award a grant to an organization or a group of organizations to provide a pilot program in Milwaukee county for prisoner reintegration.

(c) The department shall provide application procedures and selection criteria for awarding the grant under par. (b) in accordance with that department's request-for-proposal procedures.

(d) The program under par. (b) shall provide at least all of the following:

1. The use of liaisons to meet with prospective program participants to provide information about the program and to assist program participants, prior to their release on parole, in planning for and obtaining the housing, employment, education and treatment that they will need upon release.

2. The use of mentors to assist participants in their reintegration into the community.

SECTION 1336r. 46.48 (24r) of the statutes is created to read:

Vetoed
in Part

46.48 (24r) START SMART INITIATIVE. (a) The department shall allocate \$50,000 in each fiscal year as a grant to the Milwaukee county department of social services and \$25,000 in each fiscal year as a grant to the Dane county department of human services for the purpose of providing start smart initiatives in Milwaukee county and in Dane county.

(b) The city of Milwaukee shall, and the United Way of Milwaukee county may, assist the Milwaukee county department of social services in planning the expenditure of the funds granted to the Milwaukee county department of social services under par. (a). The city of Madison shall, and the United Way of Dane county may, assist the Dane county department of human services in planning the expenditure of the funds granted to the Dane county department of human services under par. (a).

(c) The plans provided under par. (b) shall provide that the funds granted under par. (a) shall be used to stimulate private contributions to assist the organizations specified in par. (b) and schools that are located

in Milwaukee county and in Dane county in accomplishing all of the following:

1. Building community-wide concern for the needs of children and families.

2. Stimulating the development of resources and the expansion of services for families that need early childhood programming.

3. Developing coordination and cooperation among schools, communities and businesses in support of the needs of children and families.

SECTION 1336t. 46.48 (25) of the statutes is created to read:

46.48 (25) POLICE ATHLETIC LEAGUE RECREATIONAL ACTIVITIES. The department shall allocate \$5,000 in each of fiscal years 1991-92 and 1992-93 as a grant to the Milwaukee police athletic league to purchase sports and recreational equipment for a gymnasium facility located at 2449 N. 36th Street in the city of Milwaukee and for a gymnasium facility located at 2544 N. 30th Street in the city of Milwaukee, and to contribute to the operating expenses of those gymnasium facilities.

SECTION 1336w. 46.48 (25w) of the statutes is created to read:

46.48 (25w) FAMILY PRESERVATION PROGRAM. For the family preservation program under s. 46.987, the department shall allocate not more than \$1,500,000 for 1992 and not more than \$750,000 for the first 6 months of 1993, plus all moneys received from gifts, grants, bequests and trust funds for the family preservation program and appropriated under s. 20.435 (7) (m).

SECTION 1336y. 46.48 (25y) of the statutes is created to read:

46.48 (25y) FOSTER CARE CASEWORKERS. The department shall allocate \$144,400 in fiscal year 1991-92 and \$437,500 in fiscal year 1992-93 as a grant to the Milwaukee county department of social services for the purpose of hiring additional foster care caseworkers and additional support staff and supervisory staff as necessary to support and supervise those additional foster care caseworkers.

SECTION 1337. 46.485 (2) (intro.) of the statutes is amended to read:

46.485 (2) (intro.) If, during the period beginning on July 1, 1990, and ending on June 30, 1994 1993, a county in this state receives a Robert Wood Johnson Foundation grant for severely emotionally disturbed youths, the department may:

(a) (intro.) May transfer no more than \$585,400 in fiscal year 1990-91, \$614,700 in fiscal year 1991-92 and \$645,500 in fiscal year 1992-93 from the appropriation under s. 20.435 (1) (b) to the appropriation under s. 20.435 (7) (gb). These funds shall be used by the county to provide, for severely emotionally disturbed children, in the following order:

SECTION 1338. 46.485 (2) (a) of the statutes is renumbered 46.485 (2) (a) 1 and amended to read:

Vetoed
in Part

Vetoed
in Part

Vetoed
in Part

46.485 (2) (a) 1. For children who are eligible for medical assistance, the state share of medical assistance payments for mental health care and treatment provided after July 31, 1990, and before August 1, 1994 1993, in an inpatient facility, as defined in s. 51.01 (10), except that care and treatment under s. 51.35 (3) may not be provided under this subdivision.

SECTION 1339. 46.485 (2) (b) of the statutes is renumbered 46.485 (2) (a) 2.

SECTION 1340. 46.485 (2) (b) of the statutes is created to read:

46.485 (2) (b) Shall, from the appropriation under s. 20.435 (7) (bb), allocate funds in fiscal years 1991-92 and 1992-93 as matching funds to the Robert Wood Johnson Foundation grant for severely emotionally disturbed youths, for the purposes specified in par. (a) 1 and 2.

SECTION 1341. 46.485 (3) of the statutes is amended to read:

46.485 (3) Of the funds transferred under sub. (2) (a) for fiscal year 1990-91, the department shall, on July 1 December 31, 1992, transfer to the appropriation under s. 20.435 (1) (b) any amount that has not been expended or encumbered by that date. Of the funds transferred under sub. (2) (a) for fiscal year 1991-92, the department shall, on December 31, 1993, transfer to the appropriation under s. 20.435 (1) (b) any amount that has not been encumbered by that date. Of the funds transferred under sub. (2) (a) for fiscal year 1992-93, the department shall, on December 31, 1994, transfer to the appropriation under s. 20.435 (1) (b) any amount that has not been encumbered by that date.

SECTION 1342. 46.485 (4) of the statutes is amended to read:

46.485 (4) The county receiving funds under sub. (2) is not liable for payment for any care and treatment of the type authorized to be paid under sub. (2) (a) 1 that is above the amount transferred under sub. (2) (a) (intro.).

SECTION 1343. 46.55 (3m) of the statutes is amended to read:

46.55 (3m) Within the limits of available funding under s. 20.435 (7) (mb), the department shall award grants under this section in the amount of \$250,000 in each fiscal year 1989-90 and \$250,000 in fiscal year 1990-91.

SECTION 1344. 46.55 (4) of the statutes is repealed.

Vetoed in Part SECTION 1349d. 46.56 (14) (c) (intro.) of the statutes is amended to read:

46.56 (14) (c) (intro.) The department shall evaluate the programs funded under this section. The report of this evaluation shall be submitted, by February 1, 1992, to the chief clerk of each house of the legislature for distribution to the appropriate standing committees on children, in the manner provided in s. 13.172

~~(3), and to the joint committee on finance and shall be broadly disseminated to county departments and school districts. The evaluation shall be completed by January 1, 1992 and all All organizations participating in the program shall cooperate with the evaluation. The evaluation shall include information about all of the following:~~

~~SECTION 1350d. 46.56 (14) (c) 9 of the statutes is created to read:~~

~~46.56 (14) (c) 9. The department's recommendations regarding continued funding for the program and the sources of that continued funding.~~

SECTION 1359. 46.57 (1) (b) of the statutes is amended to read:

46.57 (1) (b) "Direct services" means services provided to a person with epilepsy or a member of the family of a person with epilepsy and includes counseling, referral to other services, case management, daily living skills training, providing information and, parent helper services, employment services and support group services.

SECTION 1360m. 46.57 (2) (a) of the statutes is amended to read:

46.57 (2) (a) As provided under s. 46.48 (6) 46.40 (5) (e) 2, the department shall award grants to agencies to provide direct services or indirect services to or on behalf of persons with epilepsy, their families or both.

SECTION 1363. 46.62 (2) of the statutes is amended to read:

46.62 (2) From the appropriation under s. 20.435 ~~(7) (4)~~ (dg), the department shall allocate funds to county departments for the provision of case management services to individuals who are required to attend school under s. 49.50 (7) (g) to improve the school attendance and achievement of those individuals. At least 75% of the funds shall be allocated to a county department of a county that contains a 1st class city with a population of 500,000 or more. A county department is eligible to receive funds under this section in a fiscal year if 35 or more individuals residing in the county were sanctioned under s. 49.50 (7) (h) or were subject to the monthly attendance requirement under s. HSS 201.195 (4) (b) 2, Wis. adm. code, in any month during the previous fiscal year 1989-90.

~~SECTION 1363e. 46.62 of the statutes is created to read:~~ **Vetoed in Part**

~~46.62 (2m) Within the limits of available state and federal funding for providing case management services, a county department in a county with a population of 500,000 or more shall offer case management services to an individual and his or her family when the individual becomes subject to the monthly attendance requirement under s. HSS 201.195 (4) (b) 2, Wis. admin. code.~~

~~SECTION 1363v. 46.63 (1) of the statutes is amended to read:~~ **Vetoed in Part**

Vetoed
in Part

~~46.63 (1) The department shall conduct an outreach program to make low-income pregnant women aware of the importance of early prenatal health care and of the availability of medical assistance benefits under ss. 49.45 to 49.47 and other types of funding for prenatal care, to provide early identification of pregnancy, to refer women to prenatal care services in the community and to make follow-up contacts with women referred to prenatal care services.~~

SECTION 1364. 46.63 (2) of the statutes is amended to read:

46.63 (2) In addition to the amounts appropriated under s. 20.435 (1) (ev), the department shall allocate \$250,000 for each fiscal year 1988-89 from moneys received under the maternal and child health services block grant program, 42 USC 701 to 709, for the outreach program under this section.

Vetoed
in Part

~~SECTION 1364m. 46.65 (1) of the statutes is amended to read:~~

~~46.65 (1) The department shall implement a treatment alternative program. The department shall make grants to provide alcohol or other drug abuse services, as a treatment alternative in lieu of imprisonment, for eligible persons in need of those services. The department shall make grants so that the treatment alternative program serves a variety of geographic locations. The contractual and staffing patterns of the grant recipients under this subsection and the planning, management and delivery of services under this subsection shall reflect the cultural characteristics of the population to be served.~~

SECTION 1365. 46.70 (2) of the statutes is amended to read:

46.70 (2) From the appropriations under s. 20.435 (7) (dL) and (o), the department may make available to any of the 11 federally recognized tribal governing bodies in this state funds for the purposes stated in sub. (1). Beginning July 1, 1989 1991, and ending September 30, 1989 1991, the department may award to each tribal governing body up to \$6,800. Beginning October 1, 1989 1991, and ending September 30, 1990 1992, the department may award to each tribal governing body up to \$27,200. Beginning October 1, 1990 1992, and ending June 30, 1994 1993, the department may award to each tribal governing body up to \$20,400. Receipt of funds is contingent upon department approval of the an application submitted by a tribal governing body. The department may partially approve any application and provide only part of the funds requested. Each application shall contain a plan for expenditure of funds, consistent with the purposes stated in sub. (1).

SECTION 1366. 46.71 (1) (intro.) of the statutes is amended to read:

46.71 (1) (intro.) From the appropriation under s. 20.435 (7) (dm), the department shall, for the development of new drug abuse prevention, treatment and education programs that are culturally specific with respect to American Indians or to supplement like

existing programs, allocate a total of not more than \$500,000 in each fiscal year 1990-91 to all the elected governing bodies of federally recognized American Indian tribes or bands that submit to the department plans, approved by the department, that do all of the following:

SECTION 1367. 46.715 (1) (intro.) of the statutes is amended to read:

46.715 (1) (intro.) Within the limits of the availability of federal funds, the department shall, from the appropriation under s. 20.435 (7) (mb), ~~in state fiscal year 1990-91 expend~~ allocate up to \$1,200,000 in each state fiscal year to fund programs to limit violence and abuse of controlled substances in neighborhoods, including funding for the creation of Wisconsin against drug environments centers and for the use of neighborhood organizers, culturally representative alcohol and other drug abuse trainers, community speakers and persons to monitor certain court actions, under grants to any of the following applying entities:

SECTION 1368. 46.75 (2) (a) of the statutes is amended to read:

46.75 (2) (a) From the appropriation under s. 20.435 ~~(7)~~ (4) (dn), the department shall award grants to agencies to start food distribution services that qualify for participation in the temporary emergency food assistance program under P.L. 98-8, as amended.

SECTION 1369. 46.77 of the statutes is amended to read:

46.77 Food distribution administration. From the appropriation under s. 20.435 ~~(7)~~ (4) (dp), the department shall allocate funds to eligible recipient agencies, as defined in the temporary emergency food assistance act, P.L. 98-8, section 201A, as amended, for the storage, transportation and distribution of commodities provided under the hunger prevention act of 1988, P.L. 100-435.

~~SECTION 1369e. 46.78 of the statutes is created to read:~~

~~46.78 Food stamp outreach. (1) In this section, "food stamp program" means the federal food stamp program under 7 USC 2011 to 2029.~~

~~(2) Beginning in fiscal year 1992-93, from the appropriations under s. 20.435 (4) (dq) and (nL), the department shall allocate funds to nonprofit organizations for projects that qualify for reimbursement under 7 USC 2025 (a) 4 to inform individuals with low incomes about the availability, eligibility requirements, application procedures and benefits of the food stamp program.~~

~~(3) From the appropriations under s. 20.435 (4) (dq) and (nL), the department shall allocate not more than \$10,000 in fiscal year 1991-92 to a nonprofit organization to develop informational materials to be used by the projects under sub. (2).~~

~~(4) The department shall evaluate the projects funded under this section and shall submit a report of its findings to the chief clerk of each house of the legis-~~

Vetoed
in Part

Vetoed in Part lature for distribution under s. 13.172 (2) on or before January 1, 1994.

Vetoed in Part SECTION 1369m. 46.79 (2) (intro.) of the statutes is amended to read:

46.79 (2) (intro.) The department, in consultation with the department of public instruction, the department of natural resources and the department of agriculture, food and trade and consumer protection, shall do all of the following:

Vetoed in Part SECTION 1370. 46.81 (2) of the statutes is amended to read:

46.81 (2) (a) From the appropriation under s. 20.435 (7) (dj), the department shall allocate \$360,400 for the last 6 months of 1989, \$720,800 for 1990 and \$360,400 for the first 6 months of 1991, \$968,500 in fiscal year 1991-92 and \$1,053,200 in fiscal year 1992-93 to aging units to provide benefit specialist services for older persons. The department shall ensure that each aging unit receives funds and shall take into account the proportion of the state's population of low income older persons who reside in a county.

(b) In addition to the amounts under par. (a), from the appropriation under s. 20.435 (7) (dj), the department shall allocate \$110,700 for 1990 and \$55,300 for the first 6 months of 1991 to aging units to provide benefit specialist services to older persons. The Before January 1, 1992, the department shall allocate the funds under this paragraph par. (a) so that each aging unit which in 1989 received funds under this subsection sufficient to provide 15 hours per week of benefit specialist services receives funds under this subsection sufficient to provide 20 hours per week of benefit specialist services; and so that each aging unit which in 1989 received funds under this subsection sufficient to provide 27 hours per week of benefit specialist services receives funds under this subsection sufficient to provide 30 hours per week of benefit specialist services.

SECTION 1370a. 46.81 (2) (c) of the statutes is created to read:

46.81 (2) (c) In the first 6 months of 1992 and in fiscal year 1992-93, the department shall allocate the funds under par. (a) so that each aging unit receives funds under this subsection plus federal funds granted for this purpose sufficient to provide at least 38 hours per week of benefit specialist services and so that each aging unit which in 1991 received funds under this subsection plus federal funds granted for this purpose sufficient to provide at least 38 hours per week of benefit specialist services receives, for the first 6 months of 1992, 57.5% of the amount it received in 1991 and in fiscal year 1992-93 receives a 15% increase over the amount it received under this subsection in 1991.

SECTION 1371. 46.81 (5) of the statutes is amended to read:

46.81 (5) From the appropriation under s. 20.435 (7) (dj) the department shall allocate \$33,300 for the last 6 months of 1989, \$132,500 for 1990, and \$66,300 for the first 6 months of 1991 in fiscal year 1991-92

Vetoed in Part

and \$198,800 in each fiscal year thereafter to area agencies on aging for training, supervision and legal back-up services for the benefit specialist program.

SECTION 1372m. 46.86 (1) of the statutes is amended to read:

46.86 (1) From the appropriation appropriations under s. 20.435 (7) (cp) and (ma), the department may award grants to counties and private nonprofit entities as capacity-building funds for establishing specialized services and treatment for pregnant women and mothers with alcohol and other drug abuse treatment needs; mothers who have alcohol and other drug abuse treatment needs and dependent children up to the age of 5 years; and the dependent children up to the age of 5 years of those mothers. The grants shall be awarded in accordance with the department's request-for-proposal procedures. The grants shall be used to establish community-based programs, residential family-centered treatment programs or home-based treatment programs. The programs established by the grant must include alcohol and other drug abuse treatment services, parent education, support services for the children of the women who are enrolled in the program, vocational assistance and housing assistance. Any program funded under this subsection must also provide follow-up aftercare services to each woman and her children for at least 2 years after the date on which a woman has left the program. The contractual and staffing patterns of the grant recipients under this subsection and the planning, management and delivery of services under this subsection shall reflect the cultural characteristics of the population to be served.

Vetoed in Part

Vetoed in Part SECTION 1373m. 46.87 (2) of the statutes is amended to read:

46.87 (2) From the appropriations appropriation under s. 20.435 (7) (e) and (e) (dh), the department shall allocate funds not more than \$1,872,200 in 1992 and not more than \$1,252,500 for the first 6 months of 1993 to agencies designated under sub. (3) (c), to be used for the administration and implementation of an Alzheimer's family and caregiver support program for persons with Alzheimer's disease and their caregivers.

SECTION 1374. 46.90 (5m) (a) of the statutes is amended to read:

46.90 (5m) (a) After the investigation is completed, the county agency or the investigating agency shall determine if the elder person or any other individual involved in the alleged abuse, material abuse, neglect or self-neglect is in need of services under this chapter or ch. 47, 49, 51 or 55. From the appropriation under s. 20.435 (7) (dh), the department shall allocate to selected counties not less than \$25,000 for fiscal year 1989-90 and not less than \$25,000 for in each fiscal year 1990-91, and within the limits of these funds and of available state and federal funds and of county funds appropriated to match the state and federal funds, the county agency shall provide the necessary

direct services to the elder person or other individual or arrange for the provision of the direct services with other agencies or individuals. Those direct services provided shall be rendered under the least restrictive conditions necessary to achieve their objective.

SECTION 1375m. 46.93 (2) (intro.) of the statutes is amended to read:

46.93 (2) PURPOSE; ALLOCATION. (intro.) From the appropriation under s. 20.434 (1) ~~(b)~~ (a), the board shall ~~review and either approve for award or disapprove grant applications from applying allocate~~ \$593,800 in fiscal year 1991-92 and \$725,800 in fiscal year 1992-93 for grants to organizations to provide for adolescent pregnancy prevention programs or pregnancy services that include health care, education, counseling and vocational training. Types of services and programs that are eligible for grants include all of the following:

SECTION 1376. 46.935 of the statutes is created to read:

46.935 Comprehensive community-based adolescent demonstration projects. (1) DEFINITIONS. In this section:

(a) "Adolescent" means an individual who has attained the age of 11 years but has not attained the age of 20 years.

(b) "Board" means the adolescent pregnancy prevention and pregnancy services board under s. 15.195 (5).

(c) "Community" means the specific geographical area within the state in which a demonstration project operates.

(d) "Demonstration project" means a comprehensive community-based project funded under this section in which an organization provides to adolescents and parents of adolescents comprehensive educational programs and services as follows:

1. Comprehensive educational programs including health education, pregnancy prevention education and parenting education.

2. Comprehensive educational programs and services including family communication skills training, substance abuse, mental health, academic support, financial, social, legal, vocational training, family planning, child care and care coordination services.

(e) "Nonprofit corporation" means a nonstock, nonprofit corporation organized under ch. 181.

(f) "Organization" means a nonprofit corporation, a proprietary agency or a public agency that administers or proposes to administer a demonstration project.

(g) "Pregnancy prevention education" includes educational programs that promote abstinence from sexual activity, self-esteem, decision-making skills, respect for others, responsible behavior and success skills, and the development of support groups to discourage sexual activity.

(gm) "Proprietary agency" means an organization or enterprise that is operated on a for-profit or coop-

erative basis, including a proprietorship, partnership, firm, business trust, joint venture, syndicate, corporation, cooperative or association.

(h) "Public agency" means a county, city, village or town or an agency of this state or of a county, city, village or town.

(2) DUTIES OF THE BOARD. The board shall:

(a) 1. Require an organization that provides services under a demonstration project to have a written policy that specifies how the organization plans to maximize parental involvement in the planning, implementation and evaluation of the demonstration project.

~~Im. Require an organization that provides services under a demonstration project to have a written policy that requires the organization to provide contraceptives and contraceptive counseling or to make referrals to a provider of contraceptives and contraceptive counseling.~~

Vetoed
in Part

2. Require an organization that provides services under a demonstration project to have a written policy that requires, notwithstanding ss. 51.14, 51.47 and 143.07, the organization to obtain the consent of a parent, guardian or legal custodian of an adolescent who has not attained the age of 18 years before providing a service for that adolescent.

3. Provide a plan for awarding grants to organizations to enable them to administer demonstration projects. The plan shall assure that organizations from both urban and rural communities and from all geographic areas of the state have an equal opportunity to receive grants under this section.

(b) No later than May 1 annually, prepare and transmit to the governor, to the secretary and to the chief clerk of each house of the legislature, for distribution under s. 13.172 (2), a report specifying the results of the board's activities under this section and making recommendations on changes needed in state programs, policies, statutes, rules, and budgets to improve coordination of educational programs and services for adolescents and parents of adolescents at the state and local levels. The report shall include a description of the educational programs and services provided by the organizations that are awarded grants under sub. (5) that specifies the name and location of each grantee, the amounts provided as grants, the educational programs and services provided by each grantee, the number of persons who participated in the educational programs or who were served by each grantee and an evaluation of the effectiveness of each grantee according to the indicators developed by the board under par. (c).

(c) Provide and publicize criteria for grant applications. The criteria shall include indicators of the level of need in the community to be educated and served by the applicant, the applicant's ability to provide comprehensive community-based educational programs and services for adolescents and parents of ado-

lescents and the applicant's responsiveness to the community that it serves.

(d) Provide technical assistance and training for organizations that are awarded grants under sub. (5).

(e) Monitor and evaluate the services provided by organizations that are awarded grants under sub. (5) and include the evaluation in the report prepared under par. (b).

(3) **ELIGIBILITY FOR GRANTS.** In addition to any other criteria for grant applications developed by the board under sub. (2) (c), the board may not award a grant to an organization unless that organization meets all of the following minimum criteria for grant eligibility:

(a) The organization operates in a specific geographical area within the state.

(b) The majority of the staff that will be funded under this section resides in the specific geographical area in which the organization operates.

Vetoed
in Part

~~(c) The organization has entered into an agreement with the human growth and development advisory committee under s. 118.019 (5) of a school district that is located in the geographical area to be served by that organization's demonstration project. Under that agreement, the advisory committee shall agree to provide the services specified under sub. (4) (b) for that organization's demonstration project.~~

Vetoed
in Part

~~(d) The organization has submitted to the board a description of the educational programs and services for adolescents and parents of adolescents that have been developed by the organization and approved by the human growth and development advisory committee described under par. (c).~~

~~(4) **ADVISORY COMMITTEE.** (a) Before seeking a grant under sub. (5), an organization shall enter into an agreement with the human growth and development advisory committee under s. 118.019 (5) of a school district that is located in the geographical area to be served by that organization's demonstration project under which the advisory committee agrees to provide the services specified under par. (b).~~

~~(b) The advisory committee shall:~~

- ~~1. Formulate the policies governing the operation of the demonstration project, including policies regarding parental involvement in the project.~~

- ~~2. Approve the educational programs and services provided by the project.~~

- ~~3. Publicize the availability of educational programs and services provided by the project.~~

- ~~4. Determine the methods the organization is to use to obtain the consent of a parent, guardian or legal custodian of an adolescent who has not attained the age of 18 years for the participation of that adolescent in the project.~~

- ~~5. Evaluate on an ongoing basis the success of the project in delivering educational programs and services to the adolescents and parents of adolescents of the community.~~

(5) **AWARD OF GRANTS.** (a) From the appropriation under s. 20.434 (1) (a), the board shall award grants to organizations that are selected by the board to participate in demonstration projects. In selecting grant recipients, the board shall give preference to organizations that serve high-need communities, that are best able to coordinate and deliver educational programs and services for adolescents and parents of adolescents and that are most responsive to the needs of the community, according to the eligibility criteria under sub. (3) and any other criteria developed by the board under sub. (2) (c).

(b) The board shall establish request-for-proposal procedures and select grant recipients in accordance with those procedures.

~~(cm) The board may not award a grant under this section to an organization unless that organization provides contraceptives and contraceptive counseling or makes referrals to a provider of contraceptives and contraceptive counseling.~~

Vetoed
in Part

~~(cr) An organization that is awarded a grant under this section shall provide contraceptives and contraceptive counseling or make referrals to a provider of contraceptives and contraceptive counseling.~~

(e) Each organization that receives a grant under this section shall provide matching funds equal to 25% of the grant amount awarded. The match may be in the form of money or in-kind services or both, but any moneys used by an organization toward a match may not include moneys received from the state government.

(f) Each grant application shall include proof of the organization's ability to comply with par. (e). Any proposed match under par. (e) that includes in-kind services is subject to the approval of the department.

(g) In fiscal year 1991-92, the board shall select up to 2 organizations to receive grants and shall award up to \$66,000 to each organization selected. In fiscal year 1992-93, the board shall select up to 4 organizations to receive grants and shall award up to \$66,000 to each organization selected.

(j) An organization that is awarded a grant under this section shall have a written policy that:

1. Specifies how the organization plans to maximize parental involvement in the planning and implementation of the demonstration project.

~~1m. Requires the organization to provide contraceptives and contraceptive counseling or to make referrals to a provider of contraceptives and contraceptive counseling.~~

Vetoed
in Part

2. Requires the organization, notwithstanding ss. 51.14, 51.47 and 143.07, to obtain the consent of a parent, guardian or legal custodian of an adolescent who has not attained the age of 18 years before providing an educational program or service for that adolescent.

(k) An organization that is awarded a grant under this section shall use the funds awarded and the

matching funds provided by that organization only for salaries, fringe benefits and other expenses associated with staffing the demonstration project and for other costs necessarily incurred in developing and implementing the demonstration project.

Vetoed
in Part

(L) Any organization receiving a grant under this section that operates in violation of pars. (c), (d), (e) or (k) shall return to the board all funds previously granted to the organization under this section and shall be ineligible to receive any other grant from this state for 5 years from the date of discovery by the board of the unauthorized use of the funds. The board may request the attorney general to bring an action in any court of competent jurisdiction to collect any funds owed to the board under this paragraph.

(6) SUNSET. This section does not apply after June 30, 1996.

SECTION 1376d. 46.95 (1) (d) (intro.) of the statutes is amended to read:

46.95 (1) (d) (intro.) "Organization" means a non-profit corporation or, a public agency which or a federally recognized American Indian tribe or band that provides or proposes to provide any of the following domestic abuse services:

SECTION 1376h. 46.95 (2) (d) 1 of the statutes is amended to read:

46.95 (2) (d) 1. No organization may receive more than 70% of its operating budget or \$100,000 annually, whichever is less, from grants under this section.

Vetoed
in Part

No grant under this section may exceed \$100,000 annually. An organization may receive more than one grant.

SECTION 1376p. 46.95 (2) (d) 2 of the statutes is amended to read:

46.95 (2) (d) 2. Not more than 33 1/3% of the 30% of an organization's operating budget not funded by a grant grants under subd. 4 this section may consist of the value of in-kind contributions. The department shall establish guidelines regarding which contributions qualify as in-kind contributions.

SECTION 1376t. 46.95 (2) (g) of the statutes is created to read:

46.95 (2) (g) From the appropriation under s. 20.435 (7) (cb), the department shall do all of the following:

Vetoed
in Part

1. Allocate \$42,900 in fiscal year 1991-92 and \$131,400 in fiscal year 1992-93 to increase the amount of grants to organizations that received grants under this section in fiscal year 1990-91.

2. Allocate \$50,000 in fiscal year 1991-92 and \$100,000 in fiscal year 1992-93 for grants to counties that on May 15, 1991, did not have within their boundaries any organizations that received grants under this section and to federally recognized American Indian tribes or bands that on May 15, 1991, did not operate any organizations that received grants

Vetoed
in Part

under this section if all of the following requirements are met:

a. The county or American Indian tribe or band matches the grant with an equal amount of funds.

Vetoed
in Part

b. The county or American Indian tribe or band uses the grant and the matching funds under subd. 2. a. to contract with an organization that existed on May 15, 1991.

3. Allocate \$56,500 in fiscal year 1991-92 and \$113,800 in fiscal year 1992-93 for grants to organizations that provide any of the following services:

a. Peer support, counseling and safety planning services to children who have witnessed domestic abuse.

b. Legal advocacy services to victims of domestic abuse.

c. Services to victims of domestic abuse that enable them to develop self-sufficiency and independent-living skills.

4. Allocate \$45,000 in fiscal year 1991-92 and \$60,000 in fiscal year 1992-93 as grants to the people against violent environment, incorporated, domestic abuse shelter in Dodge county.

5. Allocate \$35,000 in fiscal year 1991-92 and \$60,000 in fiscal year 1992-93 as grants to the friends aware of violent relationships domestic abuse shelter in Fond du Lac county.

6. Allocate \$57,500 in fiscal year 1991-92 and \$175,000 in fiscal year 1992-93 as grants to the following organizations, each of which is located in the specified region of the state, the boundaries of which shall be determined by that division of the department that administers community services programs, and existed on May 15, 1991, but did not receive a grant under this section in fiscal year 1990-91:

Vetoed
in Part

a. Two organizations that provide shelter facilities in the northern, southern or eastern region of the state.

b. One organization that provides private home shelter care in the eastern region of the state.

c. One organization that provides private home shelter care in the southeastern region of the state.

7. Allocate \$19,000 in fiscal year 1991-92 and \$19,000 in fiscal year 1992-93 as a grant to the tri-county council on domestic abuse and assault in Oneida county to fund counseling services for victims of domestic abuse in addition to those services that were provided in fiscal year 1990-91.

8. Allocate \$10,000 in fiscal year 1991-92 and \$10,000 in fiscal year 1992-93 to a 36-bed domestic abuse shelter in the city of Milwaukee to partially fund by a grant, notwithstanding sub. (2) (d) 1, a 24-hour telephone service that is operated at that shelter to respond to domestic violence arrests.

9. Allocate \$25,000 in fiscal year 1991-92 and \$25,000 in fiscal year 1992-93 as a grant to a domestic abuse crisis service in Rock county.

10. Allocate \$10,000 in fiscal year 1991-92 and \$10,000 in fiscal year 1992-93 as a grant to an organization in Sauk county.

11. Allocate \$60,000 in fiscal year 1991-92 and \$60,000 in fiscal year 1992-93 as a grant to the safe

Vetoed
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harbor domestic abuse program, inc., in Sheboygan county. The department shall begin providing grant moneys under this subdivision not later than 45 days after the effective date of this subdivision. ... [revisor inserts date].

12. Allocate \$25,000 in fiscal year 1991-92 and \$25,000 in fiscal year 1992-93 as a grant to the daystar, inc., residential domestic abuse program in the city of Milwaukee.

SECTION 1377. 46.955 (1) of the statutes is amended to read:

46.955 (1) From the appropriation under s. 20.435 (7) (cf), the department shall allocate up to \$71,600 in fiscal year 1989-90 and up to \$143,400 \$43,000 in each fiscal year 1990-91 to provide alcohol and other drug abuse counseling and prevention and intervention for victims of domestic violence and their families through domestic abuse programs.

SECTION 1378. 46.97 of the statutes, as affected by 1991 Wisconsin Act (this act), is renumbered 16.352, and 16.352 (2) (a) and (b) (intro.), as renumbered, are amended to read:

16.352 (2) (a) From the appropriation under s. 20.435 (4) ~~(ee)~~ 20.505 (7) (fm), the department shall award grants to eligible applicants for the purpose of supplementing the operating budgets of agencies and shelter facilities that have or anticipate a need for additional funding because of the renovation or expansion of an existing shelter facility, the development of an existing building into a shelter facility, the expansion of shelter services for homeless persons or an inability to obtain adequate funding to continue the provision of an existing level of services.

(b) (intro.) The department shall allocate funds from the appropriation under s. ~~20.435 (4) (ee)~~ 20.505 (7) (fm) for temporary shelter for homeless individuals and families as follows:

SECTION 1379. 46.97 (2) (a) of the statutes is amended to read:

46.97 (2) (a) From the appropriation under s. 20.435 ~~(7) (4)~~ (cc), the department shall award grants to eligible applicants for the purpose of supplementing the operating budgets of agencies and shelter facilities that have or anticipate a need for additional funding because of the renovation or expansion of an existing shelter facility, the development of an existing building into a shelter facility, the expansion of shelter services for homeless persons or an inability to obtain adequate funding to continue the provision of an existing level of services.

SECTION 1380. 46.97 (2) (b) (intro.) of the statutes is amended to read:

46.97 (2) (b) (intro.) The department shall allocate funds from the appropriation under s. 20.435 ~~(7) (4)~~ (cc) for temporary shelter for homeless individuals and families as follows:

SECTION 1380e. 46.97 (3) (a) 1 and 2 of the statutes are amended to read:

46.97 (3) (a) 1. A grant of not more than ~~25%~~ 50% of the current or proposed operating budget of a shelter facility operated by the applicant.

2. A grant of not more than ~~25%~~ 50% of the portion of the applicant's current or proposed operating budget allocated for providing homeless individuals with vouchers that may be exchanged for temporary shelter.

SECTION 1380f. 46.97 (3) (am) 1 and 2 of the statutes are repealed.

SECTION 1380g. 46.97 (3) (am) 3 and 4 of the statutes are amended to read:

46.97 (3) (am) 3. ~~After June 30, 1987, a~~ A grant of not more than ~~25%~~ 50% of the total current or proposed operating budgets of one or more shelter facilities from which the applicant purchases shelter for homeless persons and to which the applicant will distribute the money it receives under conditions described in the application.

4. ~~After June 30, 1987, a~~ A grant of not more than ~~25%~~ 50% of the total current or proposed operating budgets of 2 or more shelter facilities which the applicant represents and to which the applicant will distribute the money received under conditions described in the application.

SECTION 1381. 46.972 (1) of the statutes is amended to read:

46.972 (1) TRANSITIONAL HOUSING. From the appropriation under s. 20.435 ~~(7) (4)~~ (ce), the department shall allocate up to ~~\$162,000 in the 1989-91 biennium~~ \$81,000 in each fiscal year for operating costs of transitional housing, as defined in 42 USC 11382 (12) (A). The department shall allocate the funds under this subsection to applicants who are recipients of assistance under 42 USC 11383 (a) (3). The amount allocated to an applicant may not exceed 50% of the amount of operating costs not paid under 42 USC 11383 (a) (3).

SECTION 1382. 46.972 (1) of the statutes, as affected by 1991 Wisconsin Act (this act), is renumbered 16.354 and amended to read:

16.354 Transitional housing. From the appropriation under s. 20.435 ~~(4) (ee)~~ 20.505 (7) (fm), the department ~~shall allocate up to \$81,000 in each fiscal year for~~ may fund operating costs of transitional housing, as defined in 42 USC 11382 (12) (A). The department shall allocate the funds under this ~~subsection~~ section to applicants who are recipients of assistance under 42 USC 11383 (a) (3). The amount allocated to an applicant may not exceed 50% of the amount of operating costs not paid under 42 USC 11383 (a) (3).

SECTION 1383g. 46.972 (2) (b) of the statutes is amended to read:

46.972 (2) (b) From the appropriation under s. 20.435 ~~(7) (1)~~ (ce), the department shall allocate up to ~~\$125,000 in the 1989-91 biennium~~ \$125,000 in each fiscal year as grants to applying public or nonprofit private entities for the costs of providing primary health

services and any other services that may be funded by the program under 42 USC 256 to homeless individuals. Entities that receive funds allocated by the department under this subsection paragraph shall provide the primary health services as required under 42 USC 256 (f). The amount that the department allocates to an applying entity may not exceed 50% department may allocate to an applying entity up to 100% of the amount of matching funds required under 42 USC 256 (e).

Vetoed in Part SECTION 1383m. 46.972 (2) (c) of the statutes is created to read:

46.972 (2) (c) From the appropriation under s. 20.435 (1) (cc), the department shall allocate up to \$62,500 in fiscal year 1991-92 and up to \$125,000 in fiscal year 1992-93 to applying public or nonprofit private entities for the costs of providing primary health services and any other services that may be funded by the program under 42 USC 256 to homeless individuals. An entity that is eligible for funds under this paragraph shall meet the minimum qualifications for grantees under 42 USC 256 (b) (1) and (2), but may not be a recipient of funds under par. (b).

SECTION 1384. 46.972 (3) (b) of the statutes is amended to read:

46.972 (3) (b) From the appropriation under s. 20.435 (7) (ce), the department shall allocate up to \$250,000 in the 1989-91 biennium \$125,000 in each fiscal year to applying public or nonprofit private entities for the costs of providing certain mental health services to homeless individuals with chronic mental illness. Entities that receive funds allocated by the department under this subsection shall provide the mental health services required under 42 USC 290cc-24. The amount that the department allocates to an applying entity may not exceed 50% of the amount of matching funds required under 42 USC 290cc-23.

SECTION 1385. 46.976 (2) of the statutes is amended to read:

46.976 (2) DISTRIBUTION OF LOANS. From the appropriation under s. 20.435 (7) (ma), the department shall establish, and from the appropriation under s. 20.435 (7) (6) (gd), the department shall continue, a revolving fund to make 2-year loans of up to \$4,000 each to applying nonprofit organizations for the costs of establishing programs to provide housing for groups of no fewer than 4 individuals who are recovering from alcohol or other drug abuse. The department may establish the terms of loans under this section, including interest rates, payment intervals and requirements for full repayment of principal and interest.

SECTION 1385bc. 46.98 (2) (a) (intro.) of the statutes is amended to read:

46.98 (2) (a) (intro.) The department shall, for the purposes specified in sub. (3), distribute the funds allocated for day care services under s. 49.52 (1) (d) 46.40 (4) to either of the following:

SECTION 1385d. 46.98 (2m) (a) of the statutes, as created by 1991 Wisconsin Act 6, is amended to read:

46.98 (2m) (a) Funds Except as provided in par. (e), funds distributed under sub. (2g) may only be used for the purposes specified in this subsection. The funds shall be used to provide care for all or part of a day for children under age 13 of persons who need child care to be able to work, who are not receiving aid to families with dependent children and who are at risk of becoming eligible for aid to families with dependent children if child care under this subsection is not provided.

SECTION 1385g. 46.98 (2m) (c) of the statutes, as created by 1991 Wisconsin Act 6, is amended to read:

46.98 (2m) (c) From the funds distributed under sub. (2g), a county may provide child care services itself, purchase child care services from a child care provider, provide vouchers to an eligible parent for the payment of child care services provided by a child care provider, reimburse an eligible parent for payments made by the parent to a child care provider or a relative for child care services, adopt, with the approval of the department, any other arrangement that the county considers appropriate or use any combination of these methods to provide child care. An eligible parent may choose whether the care will be provided by a child care provider or by a relative, as defined in s. 48.02 (15).

SECTION 1385m. 46.98 (2m) (d) 2 of the statutes, as created by 1991 Wisconsin Act 6, is amended to read:

46.98 (2m) (d) 2. No Except as provided in par. (e), no funds distributed under sub. (2g) may be used for the start-up, maintenance or expansion of child care facilities, or for the recruitment, education and training of persons providing child care or for the monitoring or certifying of child care providers."

SECTION 1385p. 46.98 (2m) (e) of the statutes is created to read:

46.98 (2m) (e) Notwithstanding pars. (a) and (d) 2, if in any year the department determines that a county department under s. 46.215, 46.22 or 46.23 to which funds are distributed under sub. (2g) will be unable to expend all of those funds for the purposes specified in pars. (a) and (b) by December 31 of that year, the department may authorize that county department to expend part of the funds distributed under sub. (2g) from the allocation under s. 46.40 (4) (b) 1 for the start-up or expansion of child care facilities to serve persons who are eligible for child care funds under sub. (2r).

SECTION 1392g. 46.98 (2r) (c) of the statutes, as created by 1991 Wisconsin Act 6, is amended to read:

46.98 (2r) (c) If funds distributed under sub. (2g) are insufficient to meet the needs of all eligible parents, a county shall give first priority to parents who are working and who have within the last 24 months

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lost eligibility for the payment of child care costs from the appropriation under s. 20.435 (7) (4) (cn).

SECTION 1392j. 46.98 (2r) (cm) of the statutes is created to read:

46.98 (2r) (cm) If funds distributed under sub. (2g) are insufficient to meet the needs of all eligible parents, a county shall give 2nd priority to parents who are participating in the new hope project under s. 46.31. This paragraph does not apply after December 31, 1994.

SECTION 1393g. 46.98 (3) (a) of the statutes, as affected by 1991 Wisconsin Act 6, is amended to read:

46.98 (3) (a) Funds distributed under sub. (2) may only be used for the purposes specified in this subsection. The funds shall be used to provide care for children under age 12 13 for all or part of a day during which a child's parent is gainfully employed and to provide care for children under age 12 13 as a service to prevent or remedy child abuse or neglect, to assist families in stress or to preserve a family unit.

SECTION 1394g. 46.98 (3) (bm) of the statutes, as affected by 1991 Wisconsin Act 6, is amended to read:

46.98 (3) (bm) Funds A county may use up to 5% of the funds distributed under sub. (2) (a) 1 may not be used to its county department under s. 46.215, 46.22 or 46.23 for the costs of administering the program under this subsection, except that a county may use up to 3% of the funds distributed to it under sub. (2) (a) 1 for the costs of recruiting child care providers and of certification under s. 48.651.

SECTION 1395. 46.98 (4) (a) 2 of the statutes is amended to read:

46.98 (4) (a) 2. A parent who is gainfully employed, who is in need of child care services and whose family income is equal to or less than 70% 75% of the state median income. The department shall annually determine the state median income.

SECTION 1396. 46.98 (4) (a) 3 of the statutes is amended to read:

46.98 (4) (a) 3. A parent who is gainfully employed, who is in need of child care services and whose family income is greater than 70% 75% of the state median income to the extent determined annually by the department. The department shall annually determine the state median income.

SECTION 1398g. 46.98 (4) (c) (intro.) of the statutes, as affected by 1991 Wisconsin Act 6, is amended to read:

46.98 (4) (c) (intro.) If funds distributed under sub. (3) (2) are insufficient to meet the needs of all eligible parents, a county shall:

SECTION 1399g. 46.98 (4) (cm) of the statutes, as affected by 1991 Wisconsin Act 6, is amended to read:

46.98 (4) (cm) If funds distributed under sub. (3) (2) are insufficient to meet the needs of all eligible parents, a county may, after providing aid to individuals under par. (c), give 4th priority to parents who are eli-

gible to receive aid under par. (a) 1 and who are working.

SECTION 1399j. 46.98 (4) (d) of the statutes is amended to read:

46.98 (4) (d) Each county shall annually set a maximum rate that it will pay for day care services provided to eligible parents. A county shall set its maximum rate under this paragraph so that at least 75% of the number of places for children within the licensed or certified capacity of all child care providers in that county can be purchased at or below that maximum rate. The department shall annually review each county's rate and shall approve it if the department finds that the rate is set at a reasonable and customary level which does not preclude an eligible parent from having a reasonable selection of child care providers. The department shall promulgate by rule a procedure and criteria for approving county rates.

SECTION 1400. 46.981 of the statutes is repealed.

SECTION 1401. 46.983 of the statutes is amended to read:

46.983 Day care employment pilot. From the appropriation under s. 20.435 (7) (4) (df), the department shall fund contracts with municipalities or private nonprofit organizations to establish day care centers in counties in which the program under s. 49.50 (7j) operates. The department shall contract for the establishment of 2 day care centers under this section. The day care centers shall provide community work experience jobs under s. 49.50 (7j) (d) and shall seek to provide regular employment for recipients of aid to families with dependent children under s. 49.19.

~~SECTION 1402g. 46.987 of the statutes is created to read:~~ **Vetoed in Part**

~~46.987 Family preservation program. (1) DEFINITIONS. In this section:~~

~~(a) "County department" means a county department under s. 46.215, 46.22 or 46.23.~~

~~(b) "Evaluating agency" means a nonprofit corporation that the department selects under sub. (6) to evaluate the family preservation projects funded under this section.~~

~~(c) "Family preservation" means the provision of intensive, in-home, time-limited professional assistance to families in crisis for the purpose of restoring adequate family functioning and thereby averting the need to remove children from the home.~~

~~(d) "Family preservation program" means the grant program under this section administered by the department.~~

~~(e) "Family preservation project" means a project administered by a county department that receives a grant under sub. (2).~~

~~(f) "Imminent risk" means that without the provision of family preservation services a child would be removed from his or her home.~~

~~(g) "Nonprofit corporation" means a nonstock, nonprofit corporation organized under ch. 181.~~

Vetoed
in Part

(h) "Rural county" means a county that is located outside a federal standard metropolitan statistical area.

(i) "Service provider" means the county department or nonprofit corporation that provides or proposes to provide family preservation services that are funded under this section.

(j) "Urban county" means a county that is located in a federal standard metropolitan statistical area.

(2) AWARD OF GRANTS. The department shall award, from the allocations under s. 46.48 (25m), grants totaling not more than \$1,500,000 in 1992 and not more than \$750,000 in the first 6 months of 1993, plus all moneys received from gifts, grants, bequests and trust funds for the family preservation program and appropriated under s. 20.435 (7) (im), to applying county departments to enable those county departments to purchase or provide family preservation services under this section.

(3) GRANT ELIGIBILITY. (a) 1. The department shall award grants under this section to no more than 5 county departments, according to the criteria specified under sub. (4) and an allocation formula that the department shall provide. The allocation formula shall provide a pool of counties whose county departments are eligible to apply for a grant under this section that consists of the counties that have, averaged over the 3 calendar years preceding the award of the grant, the highest rates of out-of-home placements per 1,000 children.

2. Subject to subd. 3, the department may award grants under this section to no more than 2 county departments from urban counties and to no more than 2 county departments from rural counties.

3. Notwithstanding subd. 2, if the county department from Menominee county applies for a grant under this section, the department shall award a grant to that county department.

(c) The department may not award a grant under this section to a county department unless that county department agrees not to decrease, during the time of the grant, its expenditures from amounts received under s. 46.40 (1) and (11) for family preservation services from the level of those expenditures by that county department in 1990.

(4) CRITERIA FOR AWARDED GRANT. Prior to awarding a grant under sub. (2) to an applying county department, the department shall consider all of the following criteria:

(a) The goals, objectives and budget of the county department's proposed family preservation project, including the family preservation service model proposed and the target population to be serviced by the family preservation project.

(b) The extent to which representatives of the community to be served by the proposed family preservation project are involved in the planning process of the proposed family preservation project.

(c) The capacity of the service provider for coordinating services with schools, alcohol or other drug abuse service providers, mental health service providers and other agencies that provide services to children and families in the community to be served by the proposed family preservation project.

(d) The development or use, or both, by the service provider of assessment tools to identify children who are at imminent risk of out-of-home placement.

(e) The existence of flexible funding that is readily available to the service provider for meeting the special needs of families.

(f) The ability of the service provider to provide intensive, in-home, time-limited services that are available 24 hours per day.

(g) The caseload size of the service provider.

(h) The time within which the service provider is able to provide family preservation services and the specific behavioral objectives of those services.

(i) The availability of follow-up services to meet the ongoing postcrisis needs of families and the specific behavioral objectives of these services.

(j) The staff training plan and staff qualifications of the service provider.

(5) USE OF GRANTS. (a) A county department that is awarded a grant under sub. (2) may use the award to purchase or provide family preservation services for families that have a child who is at imminent risk of removal from the home or for families in which it is possible that a child who has been removed temporarily from the home may be immediately returned to the home.

(b) Subject to par. (a), a county department that is awarded a grant under sub. (2) may select the family preservation service model that is most appropriate to the needs of the community served by the county department and may choose to target for family preservation services one or more of the following populations:

1. Families with children who have been the subject of a substantiated child abuse or neglect referral under s. 48.981 and who otherwise would be placed out-of-home.

2. Families with children who have been adjudicated delinquent and who would otherwise be placed in a secured correctional facility, a residential treatment center or a group home.

3. Families with children who have been removed temporarily from the home and for whom immediate reunification with the family is possible.

(6) ADMINISTRATION AND EVALUATION. (a) From the appropriation under s. 20.435 (6) (a), the department shall allocate \$100,000 in fiscal year 1991-92 and \$150,000 in fiscal year 1992-93 to administer the family preservation program and to contract with a nonprofit corporation to evaluate the family preservation projects funded under this section. The evaluation shall be for the purpose of determining the impact of each family preservation project on the number and

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Vetoed in Part rate of out-of-home placements and the functioning of families in each county served by a family preservation project.

(b) Every 6 months, beginning on September 1, 1992, and ending on September 1, 1993, the evaluating agency shall submit to the department a report that, for the 6-month period ending 2 months before the date of the report, identifies, with respect to each family preservation project, all of the following:

1. Cases in which out-of-home placements were prevented and the family was preserved as a result of the family preservation project.

2. Costs per family served by the family preservation project and out-of-home care costs saved by the family preservation project.

3. The degree to which out-of-home placements are appropriate in each county served by a family preservation project.

4. The out-of-home placement rate of children referred to the family preservation project 3 months and 6 months after referral.

5. The degree to which family functioning has improved due to the intervention of the family preservation project, using a standard family functioning scale developed by the evaluating agency.

6. Changes in the rate of out-of-home placements per 1,000 children in each county served by a family preservation project.

(c) The department shall select the evaluating agency using request-for-proposal procedures provided by the department. A nonprofit corporation that provides, or is eligible to provide, services under a grant under sub. (2) is not eligible to conduct the evaluation under this subsection.

(7) **TERMINATION OR REDUCTION OF GRANT.** The department may terminate or reduce the amount of a grant awarded under sub. (2) if the department determines, based on an evaluation under sub. (6), that the practices of a service provider that is awarded, or provides services under, a grant under sub. (2) do not conform to the policies and procedures provided by the department under this section or that the family preservation project provided by a service provider that is awarded, or provides services under, a grant under sub. (2) has not been successful according to the criteria of the evaluation under sub. (6).

(8) **DUTIES OF DEPARTMENT.** The department shall provide all policies and procedures that are necessary to implement the family preservation program under this section. Notwithstanding ss. 227.01 (13) and 227.10, policies and procedures provided under this subsection are not rules.

SECTION 1404. 46.995 (2) (intro.) of the statutes is amended to read:

46.995 (2) **ADOLESCENT SELF-SUFFICIENCY SERVICES.** (intro.) From the appropriation under s. 20.435 (7) (eg), the department may allocate \$582,100 in each of state fiscal years 1989-90 and 1990-91 fiscal year to

provide a grant annually to a public or private entity or to the elected governing body of a federally recognized American Indian tribe or band to provide services in counties or to a tribe or band for adolescent parents which shall emphasize high school graduation and vocational preparation, training and experience and may be structured so as to strengthen the adolescent parent's capacity to fulfill parental responsibilities by developing social skills and increasing parenting skills. The public or private entity seeking to receive a grant to provide these services shall develop a proposed service plan that is approved by the department. Except with respect to award of a grant to a tribe or band, the department shall rank individual counties and give priority by this ranking for the award of grants under this subsection, based on all of the following factors:

SECTION 1405. 46.995 (3) of the statutes is amended to read:

46.995 (3) **ADOLESCENT PREGNANCY PREVENTION SERVICES.** From the appropriation under s. 20.435 (7) (eg), the department may allocate \$340,000 in each of ~~state fiscal years 1989-90 and 1990-91~~ fiscal year to provide a grant annually to a public or private entity or to the elected governing body of a federally recognized American Indian tribe or band to provide to high-risk adolescents pregnancy and parenthood prevention services which shall be structured so as to increase development of decision-making and communications skills, promote graduation from high school and expand career and other options and which may address needs of adolescents with respect to pregnancy prevention. Except with respect to award of a grant to a tribe or band, the department shall rank individual counties and give priority by this ranking for the award of grants under this subsection, based on the factors specified under sub. (2) (a) to (d).

SECTION 1406. 46.997 (2) (intro.) of the statutes is amended to read:

46.997 (2) (intro.) From the appropriation under s. 20.435 (6) (a), the department shall allocate not more than \$65,500 in each of ~~state fiscal years 1989-90 and 1990-91~~ fiscal year to solicit applications from organizations and provide technical assistance to grantees and, from the appropriation under s. 20.435 (7) (eg), the department shall allocate not more than ~~\$210,000~~ \$280,000 in each of ~~state fiscal years 1989-90 and 1990-91~~ fiscal year to make grants to applying organizations for the provision, on a regional or tribal project basis, of information to communities in order to increase community knowledge about problems of adolescents and information to and activities for adolescents, particularly female adolescents, in order to enable the adolescents to develop skills with respect to all of the following:

SECTION 1407. 47.01 (7) of the statutes is repealed.

SECTION 1408. 47.03 (1) (intro.) of the statutes is repealed.

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SECTION 1409. 47.03 (1) (a) of the statutes is renumbered 47.03 (1), and 47.03 (1) (intro.), as renumbered, is amended to read:

47.03 (1) (intro.) Provide The department shall provide rehabilitation teaching services for persons who are blind or visually impaired including elderly persons and young persons and their parents or guardians, regardless of their eligibility for vocational rehabilitation services. These services may include assessments of each client's service needs, development of an individual service plan, instruction in braille, training in orientation and movement in the person's home or neighborhood, counseling and guidance to increase the blind or visually impaired person's independence, instruction in the use of low-vision aids, personal and home management training and instruction in leisure activities. In conjunction with the provision of these services the department shall:

SECTION 1410. 47.03 (1) (b) of the statutes is repealed.

SECTION 1411. 47.03 (1) (c) of the statutes is repealed.

SECTION 1412. 47.03 (1m) of the statutes is repealed.

SECTION 1413. 47.03 (4) (b) of the statutes is amended to read:

47.03 (4) (b) The department may charge a portion of the expenses of its supervised business enterprise program to the net proceeds of each business operating under the program. The department shall establish the procedure for setting these charges by rule, with the participation of a committee of blind vendors established under 20 USC 107b-1. The department shall deposit the moneys from the charges made under this paragraph in the appropriation under s. 20.435 (5) (h).

SECTION 1414. 47.03 (7) of the statutes is amended to read:

47.03 (7) If the department decides that a business under sub. (4) would not be feasible and profitable in any state building, the department may contract with vending machine operators to install vending machines in the building, giving preference to blind operators of vending machines. The department may, under the procedures established as required under sub. (4) (b), charge the net proceeds of each business operating under this subsection. The department shall deposit the proceeds from moneys from the charges made under this subsection in the appropriation under s. 20.435 (5) (h) and shall disburse the proceeds to provide services to blind persons under sub. (4) and blind or visually impaired persons under sub. (1), in accordance with 20 USC 107 to 107f.

SECTION 1415. 47.10 (1) (intro.) of the statutes is amended to read:

47.10 (1) (intro.) From the appropriation under s. 20.435 (5) (bm), the department shall allocate \$52,400 in each state fiscal year 1989-90 and \$52,400 in fiscal

year 1990-91 to contract with an organization to provide services to Hispanic workers who have been injured in industrial accidents, including all of the following:

SECTION 1415m. 48.02 (15m) of the statutes is amended to read:

48.02 (15m) "Secured correctional facility" means a correctional institution operated or contracted for by the department for holding in secure custody persons adjudged delinquent.

SECTION 1415r. 48.065 (2) (gm) of the statutes is created to read:

48.065 (2) (gm) Conduct uncontested proceedings under ss. 48.12 and 48.13.

SECTION 1415t. 48.065 (3) (b), (c) and (e) of the statutes are amended to read:

48.065 (3) (b) Conduct fact-finding or dispositional hearings except petitions or citations under s. 48.125 and except as provided in sub. (2) (gm).

(c) Make dispositions other than approving consent decrees and other than dispositions in uncontested proceedings under ss. 48.12 and 48.13.

(e) Make changes in placements of children, or revisions or extensions of dispositional orders, except pursuant to petitions or citations under s. 48.125 and except in uncontested proceedings under ss. 48.12 and 48.13.

SECTION 1415v. 48.065 (3) (f) of the statutes is created to read:

48.065 (3) (f) Make any dispositional order under s. 48.34 (4m).

SECTION 1416. 48.08 (2) of the statutes is amended to read:

48.08 (2) Any Except as provided in sub. (3), any person authorized to provide or providing intake or dispositional services for the court under ss. 48.067 and 48.069 and any department of corrections staff member designated by agreement between the department of corrections and the department of health and social services has the power of police officers and deputy sheriffs only for the purpose of taking children a child into physical custody where when the child comes voluntarily or is suffering from illness or injury or is in immediate danger from his or her surroundings and removal from the surroundings is necessary.

SECTION 1417. 48.08 (3) (a) (intro.) of the statutes is amended to read:

48.08 (3) (a) (intro.) In addition to the law enforcement authority specified in sub. (2), the superintendent of a juvenile correctional institution and department of health and social services personnel designated by the superintendent of the juvenile correctional institution that department, personnel of a nonprofit corporation operating a secured correctional facility for girls designated by agreement between that nonprofit corporation and the department of health and social services, and department of corrections personnel designated by agreement

between the department of health and social services and the department of corrections have the power of law enforcement authorities to take a child into physical custody under the following conditions:

SECTION 1417c. 48.17 (2) (d) of the statutes is amended to read:

48.17 (2) (d) If a municipal court finds that the child violated a municipal ordinance other than an ordinance enacted under s. 118.163 or an ordinance that conforms to s. 125.07 (4) (a) or (b), 125.085 (3) (b), 125.09 (2), 161.573 (2), 161.574 (2) or 161.575 (2), the court shall enter any of the dispositional orders permitted under s. 48.343 (1), (2), (5), (6), (7) or (8). If a child fails to pay the forfeiture imposed by the municipal court, the court shall not impose a jail sentence but may suspend any license issued under ch. 29 for not less than 30 nor more than 90 days, or suspend the child's operating privilege, as defined in s. 340.01 (40), for not less than 30 nor more than 90 days. If a court suspends a license or privilege under this section, the court shall immediately take possession of the applicable license and forward it to the department that issued the license, together with the notice of suspension clearly stating that the suspension is for failure to pay a forfeiture imposed by the court. ~~If the forfeiture is paid during the first 30 days after the license or privilege is suspended, the suspension shall be reduced to the minimum period of 30 days. If the forfeiture is paid thereafter during the period of suspension, the court shall immediately notify the department, which shall thereupon return the license to the person. If the forfeiture is paid after the end of the 30 days, the suspension shall be reduced to the time period that has already elapsed and the court shall immediately notify the department, which shall then return the license to the child.~~

SECTION 1417g. 48.215 of the statutes is created to read:

48.215 Mother-young child care program. Sections 48.19 to 48.21 do not apply to children participating in the mother-young child care program under s. 301.049.

~~SECTION 1417m. 48.235 (8) of the statutes is amended to read:~~

~~48.235 (8) FEES. On order of the court, the guardian ad litem appointed under this chapter shall be allowed reasonable compensation, at the rate set by SCR 81.02 (1), to be paid by the county of venue from the appropriation under s. 20.625 (1) (c), except that compensation shall be paid by the proposed adoptive parents in uncontested termination proceedings and uncontested adoption cases under ss. 48.835 and 48.837 and by the agency in uncontested termination proceedings and uncontested adoptions under s. 48.833. If the proposed adoptive parents are unable to pay, the court may direct that the county of venue state pay the fees, in whole or in part, and may direct that the proposed adoptive parents reimburse the~~

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~~county state, in whole or in part, for the payment. At any time before the final order for adoption, the court may order that payments be placed in an escrow account in an amount estimated to be sufficient to pay the compensation of the guardian ad litem.~~

Vetoed
in Part

SECTION 1418c. 48.34 (4r) of the statutes is created to read:

48.34 (4r) (a) In addition to any other dispositions imposed under this section, if the child is found to have violated ch. 161, the judge shall suspend or revoke the child's operating privilege, as defined in s. 340.01 (40), for not less than 6 months nor more than 5 years. The court shall immediately take possession of any suspended or revoked license and forward it to the department of transportation together with the notice of suspension or revocation clearly stating that the suspension or revocation is for a violation of ch. 161.

(b) This subsection does not apply to violations under s. 161.573 (2), 161.574 (2) or 161.575 (2) or a local ordinance that strictly conforms to one of those statutes.

SECTION 1418d. 48.34 (4s) (a) 2 and 3 of the statutes are amended to read:

48.34 (4s) (a) 2. For a violation committed within 12 months of a previous violation, a forfeiture of not more than \$100 ~~or suspension of the person's operating privilege as provided under s. 343.30 (6) (b) 2 or both.~~

3. For a violation committed within 12 months of 2 or more previous violations, a forfeiture of not more than \$500 ~~or revocation of the person's operating privilege under s. 343.30 (6) (b) 3 or both.~~

SECTION 1418e. 48.34 (4s) (am) 2 and 3 of the statutes are amended to read:

48.34 (4s) (am) 2. For a violation committed within 12 months of a previous violation, a forfeiture of not less than \$300 ~~nor more than \$500 or suspension of the person's operating privilege as provided under s. 343.30 (6) (b) 2 or both.~~

3. For a violation committed within 12 months of 2 or more previous violations, a forfeiture of \$500 ~~or revocation of the person's operating privilege under s. 343.30 (6) (b) 3 or both.~~

SECTION 1418f. 48.34 (7m) (intro.) and (a) of the statutes are consolidated, renumbered 48.34 (7m) and amended to read:

48.34 (7m) If the child is adjudicated delinquent under a violation of s. 161.41 (2r), (3), (3m), (3n) or (3r) by possessing or attempting to possess a controlled substance listed in schedule I or II under ch. 161 while in or otherwise within 1,000 feet of a state, county, city, village or town park, a swimming pool open to members of the public, a youth center, as defined in s. 161.01 (22), or a community center, while on or otherwise within 1,000 feet of any private or public school premises or while on or otherwise within 1,000 feet of a school bus, as defined in s. 340.01 (56),

the judge shall ~~do both of the following: (a) Require~~ require that the child participate for 100 hours in a supervised work program under sub. (9) or perform 100 hours of other community service work.

SECTION 1418g. 48.34 (7m) (b) of the statutes is repealed.

SECTION 1418gm. 48.34 (8) of the statutes is amended to read:

48.34 (8) If the judge finds that no other court services or alternative services are needed or appropriate it may impose a maximum forfeiture of \$50 based upon a determination that this disposition is in the best interest of the child and in aid of rehabilitation, except that the court may raise the maximum ceiling on the amount of the forfeiture by \$50 for every subsequent adjudication of delinquency concerning an individual child. Any such order shall include a finding that the child alone is financially able to pay the forfeiture and shall allow up to 12 months for payment. If the child fails to pay the forfeiture, the judge may vacate the forfeiture and order other alternatives under this section, in accordance with the conditions specified in this chapter; or the judge may suspend any license issued under ch. 29 for not less than 30 days nor more than 90 days, or suspend the child's operating privilege as defined in s. 340.01 (40) for not less than 30 days nor more than 90 days. If the judge suspends any license under this subsection, the clerk of the court shall immediately take possession of the suspended license and forward it to the department which issued the license, together with a notice of suspension clearly stating that the suspension is for failure to pay a forfeiture imposed by the court. If the forfeiture is paid during the first 30 days after the license is suspended, ~~the suspension shall be reduced to the minimum period of 30 days. If it is paid after the end of the 30 days period of suspension,~~ the suspension shall be reduced to the time period which has already elapsed and the court shall immediately notify the department which shall then return the license to the child.

SECTION 1418gr. 48.343 (2) of the statutes is amended to read:

48.343 (2) Impose a forfeiture not to exceed \$25. Any such order shall include a finding that the child alone is financially able to pay and shall allow up to 12 months for the payment. If a child fails to pay the forfeiture, the court may suspend any license issued under ch. 29 or suspend the child's operating privilege as defined in s. 340.01 (40), for not less than 30 days nor more than 90 days. The court shall immediately take possession of the suspended license and forward it to the department which issued the license, together with the notice of suspension clearly stating that the suspension is for failure to pay a forfeiture imposed by the court. If the forfeiture is paid during the first 30 days after the license is suspended, ~~the suspension shall be reduced to the minimum period of 30 days. If it is paid thereafter~~ period of suspension, the court shall immediately notify the department, which will thereupon return the license to the person.

SECTION 1418h. 48.344 (2) (intro.) of the statutes is amended to read:

48.344 (2) (intro.) If a court finds a child committed a violation under s. 125.07 (4) (b), or 125.09 (2), 161.573 (2), 161.574 (2) or 161.575 (2), or a local ordinance that strictly conforms to one of those statutes, it shall order one or any combination of the following penalties:

SECTION 1418i. 48.344 (2e) of the statutes is created to read:

48.344 (2e) (a) If a court finds a child committed a violation under s. 161.573 (2), 161.574 (2) or 161.575 (2), or a local ordinance that strictly conforms to one of those statutes, it shall suspend or revoke the child's operating privilege, as defined in s. 340.01 (40), for not less than 6 months nor more than 5 years and, in addition, shall order one of the following penalties:

1. For a first violation, a forfeiture of not more than \$50 or the child's participation in a supervised work program under s. 48.34 (9) or both.

2. For a violation committed within 12 months of a previous violation, a forfeiture of not more than \$100 or the child's participation in a supervised work program under s. 48.34 (9) or both.

3. For a violation committed within 12 months of 2 or more previous violations, a forfeiture of not more than \$500 or the child's participation in a supervised work program under s. 48.34 (9) or both.

(b) Whenever a court suspends or revokes a child's operating privilege under this subsection, the court shall immediately take possession of any suspended or revoked license and forward it to the department of transportation, together with the notice of suspension or revocation clearly stating that the suspension or revocation is for a violation under s. 161.573 (2), 161.574 (2) or 161.575 (2), or a local ordinance that strictly conforms to one of those statutes.

SECTION 1418j. 48.344 (2g) (a) (intro.) of the statutes is amended to read:

48.344 (2g) (a) (intro.) After ordering a penalty under sub. (2), (2b) ~~or~~, (2d) ~~or~~ (2e), the court assigned to exercise jurisdiction under this chapter, with the agreement of the child, may enter an additional order staying the execution of the penalty order and suspending or modifying the penalty imposed. The order under this paragraph shall require the child to do any of the following:

SECTION 1418k. 48.344 (2g) (d) of the statutes is amended to read:

48.344 (2g) (d) If an approved treatment facility or court-approved education program, with the written informed consent of the child or, if the child has not attained the age of 12, the written informed consent of the child's parent, notifies the agency primarily responsible for providing services to the child that a child is not participating in the program or that a child has not satisfactorily completed a recommended alcohol or other drug abuse treatment program or an education program, the court assigned to exercise

jurisdiction under this chapter shall hold a hearing to determine whether the penalties under sub. (2), (2b) or, (2d) or (2e) should be imposed.

SECTION 1418L. 48.344 (2m) of the statutes is amended to read:

48.344 (2m) For purposes of subs. (2) to (2d) (2e), all violations arising out of the same incident or occurrence shall be counted as a single violation.

SECTION 1418Lm. 48.355 (6) (a) and (b) of the statutes are amended to read:

48.355 (6) (a) If a child who has been adjudged delinquent violates a condition specified in sub. (2) (b) 7, the court may impose on the child one of the sanctions specified in par. (d) if, at the dispositional hearing under s. 48.335, the judge court explained the conditions to the child and informed the child of the possible sanctions under par. (d) for a violation.

(b) A motion for imposition of a sanction may be brought by the person or agency primarily responsible for the provision of dispositional services, the district attorney or the judge who court that entered the dispositional order. If the judge court initiates the motion, that judge court is disqualified from holding a hearing on the motion. Notice of the motion shall be given to the child, guardian ad litem, counsel, parent, guardian, legal custodian and all parties present at the original dispositional hearing.

SECTION 1418Lp. 48.356 (1) of the statutes is amended to read:

48.356 (1) Whenever the judge court orders a child to be placed outside his or her home because the child has been adjudged to be in need of protection or services under s. 48.345, 48.357, 48.363 or 48.365, the judge court shall orally inform the parent or parents who appear in court of any grounds for termination of parental rights under s. 48.415 which may be applicable and of the conditions necessary for the child to be returned to the home.

Vetoed in Part SECTION 1418Ln. 48.36 (1) of the statutes is amended to read:

48.36 (1) (a) If legal custody is transferred from the parent or guardian or the court otherwise designates an alternative placement for the child by a disposition made under s. 48.34 or 48.345, the duty of the parent or guardian or, in the case of a transfer of guardianship and custody under s. 48.839 (4), the duty of the former guardian to provide support shall continue even though the legal custodian or the placement designee may provide the support.

(b) A copy of the order transferring custody or designating alternative placement for the child shall be submitted to the agency or person receiving custody or placement and the agency or person may apply to the court for an order to compel the parent or guardian to provide the support. Support Except as provided in pars. (c) and (d), support payments for residential services, when purchased or otherwise funded or provided by the department, or a county

department under s. 46.215, 46.22, 46.23, 51.42 or Vetoed 51.437, shall be subject to the payment provisions in Part under ss. 46.03 (18) and 46.10 (14). However

(d) Notwithstanding pars. (b) and (c), if at the time the child is placed into those residential services a court order for support already exists under s. 49.90 or ch. 767 the amount of parental payment to be applied to residential services shall may not be less than the amount specified in that court order.

SECTION 1418n. 48.36 (1) (c) of the statutes is created to read:

48.36 (1) (c) Except as provided in par. (d) a person who is liable for support under par. (a) in an amount determined under s. 46.03 (18) (a) may apply to the court to reduce the amount of support for which that person is liable. The court shall hear the allegations and proofs of the parties and may reduce the amount of support determined under s. 46.03 (18) (a) after considering all of the following:

1. Whether the support payments determined under s. 46.03 (18) (a) are causing a hardship for the person who is liable for those payments or for that person's lawful dependents.

2. Whether the support payments determined under s. 46.03 (18) (a) are interfering with permanency planning for the child or with placement of the child in the placement that is least restrictive of the rights of the child and the child's parent and that is most appropriate for meeting the needs of the child and the child's family.

SECTION 1418p. 48.363 of the statutes is amended to read:

48.363 Revision of dispositional orders. (1) A child, the child's parent, guardian or legal custodian, any Vetoed person or agency bound by a dispositional order of in Part the district attorney or corporation counsel in the county in which the dispositional order was entered may request a revision in the order which does not involve a change in placement, or the court may on its own motion propose such a revision. The request or court proposal shall set forth in detail the nature of the proposed revision and what new information is available which affects the advisability of the court's disposition. The request or court proposal shall be submitted to the court.

(2) The court shall hold a hearing on the matter if the request or court proposal indicates that new information is available which affects the advisability of the court's dispositional order and prior to any revision of the dispositional order, unless written waivers of objections to the revision are signed by all parties entitled under sub. (3) to receive notice and the court approves.

(3) If a hearing is held, the court shall notify the parent, child, guardian and, legal custodian and foster parent or operator of the facility where the child is living, all parties bound by the dispositional order and the district attorney or corporation counsel in the

Vetoed
in Part

county in which the dispositional order was entered at least 3 days prior to the hearing. A copy of the request or proposal shall be attached to the notice.

(4) If all parties consent, the court may proceed immediately with the hearing. At hearings under this section, any person who is entitled under sub. (3) to receive notice may appear, present evidence that is relevant to the issue of revision and make alternative recommendations for revision of the dispositional order.

(5) No revision may extend the effective period of the original order.

SECTION 1418g. 48.365 (2) of the statutes is amended to read:

48.365 (2) No order may be extended without a hearing. The court shall notify the child or the child's guardian ad litem or counsel, the child's parent, guardian, legal custodian and foster parent or operator of the facility where the child is living, all the parties present at the original hearing and the district attorney or corporation counsel in the county in which the dispositional order was entered of the time and place of the hearing.

SECTION 1418r. 48.365 (2m) (a) of the statutes is amended to read:

48.365 (2m) (a) Any party may At hearings under this section, any person who is entitled under sub. (2) to present evidence relevant to the issue of extension and make alternative recommendations for extension of the dispositional order. The judge shall make findings of fact and conclusions of law based on the evidence, including a finding as to whether reasonable efforts were made by the agency primarily responsible for providing services to the child to make it possible for the child to return to his or her home. An order shall be issued under s. 48.355.

SECTION 1418s. 48.38 (5) (b) of the statutes is amended to read:

48.38 (5) (b) The court or the agency shall notify the parents of the child, the child if he or she is 12 years of age or older and the child's foster parent or operator of the facility in which the child is living of the time and place of the review and of the fact that they may participate in attend the review, provide information that is relevant to the child's permanency plan and make alternative recommendations concerning the determinations to be made by the court or panel under par. (c). The notice shall be provided in writing not less than 10 days before the review and a copy shall be filed in the child's case record.

SECTION 1419. 48.396 (1) of the statutes is amended to read:

48.396 (1) Peace officers' records of children shall be kept separate from records of persons 18 or older and. Peace officers' records of children shall not be open to inspection or their contents disclosed except under sub. (1m) or (5), or s. 48.293 or by order of the court. This subsection shall does not apply to the representatives of newspapers or other reporters of news

who wish to obtain information for the purpose of reporting news without revealing the identity of the child involved or, to the confidential exchange of information between the police and officials of the school attended by the child or other law enforcement or social welfare agencies or to children 16 or older who are transferred to the criminal courts.

SECTION 1420. 48.396 (1m) of the statutes is created to read:

48.396 (1m) If requested by the school district administrator of a public school district, a law enforcement agency may provide to the school district administrator any information in its records relating to the use, possession or distribution of alcohol or a controlled substance by a pupil enrolled in the public school district. The information may be used by the school district only as provided under s. 118.127 (2). In this subsection, "controlled substance" has the meaning given in s. 161.01 (4).

SECTION 1420d. 48.396 (4) of the statutes is amended to read:

48.396 (4) When a court revokes, suspends or restricts a child's operating privilege under s. 48.17 (2), 48.237, 48.34 (7), (7m) or (8), 48.343 (2), 48.344 (2) or 346.93 this chapter, the department of transportation shall not disclose information concerning or relating to the revocation, suspension or restriction to any person other than a court, district attorney, county corporation counsel, city, village or town attorney, law enforcement agency, or the minor whose operating privilege is revoked, suspended or restricted, or his or her parent or guardian. Persons entitled to receive this information shall not disclose the information to other persons or agencies.

SECTION 1420g. 48.42 (2) (d) of the statutes is amended to read:

48.42 (2) (d) Any other person to whom notice is required to be given by ch. 822, excluding including the child's foster parents or the operator of the facility where the child is living.

SECTION 1420m. 48.427 (1) of the statutes is amended to read:

48.427 (1) Any party The petitioner and any person who must be summoned under s. 48.42 (2) may present evidence relevant to the issue of disposition, including expert testimony, and may make alternative dispositional recommendations to the court. After receiving any evidence related to the disposition, the court shall enter one of the dispositions specified under subs. (2) to (4) within 10 days.

SECTION 1421. 48.49 (2) of the statutes is amended to read:

48.49 (2) When the court transfers legal custody of a child to the department, the court shall also immediately transfer to the department a copy of the report submitted to it under s. 48.425 48.33 and shall immediately notify the child's last school district in writing of its obligation under s. 118.125 (4).

Vetoed
in Part

Vetoed in Part SECTION 1422m. 48.535 (3) (b) (intro.) of the statutes is amended to read:

48.535 (3) (b) (intro.). The department shall select pilot program grant recipients based on applications submitted to the department. Applications and selection shall be in accordance with the request for proposal procedures established by the department. The request for proposal procedures established by the department shall require that the contractual and staffing patterns of the grant recipient and the planning, management and delivery of services under a grant recipient's pilot program reflect the cultural characteristics of the population to be served by that pilot program. Each application shall do all of the following:

SECTION 1423. 48.60 (1) of the statutes is amended to read:

48.60 (1) No person ~~shall~~ may receive children, with or without transfer of legal custody, to provide care and maintenance for 75 days in any consecutive 12 months' period for 4 or more such children at any one time unless ~~he~~ that person obtains a license to operate a child welfare agency from the department. To obtain a license under this subsection to operate a child welfare agency, a person must meet the minimum requirements for a license established by the department under s. 48.67 and pay the applicable license fee under s. 48.615 (1) (a) or (b). A license issued under this subsection is valid for 2 years after the date of issuance, unless sooner revoked or suspended.

SECTION 1424. 48.615 of the statutes is created to read:

48.615 Child welfare agency licensing fees. (1) (a) Before the department may issue a license under s. 48.60 (1) to a child welfare agency that regularly provides care and maintenance for children within the confines of its building, the child welfare agency must pay to the department a biennial fee of \$75, plus a biennial fee of \$10 per child, based on the number of children that the child welfare agency is licensed to serve.

(b) Before the department may issue a license under s. 48.60 (1) to a child welfare agency that places children in licensed foster homes and licensed group homes, the child welfare agency must pay to the department a biennial fee of \$200.

(c) A child welfare agency that wishes to renew a license issued under s. 48.60 (1) shall pay the applicable fee under par. (a) or (b) by the renewal date of the license.

(d) A new child welfare agency shall pay the applicable fee under par. (a) or (b) no later than 30 days before the opening of the child welfare agency.

(2) A child welfare agency that wishes to renew a license issued under s. 48.60 (1) and that fails to pay the applicable fee under sub. (1) (a) or (b) by the renewal date of the license or a new child welfare

agency that fails to pay the applicable fee under sub. (1) (a) or (b) by 30 days before the opening of the child welfare agency shall pay an additional fee of \$5 per day for every day after the deadline that the agency fails to pay the fee.

SECTION 1425. 48.625 (title) of the statutes is amended to read:

48.625 (title) Licensing of group homes; fees.

SECTION 1426. 48.625 of the statutes is renumbered 48.625 (1) and amended to read:

48.625 (1) Any person who receives, with or without transfer of legal custody, 5 to 8 children, to provide care and maintenance for those children shall obtain a license to operate a group home from the department. To obtain a license under this subsection to operate a group home, a person must meet the minimum requirements for a license established by the department under s. 48.67 and pay the license fee under sub. (2). A license issued under this subsection is valid for 2 years after the date of issuance, unless sooner revoked or suspended.

(3) This section does not apply to a foster home licensed under s. 48.62 in which care and maintenance is provided for more than 4 siblings.

SECTION 1427. 48.625 (2) of the statutes is created to read:

48.625 (2) (a) Before the department may issue a license under sub. (1) to a group home, the group home must pay to the department a biennial fee of \$75, plus a biennial fee of \$10 per child, based on the number of children that the group home is licensed to serve. A group home that wishes to renew a license issued under sub. (1) shall pay the fee under this paragraph by the renewal date of the license. A new group home shall pay the fee under this paragraph no later than 30 days before the opening of the group home.

(b) A group home that wishes to renew a license issued under sub. (1) and that fails to pay the fee under par. (a) by the renewal date of the license or a new group home that fails to pay the fee under par. (a) by 30 days before the opening of the group home shall pay an additional fee of \$5 per day for every day after the deadline that the group home fails to pay the fee.

SECTION 1428. 48.65 (1) of the statutes is amended to read:

48.65 (1) No person ~~shall~~ may for compensation provide care and supervision for 4 or more children under the age of 7 for less than 24 hours a day unless ~~he~~ that person obtains a license to operate a day care center from the department. To obtain a license under this subsection to operate a day care center, a person must meet the minimum requirements for a license established by the department under s. 48.67 and pay the license fee under sub. (3). A license issued under this subsection is valid for 2 years after the date of issuance, unless sooner revoked or suspended.

SECTION 1429. 48.65 (3) (intro.) of the statutes is renumbered 48.65 (3) (a) and amended to read:

48.65 (3) (a) ~~For the 2-year period beginning January 1, 1986, and ending December 31, 1987, and for each 2-year period thereafter, Before the department shall assess against and collect from each~~ may issue a license under sub. (1) to a day care center licensed under this section an amount equal to the greater of the following: that provides care and supervision for 4 to 8 children, the day care center must pay to the department a biennial fee of \$50. Before the department may issue a license under sub. (1) to a day care center that provides care and supervision for 9 or more children, the day care center must pay to the department a biennial fee of \$25, plus a biennial fee of \$5 per child, based on the number of children that the day care center is licensed to serve. A day care center that wishes to renew a license issued under sub. (1) shall pay the applicable fee under this paragraph by the renewal date of the license. A new day care center shall pay the applicable fee under this paragraph no later than 30 days before the opening of the day care center.

SECTION 1430. 48.65 (3) (a) of the statutes is repealed.

SECTION 1431. 48.65 (3) (b) of the statutes is amended to read:

48.65 (3) (b) ~~One dollar for each child the~~ A day care center is licensed to serve that wishes to renew a license issued under par. (a) and that fails to pay the applicable fee under par. (a) by the renewal date of the license or a new day care center that fails to pay the applicable fee under par. (a) by 30 days before the opening of the day care center shall pay an additional fee of \$5 per day for every day after the deadline that the group home fails to pay the fee.

SECTION 1432. 48.68 (1) of the statutes is amended to read:

48.68 (1) After receipt of an application for a license, the department shall investigate to determine if the applicant meets all minimum requirements for a license adopted by the department under s. 48.67. Upon satisfactory completion of this investigation and payment of the fee required under s. 48.615 (1) (a) or (b), 48.625 (2) (a) or 48.65 (3) (a), the license shall be granted.

SECTION 1432m. 48.78 (3) of the statutes is amended to read:

48.78 (3) If a child adjudged delinquent on the basis of a violation of s. 941.10, 941.11, 941.20, 941.21, 941.23, 941.235, 941.24, 941.26, 941.28, 941.295, 941.298, 941.30, 941.31, 941.32, 941.325, 943.02, 943.03, 943.04, 943.10 (2) (a), 943.32 (2), 948.02, 948.03, 948.05, 948.60 or 948.61 or any crime specified in ch. 940 has escaped or has been allowed to leave a secured juvenile correctional facility for a specified time period and in the case of an authorized leave the child is absent from the facility for more than 12 hours after the expiration of the specified period, the department may release the child's name and any information about the child the department determines to be

necessary for the protection of the public or to secure the child's return to the facility. The department shall promulgate rules establishing guidelines for the release of the child's name or information about the child to the public.

SECTION 1432mb. 48.78 (3) of the statutes, as affected by 1991 Wisconsin Acts 17 and (this act), is repealed and recreated to read:

48.78 (3) If a child adjudged delinquent on the basis of a violation of s. 941.10, 941.11, 941.20, 941.21, 941.23, 941.235, 941.24, 941.26, 941.28, 941.295, 941.298, 941.30, 941.31, 941.32, 941.325, 943.02, 943.03, 943.04, 943.10 (2) (a), 943.32 (2), 948.02, 948.03, 948.05, 948.60, 948.605 or 948.61 or any crime specified in ch. 940 has escaped or has been allowed to leave a secured juvenile correctional facility for a specified time period and in the case of an authorized leave the child is absent from the facility for more than 12 hours after the expiration of the specified period, the department may release the child's name and any information about the child the department determines to be necessary for the protection of the public or to secure the child's return to the facility. The department shall promulgate rules establishing guidelines for the release of the child's name or information about the child to the public.

SECTION 1433. 48.982 (6) (a) of the statutes is amended to read:

48.982 (6) (a) From the ~~appropriation~~ appropriations under s. 20.433 (1) (b) and (h), the board shall award grants to organizations in accordance with the request-for-proposal procedures developed under sub. (2) (a). No organization may receive a grant or grants totaling more than \$75,000 in any year.

SECTION 1434. 48.982 (6) (am) of the statutes is amended to read:

48.982 (6) (am) Notwithstanding the geographical and urban and rural distribution requirements under sub. (2) (a), the board shall allocate \$75,000 from the appropriation under s. 20.433 (1) ~~(b)~~ (h) in each fiscal year 1989-90 and \$75,000 from that appropriation in fiscal year 1990-91 for the awarding of grants, in accordance with the request-for-proposal procedures developed under sub. (2) (a), to organizations located in counties with a population of 500,000 or more.

~~SECTION 1434d. 48.982 (6) (ar) of the statutes is created to read:~~

~~48.982 (6) (ar) Notwithstanding the geographical and urban and rural distribution requirements under sub. (2) (a), the board shall allocate \$59,200 in each fiscal year from the appropriation under s. 20.433 (1) (b) for the awarding of a grant, in accordance with request-for-proposal procedures developed under sub. (2) (a), to an organization located in the northern part of this state.~~

Vetoed
in Part

SECTION 1435. 48.985 (1) (a) of the statutes is amended to read:

48.985 (1) (a) For the department's expenses in connection with administering the expenditure of funds

received under 42 USC 620 to 626, not more than ~~\$236,100~~ \$255,200 in fiscal year ~~1989-90~~ 1991-92 and not more than ~~\$242,600~~ \$262,400 in fiscal year ~~1990-91~~ 1992-93.

SECTION 1436. 48.985 (1) (c) of the statutes is amended to read:

48.985 (1) (c) For innovative child welfare projects and services provided or purchased by the department, including training for foster parents and for employes of county departments conducting investigations and providing services under s. 48.981, not more than \$185,000 in each fiscal year ~~1989-90~~ and ~~not more than \$185,000 in fiscal year 1990-91.~~

SECTION 1437. 48.985 (1) (e) of the statutes is amended to read:

48.985 (1) (e) For the purpose of conducting child abuse and neglect independent investigations, not more than \$35,000 in each fiscal year ~~1989-90~~ and ~~not more than \$35,000 in fiscal year 1990-91.~~

SECTION 1438. 48.985 (1) (f) of the statutes is amended to read:

48.985 (1) (f) For the purpose of providing child at risk field training to counties, not more than \$50,000 in each fiscal year ~~1989-90~~ and ~~not more than \$50,000 in fiscal year 1990-91.~~

SECTION 1439. 48.985 (2) (intro.) of the statutes is renumbered 48.985 (2) (a) (intro.).

SECTION 1440. 48.985 (2) (a) of the statutes is renumbered 48.985 (2) (b) and amended to read:

48.985 (2) (b) ~~For From the appropriation under s. 20.435 (7) (o), of the moneys received under 42 USC 620 to 626, the department may expend, for the delivery of services to American Indians under s. 46.70, not more than \$17,500 in the period beginning July 1, 1991, and ending September 30, 1991, not more than \$70,000 in fiscal year 1989-90 and not more than \$70,000 in fiscal year 1990-91 the period beginning October 1, 1991, and ending September 30, 1992, and not more than \$52,500 in the period beginning October 1, 1992, and ending June 30, 1993.~~

SECTION 1440d. 48.985 (2) (a) 2 of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

48.985 (2) (a) 2. For family-based child welfare services under s. 46.40 (5) (e) 3, not more than \$444,500 in each fiscal year.

SECTION 1441. 48.985 (2) (b) of the statutes is renumbered 48.985 (2) (a) 1 and amended to read:

48.985 (2) (a) 1. To county departments under ss. 46.215, 46.22 and 46.23, for the provision or purchase of child welfare projects and services including child abuse and neglect investigation and treatment services, subject only to local, state and federal require-

ments specific to the types of projects or services, not more than \$1,858,000 in each fiscal year ~~1989-90~~ and ~~not more than \$1,858,000 in fiscal year 1990-91~~ and for the allocation for services to children and families, not more than \$567,300 in each fiscal year ~~1989-90~~ and ~~not more than \$567,300 in fiscal year 1990-91.~~

SECTION 1442. 48.985 (2) (c) of the statutes is renumbered 48.985 (2) (a) 2 and amended to read:

48.985 (2) (a) 2. For family-based child welfare services under s. 46.40 (11), not more than ~~\$451,000 in fiscal year 1989-90 and not more than \$444,500 in each fiscal year 1990-91.~~

SECTION 1443. 48.985 (2) (d) of the statutes is renumbered 48.985 (2) (a) 3 and amended to read:

48.985 (2) (a) 3. In addition to the amounts allocated under ~~pars. (a) to (e) subds. 1 and 2 and par. (b),~~ for family-based child welfare services, including services to prevent and treat child abuse and neglect, and for contracting with counties and American Indian tribes for family-based child welfare services, the balance of any unanticipated additional funds that are received by the department under this subsection.

SECTION 1444. 48.985 (3) of the statutes is amended to read:

48.985 (3) COMMUNITY YOUTH AND FAMILY AIDS. From the appropriation under s. 20.435 (3) (oo), to county departments under ss. 46.215, 46.22 and 46.23 for the provision of services under s. 46.26, not more than \$1,100,000 in each fiscal year ~~1989-90~~ and ~~not more than \$1,100,000 in fiscal year 1990-91.~~

SECTION 1444d. 48.985 (3) of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

48.985 (3) COMMUNITY YOUTH AND FAMILY AIDS. From the appropriation under s. 20.435 (3) (oo), the department shall allocate under s. 46.40 (1) ~~(b),~~ to county departments under ss. 46.215, 46.22 and 46.23 for the provision of services under s. 46.26, not more than \$1,100,000 each in fiscal year.

SECTION 1445. 48.985 (4) of the statutes is amended to read:

48.985 (4) RUNAWAY SERVICES. From the appropriation under s. 20.435 (7) (na) for runaway services, not more than \$458,600 in each fiscal year ~~1989-90~~ and ~~not more than \$458,600 in fiscal year 1990-91.~~

~~SECTION 1445m. 48.996 of the statutes is amended to read:~~

~~48.996 Fees. Any judge of this state who appoints counsel or a guardian ad litem pursuant to the provisions of the interstate compact on juveniles may, in his or her discretion, allow a reasonable fee compensation, at the rate set by SCR 81.02(1), to be paid by the county state on order of the court.~~

Vetoed
in Part

Vetoed
in Part

SECTION 1446. 49.002 of the statutes is amended to read:

49.002 Legislative declaration. It is declared to be legislative policy that all recipients of general relief shall have maximum exposure to job training and job opportunities through the Wisconsin state employment service as well as other government agencies. Applicants and recipients of general relief shall comply with the established work-seeking rules of the general relief agency. Recipients of general relief shall also comply with the established work relief rules of the general relief agency. If a recipient of general relief refuses a bona fide offer of employment or training without good cause, or accepts a bona fide offer and subsequently performs inadequately through wilful neglect, or fails to comply with the work-seeking or work relief rules of the general relief agency, the general relief agency ~~shall~~ may discontinue general relief payments to the recipient for a period not to exceed 30 days for a first refusal, inadequate performance or failure to comply and for a period not to exceed 60 days for a 2nd or subsequent refusal, inadequate performance or failure to comply. The department shall promulgate rules to establish standards for determinations of benefit discontinuances under this section that exceed 30 days. Any Wisconsin taxpayer shall have standing in the circuit court for the purpose of obtaining an injunction to enforce this section.

Vetoed in Part SECTION 1448. 49.02 (1m) of the statutes is amended to read:

~~49.02 (1m) Every county shall furnish general relief to all eligible dependent persons within the county and shall establish or designate a general relief agency to administer general relief. The general relief agency shall establish written criteria to be used to determine dependency and shall establish written standards of need to be used to determine the type and amount of general relief to be furnished. The general relief agency shall review the standards of need at least annually. The general relief agency shall annually submit a report to the department describing the standards of need and the basis for those standards. The general relief agency may establish work-seeking rules for general relief applicants and recipients.~~

SECTION 1448m. 49.02 (1s) of the statutes is created to read:

~~49.02 (1s) The department shall annually provide to each general relief agency information concerning the cost of basic maintenance needs and housing.~~

SECTION 1449. 49.02 (2m) of the statutes is repealed.

SECTION 1450. 49.02 (3) of the statutes is created to read:

49.02 (3) (a) A general relief agency may plainly print or stamp on each check issued as a general relief benefit payment words explaining that the check is valid for 60 days beginning on the date of issuance. The general relief agency may cancel any check that is not presented for payment within the 60-day period

indicated on the check and, except as provided in par. (b), the person entitled to the check forfeits the right to the benefit payment. Section 49.037 (6) does not apply to the cancellation of a check under this paragraph.

(b) The general relief agency shall issue a new check to the person entitled to the check under par. (a) if the person entitled to the check establishes that the check was not presented for payment because it was lost, stolen or destroyed or because the person was unable to present the check for payment within the 60-day period due to incapacitating injury or illness.

SECTION 1451. 49.02 (4) of the statutes is created to read:

49.02 (4) (a) In this subsection, "shelter facility" means a temporary place of lodging for homeless individuals or families.

(b) A general relief agency may establish rules for the conduct of general relief recipients in shelter facilities that are operated by or receive funding from the county furnishing the general relief. The purpose of the rules shall be to ensure the safety and well-being of residents of the shelter facility.

(c) If a general relief recipient fails to comply with rules established under par. (b), the general relief agency may deny the recipient access to the shelter facility for a period not to exceed 30 days for a first failure, and for a period not to exceed 60 days for a 2nd or subsequent failure.

(d) The department shall promulgate rules to establish standards for determinations of denial of access to a shelter facility under par. (c) that exceed 30 days.

SECTION 1452. 49.032 (4r) of the statutes is amended to read:

49.032 (4r) If a general relief agency provides a monthly general relief benefit to an eligible dependent person which exceeds the monthly benefit amount required under sub. (1) (c), the department shall reimburse the general relief agency at the rate set forth under s. 49.035 (1) (d), from the appropriation under s. 20.435 (7) (4) (eb), for the amount paid to the eligible dependent person.

SECTION 1453. 49.035 (1) (intro.) of the statutes is amended to read:

49.035 (1) (intro.) From the appropriation under s. 20.435 (7) (4) (eb) the department shall reimburse, except for medical costs:

SECTION 1454. 49.035 (2) (intro.) of the statutes is amended to read:

49.035 (2) (intro.) From the appropriation under s. 20.435 (7) (4) (eb), the department shall reimburse, for general relief medical costs:

SECTION 1455b. 49.035 (4) of the statutes is amended to read:

49.035 (4) Claims for reimbursement under subs. (1) and (2) shall be filed with the department by March 1 of the year immediately following the calendar year in which the costs were incurred. If the funds available under s. 20.435 (7) (4) (eb) are insufficient to

reimburse all eligible costs, the funds shall be prorated.

SECTION 1457. 49.046 (3) (a) 1. (intro.) of the statutes is amended to read:

49.046 (3) (a) 1. (intro.) From the appropriation under s. 20.435 ~~(7) (4) (e)~~, the department shall pay aid to eligible persons based on family size. The department shall designate 2 areas of the state based on variations in shelter cost. Except as provided under subd. 1m, monthly payments shall be as follows:

SECTION 1458. 49.046 (4) (f) of the statutes is amended to read:

49.046 (4) (f) The department, after consulting with all elected tribal governing bodies in this state, shall promulgate rules establishing the allowable costs of administering this section and shall reimburse each administering agency for its allowable costs from the appropriation under s. 20.435 ~~(7) (4) (de)~~.

SECTION 1459. 49.05 (3) (intro.) and (b) (intro.) and 2 of the statutes are consolidated, renumbered 49.05 (3) and amended to read:

49.05 (3) A work relief project may be authorized for the performance of any work not prohibited by law ~~and an~~. An individual entitled to work relief may be assigned by a general relief agency to work under the following conditions: ~~(b) By a general relief agency for a work relief project operated by mutual agreement with the state, with another general relief agency, or with a municipality, school district, drainage district, utility district, metropolitan sewerage district or other governmental unit or with a nonprofit corporation, under which agreement: 2. The the governmental unit or nonprofit corporation to which the individual is lent may provide for full or partial work relief reimbursement to the general relief agency lending the individual.~~

SECTION 1460. 49.05 (3) (b) 1 of the statutes is repealed.

SECTION 1461. 49.05 (7m) of the statutes is amended to read:

49.05 (7m) From the appropriation under s. 20.435 ~~(7) (4) (eb)~~, the department shall reimburse the county for the value of work relief payment provided under sub. (2) at the reimbursement levels under s. 49.035, less any reimbursement received by the county under sub. (3) ~~(b) 2~~, and for the educational payment under sub. (9) at the reimbursement levels under s. 49.035.

SECTION 1462. 49.053 (4) of the statutes is amended to read:

49.053 (4) From the appropriation under s. 20.435 ~~(7) (4) (eb)~~, the department shall reimburse the county for the value of wage subsidization provided the employer of an individual under a general relief grant diversion program, at the reimbursement levels under s. 49.035.

SECTION 1463. 49.057 of the statutes is created to read:

49.057 Enhanced general relief work program. (1)

A general relief agency may operate an enhanced work program for recipients of general relief. Under an enhanced work program, the general relief agency shall do all of the following:

(a) Assess each participant's employability, considering the participant's prior work experience and need for educational and other services.

(b) Develop an employability plan for each participant that includes an employment goal and identifies the services under sub. (2) that the participant needs to reach the employment goal.

(c) Enter into an agreement with each participant that describes the participant's obligations and includes the general relief agency's commitment to provide the services identified in the employability plan under par. (b).

(2) Under an enhanced work program, the general relief agency may only provide services authorized under s. 49.02 (6), 49.05 or 49.053.

(3) A general relief agency that operates an enhanced work program shall establish written rules for the enhanced work program.

(4) (a) A general relief recipient shall comply with rules established for the enhanced work program by the general relief agency. A participant in the enhanced work program shall comply with the participant-agency agreement under sub. (1) (c), if the general relief agency provides the services identified in the employability plan under sub. (1) (b).

(b) If a general relief recipient fails to comply as provided in par. (a), the general relief agency may discontinue general relief benefits to the recipient for a period not to exceed 30 days for the first failure and for a period not to exceed 60 days for a 2nd or subsequent failure.

(5) The department shall promulgate rules to establish standards for benefit discontinuances that exceed 30 days under sub. (4).

~~SECTION 1463. 49.06 (1) (g) and (h) of the statutes are created to read:~~

~~49.06 (1) (g) The first \$100 of earned income received in a month.~~

~~(h) Goods and services received from private, nonprofit organizations.~~

SECTION 1464. 49.12 (1) of the statutes is amended to read:

49.12 (1) Any person who, with intent to secure public assistance under this chapter, whether for himself or herself or for some other person, wilfully makes any false representations may, if the value of such the assistance so secured does not exceed \$100 ~~\$300~~, be required to forfeit not more than \$1,000; if the value of the assistance exceeds \$300 but does not exceed \$1,000, be fined not more than \$250 or imprisoned for not more than 6 months or both, if the value of such assistance exceeds \$100 but does not exceed \$500, be fined not more than \$500 or imprisoned not more

Vetoed
in Part

than one year or both; if the value of such the assistance exceeds \$500 \$1,000 but does not exceed \$2,500, be fined not more than \$500 or imprisoned for not more than 5 years or both; and if the value of such the assistance exceeds \$2,500, be punished as prescribed under s. 943.20 (3) (c).

Vetoed
in Part

~~SECTION 1466h. 49.13 (title) of the statutes is amended to read:~~

~~49.13 (title) Public assistance applications.~~

~~SECTION 1466k. 49.13 (6) of the statutes is created to read:~~

~~49.13 (6) Beginning on July 1, 1993, or on the date that the department implements a pilot program for the redesign of its computer reporting network for public assistance programs, whichever is earlier, a combined application form prescribed by the department for aid to families with dependent children under s. 49.19, medical assistance under ss. 49.45 to 49.47 and food stamp program benefits under 7 USC 2011 to 2029 may only include items necessary to determine eligibility for those programs or to collect information about applicants or recipients as required by the federal government.~~

~~SECTION 1467. 49.19 (1) (b) of the statutes is amended to read:~~

~~49.19 (1) (b) Any individual may apply for aid to families with dependent children and shall have opportunity to do so. Application for aid shall be made on forms prescribed by the department, except as provided in s. 49.46 (3) from October 1, 1986 to September 30, 1994. Any person having knowledge that any child is dependent upon the public for proper support or that the interest of the public requires that such child be granted aid may bring the facts to the notice of an agency administering such aid in the county in which the child resides.~~

~~SECTION 1467k. 49.19 (4) (bm) of the statutes is amended to read:~~

~~49.19 (4) (bm) The person applying for aid shall document, to the department's satisfaction, actual income as claimed in the application, and shall reveal all assets. Except as specified in par. (br), aid is available only if the combined equity value of assets does not exceed \$1,000. One automobile with an equity value not exceeding \$1,500, one home, as specified in par. (e), and, for each person, one burial plot and one burial agreement under s. 445.125 (1) (b) and (c) with a value of not more than \$1,500 may not be included when determining the combined equity value of assets.~~

Vetoed
in Part

~~SECTION 1467p. 49.19 (4) (dm) (intro.) of the statutes is amended to read:~~

~~49.19 (4) (dm) (intro.) Aid may be paid to parents of a dependent child if the parents are unable to supply the needs of the child because of the unemployment of the parent, in a home in which both parents live, who earned the most income during the 24-month period immediately preceding the month for which aid is granted and who meets the federal requirements as to past employment and current~~

~~unemployment. The department shall count up to 4 calendar quarters of attendance at a high school, vocational, technical and adult education school or college toward the federal requirement as to past employment. Aid to dependent children of unemployed parents may be granted only if federal aid for this purpose is available to the state. No aid may be granted if the unemployed parent~~

Vetoed
in Part

~~SECTION 1469. 49.19 (11) (a) 1. a. (intro.) of the statutes is amended to read:~~

~~49.19 (11) (a) 1. a. (intro.) Monthly payments made under s. 20.435 (7) (4) (d) and (p) to persons or to families with dependent children shall be based on family size and shall be at 80% of the total of the allowances under subds. 2 and 4 plus the following standards of assistance for the period from beginning on September 1, 1987, to June 30, 1991:~~

~~SECTION 1469g. 49.19 (11) (b) of the statutes is renumbered 49.19 (11) (b) (intro.) and amended to read:~~

Vetoed
in Part

~~49.19 (11) (b) (intro.) The department shall implement a program of emergency assistance to needy persons in cases of fire, flood, natural disaster, homelessness or energy crisis. Eligibility shall not exceed the limitations for federal participation defined by federal regulations, including 45 CFR 233.120. The aid granted, except for cases of energy crisis, shall not exceed \$150 per family member. Eligibility determinations due to homelessness shall be made and grants shall be issued to eligible families within 7 calendar days after the date of application. For the purposes of this paragraph, "homeless family" means a dependent child or children and the caretaker with whom the children live who are experiencing any of the following circumstances:~~

~~SECTION 1469h. 49.19 (11) (b) 1 to 6 of the statutes are created to read:~~

~~49.19 (11) (b) 1. The family is in imminent danger of losing, or has lost, its current residence for failure to pay rent and can demonstrate that it has made a good faith effort to pay rent due.~~

~~2. The family has a current residence that is a shelter designed for temporary accommodation such as a motel, hotel, shelter facility or transitional shelter facility.~~

~~3. The family must leave its current housing because the housing is uninhabitable as determined by a local building inspector, a local health agency or another appropriate local authority and the family did not cause the housing to become uninhabitable.~~

~~4. The family is without a fixed and regular nighttime residence.~~

~~5. The family is living in a place that is not designed for, or ordinarily used as, a regular sleeping accommodation.~~

~~6. The family is living in the residence of another and is in imminent danger of experiencing any of the circumstances described in subds. 2 to 5.~~

SECTION 1471. 49.19 (12) (a) of the statutes is renumbered 49.19 (12) and amended to read:

49.19 (12) Monthly payments in foster care shall be provided according to the following age-related rates beginning January 1, 1986: \$163 specified in this paragraph. Beginning January 1, 1991, the age-related rates are: \$231 for children aged 4 and under; \$224 \$257 for children aged 5 to 11; \$274 \$314 for children aged 12 to 14 and \$284 \$324 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. Beginning January 1, 1990, the age related rates shall be: \$194 for children aged 4 and under; \$240 for children aged 5 to 11; \$293 for children aged 12 to 14 and \$304 for children aged 15 to 17. Beginning January 1, 1991 1993, the age-related rates shall be: \$231 are: \$240 for children aged 4 and under; \$257 \$267 for children aged 5 to 11; \$314 \$327 for children aged 12 to 14 and \$324 \$337 for children aged 15 to 17. In addition to these grants for basic maintenance, the department shall make supplemental payments for special needs and initial clothing allowances according to rules that the department shall promulgate.

SECTION 1472. 49.19 (12) (b) of the statutes is repealed.

SECTION 1473. 49.19 (12) (c) of the statutes is repealed.

SECTION 1474. 49.19 (12) (d) of the statutes is repealed.

SECTION 1474h. 49.19 (16) of the statutes is created to read:

49.19 (16) When the federal department of health and human services publishes final regulations regarding payment suspension for recipients of aid under this section who intentionally commit fraud for the purpose of establishing or maintaining eligibility for aid under this section, the department shall submit a written notification to the joint committee on finance and the secretary or his or her designee shall appear before the committee at the committee's request to explain any actions that must be taken for this state to continue to receive 75% federal reimbursement for fraud control activities.

SECTION 1474j. 49.19 (17) of the statutes is created to read:

49.19 (17) The department shall apply to the secretary of the federal department of health and human services for a waiver under which this state would receive federal funds for a pilot project with the following provisions:

(a) A custodial parent who is eligible for aid under this section is eligible for the pilot project if a court has ordered a parent who is absent from the home to pay support for a child in the family.

(b) The pilot project assists participants to obtain employment and to earn income up to 125% of the poverty line, as defined in s. 49.43 (9m).

(c) A participating custodial parent who receives inadequate child support is paid a guaranteed child support supplement.

(d) A participating family receives a direct wage supplement if the family's earned income, child support supplement and earned income tax credit total less than 125% of the poverty line, as defined in s. 49.43 (9m).

(e) A participant may purchase a basic medical benefit package.

(f) A participant receives full reimbursement for costs of child care.

SECTION 1474k. 49.19 (18) of the statutes is created to read:

49.19 (18) (a) The department shall implement a pilot project, to be known as the real work project, in up to 3 counties each of which has a high number of recipients of aid under this section and an adequate number of employment opportunities for recipients of aid under this section. The department shall implement the pilot project in at least one rural county. The department shall apply to the secretary of the federal department of health and human services for any waiver necessary to conduct the pilot project and shall only implement the provisions in pars. (b) to (d) that require a waiver if a waiver is granted. The department shall limit participation in the pilot project to recipients who volunteer to participate and who have earned or unearned income in addition to the aid paid under this section.

(b) Monthly payments under this section for participants in the pilot project under this subsection shall be equal to the lesser of the following:

1. The sum of the allowances under sub. (11) (a) 2 and 4 plus the applicable standard of assistance in Figure 49.19 (11) (a) 1, a. less the amount of any income that remains after application of the income disregards under sub. (5) (a) and (am).

2. The sum of the allowances under sub. (11) (a) 2 and 4 plus 80% of the applicable standard of assistance in Figure 49.19 (11) (a) 1, a.

(c) The department shall apply the earned income disregard under sub. (5) (a) 4 or (am) to the earned income of any person specified in sub. (5) (a) 2 who is participating in the pilot project under this subsection until that earned income is greater than 125% of the poverty line, as defined in s. 49.43 (9m), for a family the size of the person's family.

(d) A county department under s. 46.215, 46.22 or 46.23 shall assist all participants in the pilot project under this subsection who have earned income to obtain the earned income tax credit under s. 71.07 (9e) and the federal earned income credit under section 32 of the internal revenue code.

Vetoed
in Part

Vetoed
in Part

Vetoed
in Part

SECTION 1474m. 49.19 (19) of the statutes is created to read:

49.19 (19) The department shall request a waiver from the secretary of the federal department of health and human services to allow the department to determine eligibility and payment amounts under this section for a woman entrepreneur who receives a start-up or capital expansion loan through the revolving loan program operated by the women's business initiative corporation without consideration of that loan or of any business income during the start-up period of the woman's business. If the waiver is approved, the department shall implement the waiver.

SECTION 1475. 49.197 (1m) of the statutes is amended to read:

49.197 (1m) FRAUD INVESTIGATION. From the appropriations under s. 20.435 ~~(6) (4) (de), (L) and (n) and (7) (de), (L) and (nL)~~, the department shall establish a program to investigate suspected fraudulent activity on the part of recipients of medical assistance under ss. 49.46 to 49.47, aid to families with dependent children under s. 49.19 and the food stamp program under 7 USC 2011 to 2029. The department's activities under this subsection may include, but are not limited to, comparisons of information provided to the department by an applicant and information provided by the applicant to other federal, state and local agencies, development of an advisory welfare investigation prosecution standard and provision of funds to county departments under s. 46.215, 46.22 and 46.23 to encourage activities to detect fraud. The department shall cooperate with district attorneys regarding fraud prosecutions.

SECTION 1476. 49.197 (3) of the statutes is amended to read:

49.197 (3) STATE ERROR REDUCTION ACTIVITIES. The department shall conduct activities to reduce payment errors in medical assistance under ss. 49.43 to 49.47, aid to families with dependent children under s. 49.19 and the food stamp program under 7 USC 2011 to 2029. The department shall fund the activities under this section from the appropriation under s. 20.435 ~~(6) (4) (L)~~.

SECTION 1477. 49.197 (4) of the statutes is amended to read:

49.197 (4) COUNTY AND TRIBAL ERROR REDUCTION. The department shall provide funds from the appropriations under s. 20.435 ~~(6) (4) (de), (L) and (7) (de) and (L) (Lm)~~ and federal matching funds from the appropriations under s. 20.435 ~~(6) (4) (n) and (7) (nL)~~ to counties and governing bodies of federally recognized American Indian tribes administering medical assistance under ss. 49.43 to 49.47, aid to families with dependent children under s. 49.19 or the food stamp program under 7 USC 2011 to 2029 to offset administrative costs of reducing payment errors in those programs.

SECTION 1478. 49.20 (3) of the statutes is amended to read:

49.20 (3) PAYMENT. Aid under this section shall be paid from the appropriation under s. 20.435 ~~(7) (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.

SECTION 1479. 49.25 of the statutes is created to read:

49.25 Parental responsibility pilot program. ~~WAFER, APPLICATION.~~ **Vetoed in Part**

The department shall request a waiver from the secretary of the federal department of health and human services to allow the department to conduct a parental responsibility pilot program as part of the program under s. 49.19. If the department receives the federal waiver and if sufficient funds are available, the department may conduct the program beginning on July 1, 1992, in a county with a population of 500,000 or more and up to 3 other counties. ~~Subsections (3) and (4) do not apply unless the federal waiver is in effect and the department is conducting the program.~~ The county department under s. 46.215, 46.22 or 46.23 in each pilot county shall administer the program under a contract with the department.

~~(3) PAST EMPLOYMENT. Notwithstanding s. 49.19 (4) (dm), the department may not apply the federal requirements as to past employment to a family applying for or receiving aid under s. 49.19 if the parents live together and the family lives in a pilot county and is first found eligible for aid under s. 49.19 after June 30, 1992.~~ **Vetoed in Part**

~~(4) EARNED INCOME DISREGARD. (a) Instead of the earned income disregards in s. 49.19 (5) (a) 2 and 4, 4m or (am), the department shall apply the disregards in par. (b) to the earned income of a person specified in s. 49.19 (5) (a) 2, a, or b, who is a member of a family applying for or receiving aid under s. 49.19 if the family lives in a pilot county and is first found eligible for aid under s. 49.19 after June 30, 1992.~~

~~(b) For a person described in par. (a), the department shall disregard \$200 of earned income and an amount equal to 50% of the person's remaining earned income not disregarded.~~

SECTION 1480. 49.43 (2m) of the statutes is created to read:

49.43 (2m) "Cost-effective" has the meaning given in P.L. 101-508, section 4402 (a) (2).

~~SECTION 1480j. 49.43 (3p) of the statutes is created to read:~~ **Vetoed in Part**

~~49.43 (3p) "Federally qualified health center" has the meaning given in 42 USC 1396d (L) (2) (B).~~

SECTION 1481. 49.43 (3r) of the statutes is created to read:

49.43 (3r) "Group health plan" has the meaning given in P.L. 101-508, section 4402 (a) (2).

~~SECTION 1481i. 49.45 (2) (a) 24 of the statutes is created to read:~~ **Vetoed in Part**

Vetoed
in Part

~~49.45 (2) (a) 24. Provide funds to Milwaukee county for income maintenance workers, activities, equipment and supplies related to the determination of eligibility of pregnant women for medical assistance under ss. 49.46 (1) (a) 9 and 10 and 49.47 (4) (am).~~

Vetoed
in Part

~~SECTION 1481p. 49.45 (3) (L) of the statutes is created to read:~~

~~49.45 (3) (L) The department shall provide reimbursement in a manner that allows medical assistance recipients to obtain at one time a supply of prescribed oral contraceptives for 3 menstrual cycles.~~

SECTION 1482. 49.45 (6) of the statutes is repealed.

SECTION 1483. 49.45 (6b) (intro.) of the statutes is amended to read:

49.45 (6b) CENTERS FOR THE DEVELOPMENTALLY DISABLED. (intro.) From the appropriation under s. 20.435 (2) (gk), the department shall ~~expend moneys to~~ may reimburse the cost of services provided by the centers for the developmentally disabled only as follows:

SECTION 1484m. 49.45 (6b) (a) of the statutes is amended to read:

49.45 (6b) (a) Total reimbursement to all centers, excluding amounts available for resident activity therapy and amounts collected from other state facilities under shared services agreements, may not exceed ~~\$96,486,200 \$102,138,200 in fiscal year 1989-90 1991-92 and \$96,751,300 \$105,788,700 in fiscal year 1990-91 1992-93,~~ unless a supplement to s. 20.435 (2) (gk) is received under s. 16.515.

SECTION 1485. 49.45 (6b) (b) 1 of the statutes is amended to read:

49.45 (6b) (b) 1. ~~For Beginning in fiscal year 1991-92, for~~ for relocations from the central Wisconsin center for the developmentally disabled, by ~~\$90.13 \$95.01~~ per day in fiscal year 1989-90 and by ~~\$90.13~~ per day in fiscal year 1990-91.

SECTION 1486. 49.45 (6b) (b) 2 of the statutes is amended to read:

49.45 (6b) (b) 2. ~~For Beginning in fiscal year 1991-92, for~~ for relocations from the northern Wisconsin center for the developmentally disabled, by ~~\$79.29 \$83.58~~ per day in fiscal year 1989-90 and by ~~\$79.29~~ per day in fiscal year 1990-91.

SECTION 1487. 49.45 (6b) (b) 3 of the statutes is amended to read:

49.45 (6b) (b) 3. ~~For Beginning in fiscal year 1991-92, for~~ for relocations from the southern Wisconsin center for the developmentally disabled, by ~~\$78.17 \$82.40~~ per day in fiscal year 1989-90 and by ~~\$78.17~~ per day in fiscal year 1990-91.

SECTION 1488. 49.45 (6g) (a) (intro.) of the statutes is amended to read:

49.45 (6g) (a) (intro.) Notwithstanding sub. (6m) (ag) and except as provided under par. (ar), if before July 1, 1989, the federal health care financing administration or the department finds a skilled nursing fac-

ility or intermediate care facility in this state that provides care to medical assistance recipients for which the facility receives reimbursement under sub. (6m) to be an institution for mental diseases, as defined under 42 CFR 435.1009, the department shall transfer or credit funds as specified in par. (ag) from the appropriation under s. 20.435 (1) (b) to the appropriation under s. 20.435 (7) (b) for distribution to a county department under s. 51.42 until June 30, 1991-1993, under this section for the care of the following persons occupying beds in the facility found to be an institution for mental diseases:

SECTION 1489. 49.45 (6g) (ag) 1. a. of the statutes is amended to read:

49.45 (6g) (ag) 1. a. Funds at 90% of the daily medical assistance reimbursement rate under sub. (6m) of the facility, unless the amount of ~~\$11,612,500 \$12,048,500 in state fiscal year 1989-90 1991-92 and \$11,612,500 \$12,048,500 in state fiscal year 1990-91 1992-93~~ that is budgeted for this purpose for facilities found to be institutions for mental diseases before July 1, 1989, and for the purpose of relocations under s. 46.266 for ~~state fiscal year 1989-90 1991-92 and state fiscal year 1990-91 1992-93~~ under s. 20.435 (1) (b) is insufficient to reimburse all eligible costs, in which case the funds shall be prorated by the department. The amounts under this subd. 1. a. shall be reduced by the amount of any funds provided as reimbursement to a skilled nursing facility or intermediate care facility under this subd. 1. a. after the date of a finding, if any, by the federal health care financing administration that the facility is no longer an institution for mental diseases and is eligible for reimbursement under sub. (6m).

~~SECTION 1489c. 49.45 (6g) (ag) 1. am. of the statutes is created to read:~~

~~49.45 (6g) (ag) 1. am. Notwithstanding the percentage of the daily medical assistance reimbursement rate under sub. (6m) that is specified in subd. 1. a., funds in the additional amount of \$500,000 in fiscal year 1992-93 that shall be allocated so as to provide each institution for mental diseases with an identical rate of increase.~~

SECTION 1489m. 49.45 (6m) (ag) (intro.) of the statutes is amended to read:

49.45 (6m) (ag) (intro.) Payment for care provided in a facility under this subsection made under s. 20.435 (1) (b), (gd), (o) or (p) shall, except as provided in pars. (bg), (bm) and (br), be determined according to a prospective payment system updated annually by the department. The payment system shall implement standards which are reasonable and adequate to meet the costs which must be incurred by efficiently and economically operated facilities in order to provide care in conformity with this section, with federal regulations authorized under 42 USC 1396a (a) (13) (A), 1396a (a) (30), 1396b (i) (3), 1396L and 1396r (e) and with quality and safety standards established under

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subch. II of ch. 50 and ch. 150. In administering this payment system, the department shall allow costs it determines are necessary and proper for providing patient care. The payment system shall reflect all of the following:

SECTION 1490. 49.45 (6m) (ag) 3m of the statutes is amended to read:

49.45 (6m) (ag) 3m. For state fiscal year ~~1989-90~~ 1991-92, rates that shall be set by the department based on information from cost reports for the ~~1988~~ 1990 fiscal year of the facility and for state fiscal year ~~1990-91~~ 1992-93, rates that shall be set by the department based on information from cost reports for the ~~1989~~ 1991 fiscal year of the facility.

SECTION 1491d. 49.45 (6m) (ag) 8 of the statutes is amended to read:

49.45 (6m) (ag) 8. Calculation of total payments and supplementary payments to facilities that permits an increase in funds allocated under s. 20.435 (1) (b) and (c) for nursing home care provided medical assistance recipients over that paid for services provided in state fiscal year ~~1988-89~~ 1990-91 of no more than ~~5.1%~~ 2.5% during state fiscal year ~~1989-90~~ 1991-92 and over that paid for services provided in state fiscal year ~~1989-90~~ 1991-92 of no more than ~~4.1%~~ 2.5% during state fiscal year ~~1990-91~~ 1992-93, excluding increases in total payments attributable to increases in recipient utilization of ~~nursing home~~ facility care, payments for the provision of active treatment to facility residents with developmental disability or chronic mental illness and payments for preadmission screening of facility applicants and annual reviews of facility residents required under 42 USC 1396r (e).

SECTION 1492d. 49.45 (6m) (av) 4. (intro.) of the statutes is amended to read:

49.45 (6m) (av) 4. (intro.) If the facility's payment rate under subd. 1 is a decrease from its average payment rate from the previous year under subd. 2, or if the facility's payment rate under subd. 1 is, for the ~~1989~~ 1991 fiscal year of the facility, less than a ~~5.1%~~ 2.5% increase over its average payment rate under subd. 2 or is, for the ~~1990~~ 1992 fiscal year of the facility, less than a ~~4.1%~~ 2.5% increase over its average payment rate under subd. 2, and if the figure calculated under subd. 3 exceeds the payment rate for the facility under subd. 1, the following shall apply:

SECTION 1493d. 49.45 (6m) (av) 4. b. of the statutes is amended to read:

49.45 (6m) (av) 4. b. The department may increase the rate under subd. 2 by an amount not to exceed, for state fiscal year ~~1989-90~~, ~~5.1%~~ 1991-92, 2.5% of the facility's average payment rate under subd. 2, or, for state fiscal year ~~1990-91~~, ~~4.1%~~ 1992-93, 2.5% of the facility's average payment rate under subd. 2, based on an analysis which may be conducted by the department which compares the facility's average payment rate under subd. 2 with the costs under subd. 3 of similar facilities.

SECTION 1494. 49.45 (6m) (bm) 6 of the statutes is created to read:

49.45 (6m) (bm) 6. The facility has received approval or been disapproved for provision of service to residents who have any of the following:

- a. Brain injury, as defined in s. 51.01 (2g).
- b. A diagnosis of acquired immunodeficiency syndrome.
- c. An HIV infection, as defined in s. 146.025 (1) (c), and illness or injury associated with the development of acquired immunodeficiency syndrome.

SECTION 1495. 49.45 (6m) (bp) of the statutes is renumbered 49.45 (6m) (bp) (intro.) and amended to read:

49.45 (6m) (bp) (intro.) Notwithstanding pars. (ag) 3m, (am) 6 and (ar) 6, the department may establish payment methods based on actual costs for capital payment for a facility ~~that to which~~, after December 31, 1982, ~~was constructed, was purchased or incurred annual remodeling costs of more than \$600,000. any of the following applies:~~

SECTION 1496. 49.45 (6m) (bp) 1 of the statutes is created to read:

49.45 (6m) (bp) 1. The facility was constructed.

SECTION 1497. 49.45 (6m) (bp) 2 of the statutes is created to read:

49.45 (6m) (bp) 2. The facility was purchased.

SECTION 1498. 49.45 (6m) (bp) 3 of the statutes is created to read:

49.45 (6m) (bp) 3. The facility incurred annual remodeling costs of more than \$600,000.

SECTION 1499. 49.45 (6m) (bp) 4 of the statutes is created to read:

49.45 (6m) (bp) 4. The facility incurred remodeling costs necessary to meet physical plant requirements under 42 USC 1396a (a) (13) (A).

SECTION 1500. 49.45 (6m) (br) 1 of the statutes is amended to read:

49.45 (6m) (br) 1. Notwithstanding s. 20.435 (3) (cd), ~~(4) (de) or (eb) or (7) (b), (de) or (eb)~~, the department shall reduce allocations of funds to counties in the amount of the disallowance from the appropriations under s. 20.435 (3) (cd), ~~(4) (de) or (eb) or (7) (b), (de) or (eb)~~ in accordance with s. 16.544 to the extent applicable.

~~SECTION 1500d. 49.45 (6m) (br) 1 of the statutes, as affected by 1991 Wisconsin Act ... (this act), is repeated and recreated to read:~~

~~49.45 (6m) (br) 1. Notwithstanding s. 20.435 (4) (de) or (eb) or (7) (b), the department shall reduce allocations of funds to counties in the amount of the disallowance from the appropriations under s. 20.435 (4) (de) or (eb) or (7) (b) in accordance with s. 16.544 to the extent applicable.~~

SECTION 1500g. 49.45 (6r) of the statutes is created to read:

49.45 (6r) ASSESSMENTS TO FACILITIES. (a) In this section:

Vetoed
in Part

1. "Facility" has the meaning given in sub. (6m) (a) 3.

2. "State share" means that portion of the medical assistance costs payable to a facility under sub. (6m) for the provision of authorized services that is not reimbursed by federal funds, unless no federal financial participation is available for these services. If no federal financial participation is available for a service that is payable under sub. (6m), "state share" means that portion of the costs that would be the state share if federal financial participation were available.

(b) For the privilege of doing business in this state, there is imposed on facilities an assessment at the rate of 6.98% in fiscal year 1991-92 and 13.10% in fiscal year 1992-93 that shall be deposited in the general fund. The assessment shall be made on October 31, 1991, of the state share of payments made to facilities under sub. (6m) for services provided beginning on July 1, 1991, and ending on September 30, 1991; and in fiscal year 1991-92 and 1992-93, the assessment shall be made on the last day of every month of payments made to facilities under sub. (6m) for services provided during the month previous to the month in which the assessment invoice is sent. The department may provide to a facility an alternative to this assessment under which a facility may elect to have the assessment amounts deducted from the payments made for services provided under sub. (6m).

(c) The department shall send an invoice to each facility on October 31, 1991, for the amount due for the 3 months preceding that month and shall, thereafter, send an invoice to each facility by the end of every month for the amount due for the month preceding the month during which the invoice is sent. Each facility shall pay the amount shown on the invoice on or before the last day of the month after the month in which the invoice is sent.

(d) The interest and penalty provisions under ss. 71.82 (1) (a) and (b) and (2) (a) and (b), 71.83 (1) (a) 1, 2 and 7 and (b) 1, (2) (a) 1 to 3 and (b) 1 to 3 and (3) and 71.85 as they apply to the taxes under ch. 71 and to the department of revenue apply to the assessment under this section and to the department.

(e) The department shall levy, enforce and collect the assessment under this subsection.

(f) Sections 71.74 (1) to (3), (6), (7) and (9) to (15), 71.75 (1), (2), (4), (5) and (6) to (10), 71.76, 71.77, 71.78 (1) to (8), 71.80 (1) (a) to (d), (3), (3m), (6), (8) to (12), (14) and (18), 71.87, 71.88, 71.89, 71.90, 71.91 and 71.93 as they apply to the taxes under ch. 71 and to the department of revenue apply to the assessment under this subsection and to the department.

(g) If the federal department of health and human services limits or does not permit the state's use of assessments under this subsection as a funding source for the state share of the payment under sub. (6m) for facility care, this subsection does not apply.

SECTION 1502. 49.45 (6u) (intro.) of the statutes is amended to read:

49.45 (6u) FACILITY OPERATING DEFICIT REDUCTION. (intro.) Except as provided in par. (g), from the appropriation under s. 20.435 (1) (o), for reduction of operating deficits, as defined under criteria developed by the department, incurred by a facility, as defined under sub. (6m) (a) 2, that is established under s. 49.14 (1) or that is owned and operated by a city or village, the department shall allocate ~~\$3,715,000 in fiscal year 1989-90 and \$3,715,000 in fiscal year 1990-91~~ to these facilities and up to ~~\$4,000,000~~ \$15,000,000 in each fiscal year ~~1989-90 and up to \$4,000,000 in fiscal year 1990-91~~, as determined by the department, and shall perform all of the following:

SECTION 1503. 49.45 (6u) (d) of the statutes is amended to read:

49.45 (6u) (d) If the federal department of health and human services approves for state expenditure in a fiscal year ~~1987-88~~ amounts under s. 20.435 (1) (o) that result in a lesser allocation amount than that allocated under this subsection, allocate not more than the lesser amount so approved by the federal department of health and human services.

SECTION 1504. 49.45 (6u) (e) of the statutes is amended to read:

49.45 (6u) (e) If the federal department of health and human services approves for state expenditure in a fiscal year ~~1988-89~~ amounts under s. 20.435 (1) (o) that result in a lesser allocation amount than that allocated under this subsection, submit a revision of the method developed under par. (b) for approval by the joint committee on finance in that state fiscal year ~~1988-89, under s. 13.10~~.

SECTION 1505. 49.45 (6w) (intro.) of the statutes is amended to read:

49.45 (6w) HOSPITAL OPERATING DEFICIT REDUCTION. (intro.) From the appropriation under s. 20.435 (1) (o), for reduction of operating deficits, as defined under criteria developed by the department, incurred by a hospital, as defined under s. 50.33 (2) (a) and (b), that is operated by the state, established under s. 49.16 or owned and operated by a city or village, the department shall allocate up to ~~\$2,600,000~~ \$3,300,000 in each fiscal year ~~1990-91~~ to these hospitals, as determined by the department, and shall perform all of the following:

SECTION 1506. 49.45 (6w) (d) of the statutes is amended to read:

49.45 (6w) (d) If the federal department of health and human services approves for state expenditure in a fiscal year ~~1990-91~~ amounts under s. 20.435 (1) (o) that result in a lesser allocation amount than that allocated under this subsection or disallows use of the allocation of federal medicaid funds under par. (c), reduce allocations under this subsection and distribute on a prorated basis, as determined by the department.

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SECTION 1507d. 49.45 (6x) (a) (intro.) of the statutes, as created by 1991 Wisconsin Act 22, is amended to read:

49.45 (6x) (a) (intro.) Notwithstanding sub. (3) (e), from the appropriation under s. 20.435 (1) (b) the department shall allocate up to ~~\$685,000~~ \$1,890,200 in fiscal year ~~1990-91~~ 1991-92 and up to \$1,878,300 in fiscal year ~~1992-93~~ 1991-92 and from the appropriation under s. 20.435 (1) (o) the department shall allocate up to ~~\$996,000~~ \$2,857,900 in fiscal year ~~1990-91~~ 1991-92 and up to \$2,869,700 in fiscal year ~~1992-93~~ 1991-92, to provide funds to an essential access city hospital, except that the department may not allocate funds to an essential access city hospital:

SECTION 1507i. 49.45 (6x) (d) of the statutes, as created by 1991 Wisconsin Act 22, is amended to read:

49.45 (6x) (d) If the federal department of health and human services approves for state expenditure in state fiscal year ~~1990-91~~ 1991-92 or 1992-93 amounts under s. 20.435 (1) (o) that result in a lesser allocation amount than that allocated under this subsection or disallows use of the allocation of federal medicaid funds under par. (a), the department of health and social services shall reduce the allocations under this subsection.

SECTION 1507m. 49.45 (8) of the statutes is amended to read:

49.45 (8) HOME HEALTH AGENCY REIMBURSEMENT. Reimbursement under s. 20.435 (1) (b) and (o) for services of home health agencies certified by the department shall be based upon actual costs up to a maximum rate determined by the department, except that, if initial and supervisory visits are made to an individual on the same day, actual costs may include only one of the visits.

SECTION 1507p. 49.45 (8m) of the statutes is created to read:

49.45 (8m) RATES FOR RESPIRATORY CARE SERVICES. Notwithstanding a determination by the department of a maximum rate under sub. (8), the rates under sub. (8) and rates charged by providers under s. 49.46 (2) (a) 4. d. that are not home health agencies, for reimbursement for respiratory care services for ventilator-dependent individuals under ss. 49.46 (2) (b) 6. m. and 49.47 (6) (a) 1, shall be as follows:

(a) For visits subsequent to an initial visit and for extended visits by a licensed registered nurse, \$30 per hour for services to individuals under age 21 and, beginning January 1, 1992, \$22 per hour for services to individuals aged at least 21.

Vetoed
in Part

(b) For visits subsequent to an initial visit and for extended visits by a licensed practical nurse, \$20 per hour for services to individuals under age 21 and, beginning January 1, 1992, \$18 per hour for services to individuals aged at least 21.

Vetoed
in Part

SECTION 1510. 49.45 (25) (am) of the statutes is amended to read:

Vetoed
in Part 49.45 (25) (am) Except as provided under pars. (be) and ~~(bh)~~ and sub. (24), case management services

under s. 49.46 (2) (b) 9 are reimbursable under medical assistance only if provided to a medical assistance beneficiary who receives case management services from or through a certified case management provider in a county, city, village or town that elects, under par. (b), to make the services available and who has a developmental disability, as defined under s. 51.01 (5) (a), chronic mental illness, as defined under s. 51.01 (3g), or Alzheimer's disease, as defined under s. 46.87 (1) (a), is alcoholic, as defined under s. 51.01 (1), or drug dependent, as defined under s. 51.01 (8), is physically disabled, as defined by the department, is a severely emotionally disturbed child, or is age 65 or over and who receives case management services from or through a certified case management provider in a county which elects, under par. (b), to make the services available or, after December 31, 1991, has HIV infection, as defined in s. 146.88 (1) (d).

SECTION 1511. 49.45 (25) (b) of the statutes is amended to read:

49.45 (25) (b) A county, city, village or town may elect to make case management services under this subsection available in the county, city, village or town to one or more of the categories of beneficiaries under par. (am) through the medical assistance program. A county ~~which, city, village or town that~~ elects to make the services available shall reimburse a case management provider for the amount of the allowable charges for those services under the medical assistance program that is not provided by the federal government.

SECTION 1511e. 49.45 (25) (be) of the statutes is created to read:

49.45 (25) (be) A private nonprofit agency that is a certified case management provider may elect to provide case management services to medical assistance beneficiaries who have HIV infection, as defined in s. 146.88 (1) (d), if the agency provides the amount of the allowable charges for those services under the medical assistance program that is not provided by the federal government.

~~SECTION 1511g. 49.45 (25) (bh) of the statutes is created to read:~~

~~49.45 (25) (bh) Case management services provided by a federally qualified health center are reimbursable under medical assistance if provided to a medical assistance beneficiary described in par. (am) without regard to whether the county elects to make the services available. The department shall reimburse a federally qualified health center for the amount of allowable charges for those services under the medical assistance program that is not provided by the federal government.~~

Vetoed
in Part

SECTION 1511k. 49.45 (30) (c) of the statutes is created to read:

~~49.45 (30) (c) Notwithstanding pars. (a) and (b), if the provider of services under s. 49.46 (2) (b) 6. b. is a federally qualified health center, the department shall reimburse the provider for the amount of allowable~~

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Vetoed
in Part

charges for those services under the medical assistance program that is not provided by the federal government.

Vetoed
in Part

SECTION 1511L. 49.45 (30) (d) of the statutes is created to read:

49.45 (30) (d) The amount of the allowable charges for services under ss. 49.46 (2) (b) 6. L. and 49.47 (6) (a) 1 that is provided by the federal government shall be used for the expansion of services under ss. 49.46 (2) (b) 6. L. and 49.47 (6) (a) 1 by the provider of the services under par. (b) and may not be used to supplant or replace county, state or other federal funding for community support program services.

SECTION 1511m. 49.45 (30m) of the statutes is created to read:

49.45 (30m) CERTAIN SERVICES FOR DEVELOPMENTALLY DISABLED. A county shall provide the portion of the services under s. 51.06 (1) (d) to individuals who are eligible for medical assistance that is not provided by the federal government.

Vetoed
in Part

SECTION 1511p. 49.45 (33) of the statutes is created to read:

49.45 (33) ADULT DAY CARE PROJECT. The department shall request a waiver from the secretary of the federal department of health and human services to permit the implementation of a project to provide medical assistance coverage of adult day care in 3 or 4 counties. The department shall implement the project if the waiver is granted and sufficient funds are available.

SECTION 1511r. 49.45 (36) of the statutes is created to read:

49.45 (36) HOMELESS BENEFICIARIES. A county department under s. 46.215, 46.22 or 46.23 may not place the word "homeless" on the medical assistance identification card of any person who is determined to be eligible for medical assistance benefits and who is homeless.

SECTION 1512. 49.455 (4) (a) 3. a. to c of the statutes are amended to read:

49.455 (4) (a) 3. a. Beginning on September 30, 1989, and ending on June 30, 1991, 122% of one-twelfth of the poverty line for a family of 2 persons.

b. Beginning on July 1, 1991, and ending on June 30, 1992, 133% of one-twelfth of the poverty line for a family of 2 persons.

c. Beginning on July 1, 1992, 150% of one-twelfth of the poverty line for a family of 2 persons.

SECTION 1513. 49.455 (5) (a) 2 of the statutes is amended to read:

49.455 (5) (a) 2. At the beginning of a continuous period of institutionalization, upon the request of an institutionalized spouse or a community spouse and the receipt of necessary documentation, the department shall assess and document the total value of resources under subd. 1 and shall provide a copy of the assessment and documentation to each spouse and

retain a copy for departmental use. If the request is not part of an application for medical assistance, the department may charge a fee not exceeding the reasonable expenses of providing and documenting the assessment. When the department provides a copy of an assessment, it shall provide notice ~~of~~ that a spouse has the right to a fair hearing under sub. (8) after an application for medical assistance is filed.

SECTION 1514. 49.455 (8) (a) 3 of the statutes is amended to read:

49.455 (8) (a) 3. ~~The~~ After an application for medical assistance benefits is filed, the computation of the spousal share of resources under sub. (5) (a) 1.

SECTION 1515. 49.46 (1) (a) 11 of the statutes is created to read:

49.46 (1) (a) 11. Any child not described under subd. 1 who was born after September 30, 1983, who has attained the age of 6 but has not attained the age of 19 and whose family income does not exceed 100% of the poverty line for a family the size of the child's family.

SECTION 1516. 49.46 (1) (a) 12 of the statutes is created to read:

49.46 (1) (a) 12. Any child not described under subd. 1 who is under 19 years of age and who meets the resource and income limits under s. 49.19 (4).

SECTION 1516m. 49.46 (1) (cg) of the statutes is amended to read:

49.46 (1) (cg) Medical assistance shall be provided to a dependent child, a relative with whom the child is living or the spouse of the relative, if the spouse meets the requirements of s. 49.19 (1) (c) 2. a. or b., for 4 calendar months after beginning with the month in which the child, relative or spouse is ineligible for aid to families with dependent children because of the collection or increased collection of maintenance or support, if the child, relative or spouse received aid to families with dependent children in 3 or more of the 6 months immediately preceding the month in which that ineligibility begins. ~~Medical assistance eligibility under this paragraph applies only with respect to a child, relative or spouse who becomes ineligible for aid to families with dependent children after August 15, 1984, and before October 1, 1988.~~

SECTION 1517. 49.46 (1) (k) of the statutes is renumbered 49.46 (1) (k) 1.

SECTION 1518. 49.46 (1) (k) 2 of the statutes is created to read:

49.46 (1) (k) 2. If a child eligible for benefits under par. (a) 11 is receiving inpatient services covered under sub. (2) on the day before the birthday on which the child attains the age of 19 and, but for attaining that age, the child would remain eligible for benefits under par. (a) 11, the child remains eligible for benefits until the end of the stay for which the inpatient services are furnished.

SECTION 1519. 49.46 (1) (L) of the statutes is amended to read:

49.46 (1) (L) For the purposes of par. (a) 9 ~~and 10 to 12~~, "income" includes income that would be used in determining eligibility for aid to families with dependent children under s. 49.19, except to the extent that that determination is inconsistent with 42 USC 1396a (a) 17, and excludes income that would be excluded in determining eligibility for aid to families with dependent children under s. 49.19.

SECTION 1520. 49.46 (1) (m) of the statutes is created to read:

49.46 (1) (m) 1. Except as provided in subd. 2, any individual who is otherwise eligible under this subsection and who is eligible for enrollment in a group health plan shall, as a condition of eligibility for medical assistance and if the department determines it is cost-effective to do so, apply for enrollment in the group health plan, except that, for a minor, the parent of the minor shall apply on the minor's behalf.

2. If a parent of a minor fails to enroll the minor in a group health plan in accordance with subd. 1, the failure does not affect the minor's eligibility under this subsection.

SECTION 1521. 49.46 (2) (a) 5 of the statutes is repealed.

SECTION 1522. 49.46 (2) (a) 6 of the statutes is created to read:

49.46 (2) (a) 6. Premiums, deductibles and coinsurance and other cost-sharing obligations for items and services otherwise paid under this subsection that are required for enrollment in a group health plan, as specified in sub. (1) (m), except that, if enrollment in the group health plan requires enrollment of family members who are not eligible under this subsection, the department shall pay, if it is cost-effective, for an ineligible family member only the premium that is required for enrollment in the group health plan.

SECTION 1522c. 49.46 (2) (b) 1. (intro.) of the statutes is amended to read:

49.46 (2) (b) 1. (intro.) Dentists' services, limited to ~~complete dentures and other~~ basic services within each of the following categories:

SECTION 1524. 49.46 (2) (b) 6. k. of the statutes is amended to read:

49.46 (2) (b) 6. k. Alcohol and other drug abuse day treatment services, if the plan under s. 49.45 (26) is implemented. This subd. 6. k. does not apply after June 30, 1994 1993, or the day after publication of the ~~1991-93~~ 1993-95 biennial budget act, whichever is later.

SECTION 1525. 49.46 (2) (b) 10 of the statutes is amended to read:

49.46 (2) (b) 10. Hospice care as defined in 42 USC 1396d (o) (1). ~~No person may receive benefits under this subdivision after July 31, 1991, unless that person receives benefits under this subdivision on July 31, 1991.~~

SECTION 1525k. 49.46 (2) (b) 12 of the statutes is created to read:

49.46 (2) (b) 12. Care coordination for women with high-risk pregnancies.

SECTION 1526. 49.46 (2) (c) 1. (intro.) of the statutes is amended to read:

49.46 (2) (c) 1. (intro.) In this paragraph and par. (cm):

SECTION 1527. 49.46 (2) (cm) of the statutes is created to read:

49.46 (2) (cm) 1. Beginning on January 1, 1993, for an individual who is entitled to coverage under part A of medicare, is entitled to coverage under part B of medicare, meets the eligibility criteria under sub. (1) and meets the limitation on income under subd. 2, medical assistance shall pay the monthly premiums under 42 USC 1395r.

2. Benefits under subd. 1 are available for an individual whose income is greater than 100% of the poverty line but less than 110% of the poverty line.

SECTION 1528. 49.46 (2) (g) of the statutes is repealed.

SECTION 1529. 49.46 (3) of the statutes is repealed.

SECTION 1530. 49.468 (1) (a) (intro.) of the statutes is amended to read:

49.468 (1) (a) (intro.) In this subsection and sub. (1m):

SECTION 1531. 49.468 (1m) of the statutes is created to read:

49.468 (1m) (a) Beginning on January 1, 1993, for an elderly or disabled individual who is entitled to coverage under part A of medicare and is entitled to coverage under part B of medicare, does not meet the eligibility criteria for medical assistance under s. 49.46 (1), 49.465 or 49.47 (4) but meets the limitations on income and resources under par. (b), medical assistance shall pay the monthly premiums under 42 USC 1395r.

(b) Benefits under par. (a) are available for an individual who has resources that are equal to or less than 200% of the allowable resources determined under 42 USC 1381 to 1385 and income that is greater than 100% of the poverty line but less than 110% of the poverty line.

SECTION 1532. 49.47 (4) (a) (intro.) of the statutes is amended to read:

49.47 (4) (a) (intro.) Any individual who meets the limitations on income and resources under pars. (b) and (c) and who complies with par. (cm) shall be eligible for medical assistance under this section if such individual is:

SECTION 1533. 49.47 (4) (cm) of the statutes is created to read:

49.47 (4) (cm) 1. Except as provided in subd. 2, any individual who is otherwise eligible under this subsection and who is eligible for enrollment in a group health plan shall, as a condition of eligibility for medical assistance and if the department determines it is cost-effective to do so, apply for enrollment in the

group health plan, except that, for a minor, the parent of the minor shall apply on the minor's behalf.

2. If a parent of a minor fails to enroll the minor in a group health plan in accordance with subd. 1, the failure does not affect the minor's eligibility under this subsection.

SECTION 1534. 49.47 (6) (a) 1 of the statutes is amended to read:

49.47 (6) (a) 1. Except as provided in subds. 6 and to 7, all beneficiaries, for all services under s. 49.46 (2) (a) and (b).

SECTION 1535. 49.47 (6) (a) 6m of the statutes is created to read:

49.47 (6) (a) 6m. Beginning on January 1, 1993, an individual who is entitled to coverage under part A of medicare, as defined in subd. 6. a. is entitled to coverage under part B of medicare, as defined in subd. 6. a. and meets the eligibility criteria under sub. (4) (a) and whose income is greater than 100% of the poverty line but less than 110% of the poverty line for the monthly premiums under 42 USC 1395r.

SECTION 1535c. 49.475 of the statutes is created to read:

49.475 Information about medical assistance beneficiaries. (1) DEFINITIONS. In this section:

(a) "Disability insurance policy" has the meaning given in s. 632.895 (1) (a).

(b) "Insurer" has the meaning given in s. 600.03 (27).

(2) DISCLOSURE TO DEPARTMENT. An insurer that issues or delivers a disability insurance policy that provides coverage to a resident of this state shall provide to the department, upon the department's request, information contained in the insurer's records regarding all of the following:

(a) Information that the department needs to identify beneficiaries of medical assistance who satisfy any of the following:

1. Are eligible for benefits under a disability insurance policy.

2. Would be eligible for benefits under a disability insurance policy if the beneficiary were enrolled as a dependent of a person insured under the disability insurance policy.

(b) Information required for submittal of claims under the insurer's disability insurance policy.

(c) The types of benefits provided by the disability insurance policy.

(3) WRITTEN AGREEMENT. Upon requesting an insurer to provide the information under sub. (2), the department shall enter into a written agreement with the insurer that satisfies all of the following:

(a) Identifies in detail the information to be disclosed.

(b) Includes provisions that adequately safeguard the confidentiality of the information to be disclosed.

(c) Specifies how the insurer's reimbursable costs under sub. (5) will be determined and specifies the manner of payment.

(4) DEADLINE FOR RESPONSE; ENFORCEMENT. (a) An insurer shall provide the information requested under sub. (2) within 180 days after receiving the department's request if it is the first time that the department has requested the insurer to disclose information under this section.

(b) An insurer shall provide the information requested under sub. (2) within 30 days after receiving the department's request if the department has previously requested the insurer to disclose information under this section.

(c) If an insurer fails to comply with par. (a) or (b), the department may notify the commissioner of insurance, and the commissioner of insurance may initiate enforcement proceedings against the insurer under s. 601.41 (4) (a).

(5) REIMBURSEMENT OF COSTS. From the appropriations under s. 20.435 (1) (bm) and (p), the department shall reimburse an insurer that provides information under this section for the insurer's reasonable costs incurred in providing the requested information, including its reasonable costs, if any, to develop and operate automated systems specifically for the disclosure of information under this section.

SECTION 1535e. 49.486 (1) (a) of the statutes is renumbered 49.486 (1) (am) and amended to read:

49.486 (1) (am) "AZT" means the drug zidovudine azidothymidine.

SECTION 1535f. 49.486 (1) (a) of the statutes is created to read:

49.486 (1) (a) "AIDS" means acquired immunodeficiency syndrome.

SECTION 1535g. 49.486 (2) of the statutes is amended to read:

49.486 (2) REIMBURSEMENT. From the appropriation under s. 20.435 (1) (ar), the department shall administer a program to reimburse or supplement the reimbursement of the cost of AZT ~~and~~, the drug pentamidine and any drug approved for reimbursement under sub. (4) (c) for an applying individual who has HIV infection.

SECTION 1535h. 49.486 (3) (c) of the statutes is amended to read:

49.486 (3) (c) Has a prescription issued by a physician for AZT ~~or~~, for pentamidine or for a drug approved for reimbursement under sub. (4) (c).

SECTION 1535i. 49.486 (3) (e) of the statutes is amended to read:

49.486 (3) (e) Has no insurance coverage for AZT ~~or~~, the drug pentamidine or any drug approved for reimbursement under sub. (4) (c) or, if he or she has insurance coverage, the coverage is inadequate to pay the full cost of the individual's prescribed dosage of

AZT ~~or~~, the drug pentamidine or any drug approved for reimbursement under sub. (4) (c).

SECTION 1535j. 49.486 (4) of the statutes is renumbered 49.486 (4) (intro.) and amended to read:

49.486 (4) DEPARTMENTAL DUTIES. (intro.) The department shall determine do all of the following:

(a) Determine the eligibility of individuals applying for reimbursement, or a supplement to the reimbursement, of the costs of AZT or the drug pentamidine ~~and shall, within,~~

(b) Within the limits of sub. (5) and of the funds specified under sub. (2) and under a schedule that the department shall establish based on the ability of individuals to pay, reimburse or supplement the reimbursement of the eligible individuals.

SECTION 1535k. 49.486 (4) (c) of the statutes is created to read:

49.486 (4) (c) After consulting with individuals, including those not employed by the department, with expertise in issues relative to drugs for the treatment of HIV infection and AIDS, determine which, if any, drugs that are cost-effective alternatives to AZT and pentamidine may also have costs reimbursed under this section.

SECTION 1535L. 49.486 (5) of the statutes is amended to read:

49.486 (5) REIMBURSEMENT LIMITATION. Reimbursement may not be made under this section for any portion of the costs of AZT ~~or~~, the drug pentamidine or any drug approved for reimbursement under sub. (4) (c) which are payable by an insurer, as defined in s. 600.03 (27).

SECTION 1536. 49.487 of the statutes is amended to read:

49.487 Disease aids, patient liability. The department shall develop and implement a sliding scale of patient liability for kidney disease aid under s. 49.48, cystic fibrosis aid under s. 49.483 and hemophilia treatment under s. 49.485, based on the patient's ability to pay for treatment. To ensure that the needs for treatment of patients with lower incomes receive priority within the availability of funds under s. 20.435 (1) (e), the department shall revise the sliding scale for patient liability by January 1, 1992, and shall, every 3 years thereafter by January 1, review and, if necessary, revise the sliding scale.

SECTION 1537. 49.496 of the statutes is created to read:

49.496 Recovery of correct medical assistance payments. (1) DEFINITIONS. In this section:

(a) "Disabled" has the meaning given in s. 49.468 (1) (a) 1.

(b) "Home" means property in which a person has an ownership interest consisting of the person's dwelling and the land used and operated in connection with the dwelling.

(c) "Nursing home" has the meaning given in s. 50.01 (3).

(d) "Recipient" means a person who receives medical assistance.

(2) LIENS ON THE HOMES OF NURSING HOME RESIDENTS. (a) Except as provided in par. (b) ~~or (b)(1)~~, the department may obtain a lien on a recipient's home if in Part the recipient resides in a nursing home and cannot reasonably be expected to be discharged from the nursing home and return home. The lien is for the amount of medical assistance paid on behalf of the recipient while the recipient resides in a nursing home.

(b) The department may not obtain a lien under this subsection if any of the following persons lawfully reside in the home:

1. The recipient's spouse.

2. The recipient's child who is under age 21 or is disabled.

3. The recipient's sibling who has an ownership interest in the home and who has lived in the home continuously beginning at least 12 months before the recipient was admitted to the nursing home.

~~(b)(1) If the recipient has a spouse who does not reside in the home, the department may not obtain a lien under this section without the consent of the spouse.~~

Vetoed
in Part

(c) Before obtaining a lien on a recipient's home under this subsection, the department shall do all of the following:

1. Notify the recipient in writing of its determination that the recipient cannot reasonably be expected to be discharged from the nursing home, its intent to impose a lien on the recipient's home and the recipient's right to a hearing on whether the requirements for the imposition of a lien are satisfied.

2. Provide the recipient with a hearing if he or she requests one.

(d) The department shall obtain a lien under this section by filing a lien claim in the office of the register of deeds of the county in which the home is located.

(e) The department may not enforce a lien under this subsection while the recipient lives unless the recipient sells the home and does not have a living child who is under age 21 or disabled or a living spouse.

(f) The department may not enforce a lien under this subsection after the death of the recipient as long as any of the following survive the recipient:

1. A spouse.

2. A child who is under age 21 or disabled.

3. A child of any age who resides in the home, if that child resided in the home for at least 24 months before the recipient was admitted to the nursing home and provided care to the recipient that delayed the recipient's admission to the nursing home.

(g) The department may enforce a lien imposed under this subsection by foreclosure in the same manner as a mortgage on real property.

(h) The department shall file a release of a lien imposed under this subsection if the recipient is dis-

charged from the nursing home and returns to live in the home.

(3) RECOVERY FROM ESTATES. (a) The department may file a claim against the estate of a recipient or against the estate of the surviving spouse of a recipient for the amount of medical assistance paid on behalf of the recipient while the recipient resided in a nursing home or after the recipient attained age 65. The affidavit of a person designated by the secretary to administer this subsection is evidence of the amount of the claim.

(am) The court shall reduce the amount of a claim under par. (a) by up to \$3,000 if necessary to allow the recipient's heirs or the beneficiaries of the recipient's will to retain the following personal property:

1. The decedent's wearing apparel and jewelry held for personal use.

2. Household furniture, furnishings and appliances.

3. Other tangible personal property not used in trade, agriculture or other business, not to exceed \$1,000 in value.

(b) A claim under par. (a) is allowable if the decedent has no surviving child who is under age 21 or disabled and no surviving spouse.

Vetoed
in Part

(c) ~~Except as provided in par. (am),~~ if the department's claim is not allowable because of par. (b) and the estate includes an interest in a home, the court exercising probate jurisdiction shall, in the final judgment, assign the interest in the home subject to a lien in favor of the department for the amount described in par. (a). The personal representative shall record the final judgment as provided in s. 863.29.

Vetoed
in Part

~~(cm) If the decedent is survived by a spouse, the court may not assign the interest in the home subject to a lien under par. (c) without the consent of the spouse.~~

(d) The department may not enforce the lien under par. (c) as long as any of the following survive the decedent:

1. A spouse.

2. A child who is under age 21 or disabled.

(e) The department may enforce a lien under par. (c) by foreclosure in the same manner as a mortgage on real property.

(4) ADMINISTRATION. The department may require a county department under s. 46.215 or 46.22 or the governing body of a federally recognized American Indian tribe administering medical assistance to gather and provide the department with information needed to recover medical assistance under this section. The department shall pay to a county department or tribal governing body an amount equal to 5% of the recovery collected by the department relating to a beneficiary for whom the county department or tribal governing body made the last determination of medical assistance eligibility. A county department or tribal governing body may use funds received under this subsection only to pay costs incurred under this

subsection and, if any amount remains, to pay for improvements to functions required under s. 46.032. The department may withhold payments under this subsection for failure to comply with the department's requirements under this subsection. The department shall treat payments made under this subsection as costs of administration of the medical assistance program.

(5) USE OF FUNDS. From the appropriation under s. 20.435 (1) (im), the department shall pay the amount of the payments under sub. (4) that is not paid from federal funds, shall pay to the federal government the amount of the funds recovered under this section equal to the amount of federal funds used to pay the benefits recovered under this section and shall spend the remainder of the funds recovered under this section for medical assistance benefits administered under s. 49.45.

(6) APPLICABILITY. (a) The department may recover amounts under this section for medical assistance benefits paid on and after the effective date of this paragraph [revisor inserts date].

(b) The department may file a claim under sub. (3) only with respect to a recipient who dies after September 30, 1991.

SECTION 1538. 49.498 (4) (b) 2. b. of the statutes is amended to read:

49.498 (4) (b) 2. b. The name, mailing address and telephone number of the ~~board on aging and long-term care~~ long-term care ombudsman program under s. 16.009 (2) (b).

SECTION 1539. 49.50 (1) of the statutes is created to read:

49.50 (1) DEFINITION. In this section, "child care provider" means a child care provider that is licensed under s. 48.65 (1), certified under s. 48.651 or established or contracted for under s. 120.13 (14).

SECTION 1540. 49.50 (6e) of the statutes is renumbered 49.50 (6e) (a) and amended to read:

49.50 (6e) (a) The department shall provide funds to pay child care costs of individuals receiving aid to families with dependent children under s. 49.19 who are participating in self-initiated education or training activities that are approved by the department ~~but that are not programs under subs. (7) to (7p) and the child care costs in excess of the amount of the child care disregard under s. 49.19 (5) (a) of individuals receiving aid to families with dependent children and working if the child care is provided by a child care provider.~~

SECTION 1541. 49.50 (6e) (b) of the statutes is created to read:

49.50 (6e) (b) The department shall provide funds for individuals who are working and who receive aid to families with dependent children to pay child care costs in excess of the amount of the child care disregard under s. 49.19 (5) (a) and child care costs incurred before the child care disregard under s. 49.19 (5) (a)

becomes available if the child care is provided by a child care provider.

SECTION 1542. 49.50 (6g) of the statutes is amended to read:

49.50 (6g) DAY CARE FUNDS FOR FORMER RECIPIENTS OF AID TO FAMILIES WITH DEPENDENT CHILDREN. ~~Beginning on April 1, 1990, the~~ The department shall ~~provide funds to pay the child care costs of individuals an individual who secure secures~~ unsubsidized employment and ~~lose loses~~ eligibility for aid to families with dependent children because of earned income or number of hours worked for up to 12 months following the loss of eligibility if the child care is provided by a child care provider. The department shall establish a formula for assistance based on ability to pay. The rates for child care services under this subsection shall be determined under s. 46.98 (4) (d). The department shall promulgate rules for the disbursement of funds under this subsection.

SECTION 1543. 49.50 (6k) of the statutes is amended to read:

49.50 (6k) ADMINISTRATION OF DAY CARE FUNDS. County departments under ss. 46.215, 46.22 and 46.23 shall administer the funds appropriated for the purpose of providing child care under subs. (6e) (b) and (6g) for recipients and former recipients of aid under s. 49.19, ~~except for recipients participating in the program under sub. (7j) in a county in which the county department under s. 46.215, 46.22 or 46.23 does not administer the program under sub. (7j), and the funds appropriated for the purpose of providing child care for individuals who secure unsubsidized employment and lose eligibility for aid under s. 49.19 because of earned income or number of hours worked.~~ The department shall allocate funds to county departments under ss. 46.215, 46.22 and 46.23 for the purposes of this subsection.

SECTION 1544. 49.50 (6r) of the statutes is repealed.

SECTION 1545. 49.50 (7) (ar) of the statutes is created to read:

49.50 (7) (ar) The department may provide funds to pay the cost of child care provided under par. (am) only if the child care is provided by a child care provider.

SECTION 1546. 49.50 (7) (e) 1. (intro.) and a. of the statutes are consolidated, renumbered 49.50 (7) (e) 1 and amended to read:

49.50 (7) (e) 1. For an individual who is a recipient of aid under s. 49.19, who is the parent with whom a dependent child lives and who is either required to attend school under par. (g) or is 13 to 19 years of age and wants to attend school, the department shall make a monthly payment to the individual or the child care provider for the month's child care costs in an amount based on need with the maximum amount per child equal to the lesser of the actual cost of the care or the rate established under s. 46.98 (4) (d) if ~~all of the following apply: a. The the~~ individual demonstrates

the need to purchase child care services in order to attend school and those services are available from a child care provider.

SECTION 1547. 49.50 (7) (e) 1. b. of the statutes is repealed.

SECTION 1548. 49.50 (7) (e) 2 of the statutes is amended to read:

49.50 (7) (e) 2. The department shall establish procedures to ensure that reimbursement of child care expenses of participants in the program under this subsection other than those under subd. 1 is made consistently within 2 weeks after a recipient submits a claim form. Reimbursement for child care shall be in an amount based on need, with the maximum amount per child equal to the lesser of the actual cost of the care or the rate established under s. 46.98 (4) (d). The department may reimburse the child care expenses of a participant in the program under this subsection only if the child care is provided by a child care provider.

~~SECTION 1548r. 49.50 (7) (g) (intro.) of the statutes is amended to read:~~

~~49.50 (7) (g) (intro.) An Except as provided in par. (gr), an individual who is a recipient of aid under s. 49.19 shall attend school to meet the participation requirements of the program under this subsection if all of the following apply:~~

SECTION 1550. 49.50 (7) (g) 6 of the statutes is amended to read:

49.50 (7) (g) 6. If child care services are necessary in order for the individual to attend school, child care licensed under s. 48.65, certified under s. 48.651 or established under s. 120.13 (14) from a child care provider is available for the child and transportation to and from child care is also available.

~~SECTION 1551m. 49.50 (7) (g) 12 of the statutes is repealed.~~

~~SECTION 1552a. 49.50 (7) (gr) of the statutes is created to read:~~

~~49.50 (7) (gr) Paragraph (g) does not apply to an individual who is on a waiting list for a children-at-risk program under s. 118.153 if a children-at-risk program that is appropriate for the individual is not available.~~

~~SECTION 1552g. 49.50 (7) (gu) of the statutes is created to read:~~

~~49.50 (7) (gu) 1. The department shall request the secretary of the federal department of health and human services to modify the waiver under par. (i) to allow the application of subd. 2. If the waiver is granted, subd. 2 applies.~~

~~2. The department may not impose a sanction on an individual who is reported to have failed to comply with the school attendance requirement under par. (g) until all of the following apply:~~

~~a. The county department under s. 46.215, 46.22 or 46.23 has met with the individual and verified that he or she has failed to comply with the requirement, has provided the individual and his or her family with case~~

Vetoed
in Part

Vetoed
in Part

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in Part

management services to identify needs, has developed a case management plan to improve the individual's school attendance and the services identified in the plan are available to the individual and his or her family.

b. After at least 30 days have passed since the county department under s. 46.215, 46.22 or 46.23 began to provide the case management services under subd. 2. a. to the individual, the individual or his or her family fails, without good cause, to engage in the activities identified in the case management plan.

SECTION 1553c. 49.50 (7) (h) 1 of the statutes is amended to read:

49.50 (7) (h) 1. An Subject to par. (g), an individual who fails to meet the requirements under par. (g) is subject to sanctions as provided by the department by rule.

SECTION 1556. 49.50 (7b) (b) (intro.) of the statutes is amended to read:

49.50 (7b) (b) (intro.) The program under this subsection shall incorporate the programs under subs. (7), (7c), ~~(7d)~~, (7g), (7j), and (7m) and ~~(7p)~~. The program under this subsection shall include at least 2 of the following:

Vetoed
in Part

SECTION 1557. 49.50 (7c) (a) of the statutes is amended to read:

49.50 (7c) (a) The department shall administer an employment search program under 42 USC 602 (a) (19) or 42 USC 682 (g) for recipients of aid to families with dependent children. The department shall provide directly, or purchase through contracts, services including support services to assist individuals in obtaining regular, unsubsidized employment. Support services shall include child care and transportation costs reasonably incurred by program participants in order to meet the requirements of the program. Payment for child care shall be in an amount based on need, with the maximum amount per child equal to the lesser of the actual cost of care or the rate established under s. 46.98 (4) (d). The department may reimburse the child care costs of a participant in the program under this subsection only if the child care is provided by a child care provider.

SECTION 1558g. 49.50 (7c) (c) of the statutes, as affected by 1991 Wisconsin Act 6, is repealed.

Vetoed
in Part

SECTION 1558m. 49.50 (7d) of the statutes is created to read:

49.50 (7d) Work first. The department shall administer a work first program for recipients of aid to families with dependent children as part of the program under sub. (7b). Under the work first program, all new recipients who are required to participate in the program under sub. (7b) shall enter work or educational activities within 10 weeks of applying for aid to families with dependent children. Each participant in the work first program and the local agency administering the program shall enter into a contract

that identifies the responsibilities of the participant and the agency under the program.

Vetoed
in Part

SECTION 1559. 49.50 (7g) (b) of the statutes is amended to read:

49.50 (7g) (b) From the appropriations under s. 20.435 ~~(7)~~ (4) (d) and (p), the department shall reimburse a governmental unit or individual, a corporation, including a nonprofit corporation, a partnership or any other association contracting with the department under par. (a) to supplement the wages for a job performed by an individual under par. (a).

SECTION 1559d. 49.50 (7g) (c) (intro.) of the statutes is amended to read:

Vetoed
in Part

49.50 (7g) (c) (intro.) The basis for payment of an individual performing work of a project under this subsection shall be per hour of labor performed by the individual using as the hourly rate the higher of the following, except that if the labor performed is for a municipality as defined under s. 66.293 (3) (b), the wage shall be at the rate set forth under s. 66.293 and, if the labor performed is on a private construction project that is subject to s. 66.292, the wage shall be at the rate set forth under s. 66.292.

SECTION 1560. 49.50 (7j) (d) 2 of the statutes is amended to read:

49.50 (7j) (d) 2. A county participating in the work experience and job training program under this subsection shall establish a community work experience program. The department shall, from the appropriation under s. 20.435 ~~(7)~~ (4) (df), reimburse the county for all of the federally allowable administrative costs of the community work experience program not reimbursed by the federal government.

SECTION 1561. 49.50 (7j) (d) 4 of the statutes is amended to read:

49.50 (7j) (d) 4. No person may be required to work for more than 16 weeks or more than 32 hours per week in the community work experience program. Any person who would otherwise be exempt from registering for a work program because the person is caring for a child whose age is less than 6 years but who volunteers for the program under this subsection shall be required to participate in a community work experience program if child day care licensed under s. 48.65 (1) or certified under s. 48.651 from a child care provider is available for the child. If the waiver under sub. (7) (f) is in effect, the department may require a recipient of aid under s. 49.19 who is caring for a child who is at least 3 months but less than 6 years of age to participate in a community work experience program if child day care licensed under s. 48.65 (1) or certified under s. 48.651 from a child care provider is available for the child.

SECTION 1562. 49.50 (7j) (dm) of the statutes is amended to read:

49.50 (7j) (dm) The department shall provide funds to pay the child care costs of persons a person participating in the program under this subsection if the

child care is provided by a child care provider. Payment for child care shall be in an amount based on need, with the maximum amount per child equal to the lesser of the actual cost of care or the rate established under s. 46.98 (4) (d).

SECTION 1563g. 49.50 (7j) (e) 1 of the statutes, as affected by 1991 Wisconsin Act 6, is repealed.

SECTION 1564. 49.50 (7j) (e) 3 of the statutes is renumbered 49.50 (7j) (e) and amended to read:

49.50 (7j) (e) From the appropriation under s. 20.435 ~~(7) (4)~~ (df), the department shall provide funds to pay the child care costs of persons a person subject to par. (d) 4 or 6m in ~~counties~~ a county that the department reimburses under par. (d) 2 if the child care is provided by a child care provider. The funds shall be used to provide care for children for all or part of a day during which the person works. Payment for child care shall be in an amount based on need, with the maximum amount per child equal to the lesser of the actual cost of care or the rate established under s. 46.98 (4) (d).

SECTION 1565. 49.50 (7j) (em) of the statutes is repealed.

SECTION 1566. 49.50 (7m) (f) of the statutes is amended to read:

49.50 (7m) (f) Except as provided in par. (fm), any recipient of aid under s. 49.19 who would otherwise be exempt from registering for a work program because the recipient is caring for a child who is at least 3 years but less than 6 years of age may be required to participate in a community work experience program if child day care ~~licensed under s. 48.65 (1) or certified under s. 48.651~~ is available for the child from a child care provider.

SECTION 1567. 49.50 (7m) (fm) of the statutes is amended to read:

49.50 (7m) (fm) If the waiver under sub. (7) (f) is in effect, the department may require a recipient of aid under s. 49.19 who is caring for a child who is at least 3 months but less than 6 years of age to participate in a community work experience program if child day care ~~licensed under s. 48.65 (1) or certified under s. 48.651~~ is available for the child from a child care provider.

SECTION 1568. 49.50 (7m) (g) of the statutes is amended to read:

49.50 (7m) (g) A county department operating a program under this subsection shall assist a person who is subject to par. (f) or (fm) to obtain child day care ~~licensed under s. 48.65 (1) or certified under s. 48.651~~ from a child care provider.

SECTION 1569. 49.50 (7m) (jg) of the statutes is amended to read:

49.50 (7m) (jg) A county department under s. 46.215, 46.22 or 46.23 which establishes a program under this subsection may apply to the department of health and social services for reimbursement of federally allowable administrative costs of the program that are not reimbursed by the federal government. The department of health and social services may,

based on criteria it develops, select county departments to receive reimbursement under this paragraph and, from the appropriation under s. 20.435 ~~(7) (4)~~ (df), reimburse those county departments for all of the federally allowable administrative costs of the program under this subsection that are not reimbursed by the federal government.

SECTION 1570. 49.50 (7m) (jj) of the statutes is amended to read:

49.50 (7m) (jj) From the appropriation under s. 20.435 ~~(7) (4)~~ (df), the department shall provide funds to pay the child care costs of persons a person subject to par. (f) or (fm) in ~~counties~~ a county that the department selects to receive reimbursement under par. (jg) if the child care is provided by a child care provider. The funds shall be used to provide care for children for all or part of a day during which the person works. Payment for child care shall be in an amount based on need, with the maximum amount per child equal to the lesser of the actual cost of care or the rate established under s. 46.98 (4) (d).

SECTION 1571g. 49.50 (7m) (jm) of the statutes, as affected by 1991 Wisconsin Act 6, is repealed.

SECTION 1572. 49.50 (7p) of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed.

SECTION 1573. 49.50 (7p) (h) 4 of the statutes is amended to read:

49.50 (7p) (h) 4. A participant in the program under this subsection who receives aid under s. 49.19 is eligible for supportive services provided under sub. (7) ~~(a)~~ (am) or (7j) including and for postplacement child care funds under sub. (6g).

SECTION 1574. 49.50 (7w) (e) of the statutes is amended to read:

49.50 (7w) (e) The department shall reimburse the counties, from the appropriation under s. 20.435 ~~(7) (4)~~ (de) for the cost of the pilot program under this subsection.

SECTION 1575. 49.51 (3) and (4) of the statutes are amended to read:

49.51 (3) If the department is the provider in a county, the department may provide work experience and job training services under s. 49.50 (7j) to persons ~~who participate in the child support supplement program under s. 46.257~~ ordered to participate in work experience and job training activities under s. 767.078 (1) (d).

(4) If the department is not the provider in a county, the department may require the provider to contract with the department to provide work experience and job training services under s. 49.50 (7j) to persons ~~who participate in the child support supplement program under s. 46.257~~ ordered to participate in work experience and job training activities under s. 767.078 (1) (d). The department shall reimburse the provider for the actual cost of services provided under this subsection.

SECTION 1576. 49.52 (1) (a) of the statutes is repealed.

SECTION 1577j. 49.52 (1) (ad) 1. (intro.) of the statutes is amended to read:

49.52 (1) (ad) 1. (intro.) The department shall reimburse each county for reasonable costs of income maintenance administration within the limits of available state and federal funds under s. 20.435 ~~(7) (4) (de)~~ and (nL) by contract under s. 46.032. The amount of reimbursement calculated under this paragraph is in addition to any reimbursement provided to a county ~~for administration of the child support supplement program under s. 46.257, for fraud and error reduction under s. 49.197 (1m) and (4), and for case management pilot projects under s. 49.50 (7w) (e) and for county administration of employment and training programs, as provided under pars. (aj) and (aL). Except as provided in subd. 2, a.~~ A county's reimbursement under this paragraph equals:

SECTION 1577k. 49.52 (1) (ad) 1. (intro.) of the statutes, as affected by 1991 Wisconsin Act (this act), is renumbered 49.52 (1) (ad) 1, and amended to read:

49.52 (1) (ad) 1. The department shall reimburse each county for reasonable costs of income maintenance administration according to a formula based on workload within the limits of available state and federal funds under s. 20.435 (4) (de) and (nL) by contract under s. 46.032. The amount of reimbursement calculated under this paragraph is in addition to any reimbursement provided to a county for fraud and error reduction under s. 49.197 (1m) and (4) and for case management pilot projects under s. 49.50 (7w) (e). ~~A county's reimbursement under this paragraph equals.~~

SECTION 1578. 49.52 (1) (ad) 1. a. to c. of the statutes are repealed.

SECTION 1578e. 49.52 (1) (ad) 1. d. and e. of the statutes are created to read:

49.52 (1) (ad) 1. d. For the last 6 months of 1991, an amount equal to the amount received under this paragraph and pars. (aj) and (aL) for the first 6 months of 1991.

e. For 1992, an amount equal to twice the amount received under this paragraph and pars. (aj) and (aL) for the first 6 months of 1991.

SECTION 1578g. 49.52 (1) (ad) 1. d. and e. of the statutes, as created by 1991 Wisconsin Act (this act), are repealed.

SECTION 1579. 49.52 (1) (aj) and (aL) of the statutes are repealed.

SECTION 1580. 49.52 (1) (am) of the statutes is amended to read:

49.52 (1) (am) ~~After December 31, 1986, the~~ The department shall reimburse each county from the appropriations under s. 20.435 ~~(4) (d) and (p) and (7) (b), (d), and (o) and (p)~~ for 100% of the cost of aid to families with dependent children granted under s. 49.19, for social services as approved by the depart-

ment under ss. 46.215 (1), (2) (c) and (3) and 46.22 (1) (b) 8 and (e) 3, and for funeral expenses paid for recipients of aid under s. 49.30, except that no reimbursement may be made for the administration of or aid granted under s. 49.02.

SECTION 1581. 49.52 (1) (b) of the statutes is amended to read:

49.52 (1) (b) The department shall distribute support collections from the appropriation under s. 20.435 ~~(7) (4) (g)~~.

SECTION 1582g. 49.52 (1) (d) of the statutes, as affected by 1991 Wisconsin Act 6, is amended to read:

49.52 (1) (d) From the appropriations under s. 20.435 (7) (b) and (o), the department shall allocate the funding for social services, including funding for foster care of a child receiving aid under s. 49.19, to county departments under ss. 46.215, 46.22 and 46.23 as provided under s. 46.40. County matching funds are required for the allocations under s. 46.40 (1) to (3), (4) (a) 1 and (b) 1, (8), (9), (11) and (12). Before January 1, 1988, the ratio of state and federal funds to county matching funds shall equal 91 to 9. Beginning January 1, 1988, each county's required match for a year equals 9.89% of the total of the county's allocations for that year for which matching funds are required plus the amount the county was required by s. 46.26 (2) (c), 1985 stats., to spend for juvenile delinquency-related services from its allocation for 1987. Matching funds may be from county tax levies, federal and state revenue sharing funds or private donations to the county that meet the requirements specified in s. 51.423 (5). Private donations may not exceed 25% of the total county match. If the county match is less than the amount required to generate the full amount of state and federal funds allocated for this period, the decrease in the amount of state and federal funds equals the difference between the required and the actual amount of county matching funds.

SECTION 1582h. 49.52 (1) (d) of the statutes, as affected by 1991 Wisconsin Acts 6 and (this act), is repealed and recreated to read:

49.52 (1) (d) From the appropriations under s. 20.435 (3) (oo) and (7) (b) and (o), the department shall allocate the funding for social services, including funding for foster care of a child receiving aid under s. 49.19, to county departments under ss. 46.215, 46.22 and 46.23 as provided under s. 46.40. County matching funds are required for the allocations under s. 46.40 (1), (3), (4) (a) 1 and (b) 1 and (5) (e) 1 and 3. Before January 1, 1992, each county's required match for a year equals 9.89% of the total of the county's allocations for that year for which matching funds are required plus the amount the county was required by s. 46.26 (2) (c), 1985 stats., to spend for juvenile delinquency-related services from its allocation for 1987. Beginning January 1, 1992, each county's required match for a year equals a percentage of the county's allocation for that year. The percentage is obtained

by dividing the total matching funds required from counties in 1991 by the total amount of funds allocated to counties in 1991 under s. 20.435 (3) (oo) and (7) (b), (o) and (of) and under s. 20.435 (3) (cd), 1989 stats., and s. 46.48 (4), 1989 stats. Matching funds may be from county tax levies, federal and state revenue sharing funds or private donations to the county that meet the requirements specified in s. 51.423 (5). Private donations may not exceed 25% of the total county match. If the county match is less than the amount required to generate the full amount of state and federal funds allocated for this period, the decrease in the amount of state and federal funds equals the difference between the required and the actual amount of county matching funds.

SECTION 1582t. 49.52 (1) (i) of the statutes is repealed.

SECTION 1584. 49.52 (5) of the statutes is amended to read:

49.52 (5) The department shall withhold the value of food stamp losses for which a county or federally recognized American Indian tribe is liable under sub. (4) from the payment to the county or tribe under s. 20.435 ~~(7)~~ (4) (de) + and (nL) and reimburse the federal government from the funds withheld.

SECTION 1585. 49.80 (1) (f) of the statutes is repealed.

SECTION 1586. 49.80 (3) (a) to (d) and (e) (intro.) of the statutes are amended to read:

49.80 (3) (a) From the appropriation under s. 20.435 ~~(7)~~ (4) (md), transfer or credit to the appropriation under s. 20.435 (7) (o) for social services under s. 49.52 (1) (d) \$1,600,000 in each fiscal year.

(b) By October 1 of every year from the appropriation under s. 20.435 ~~(7)~~ (4) (md), determine the total amount available for payment of heating assistance under sub. (6) and determine the benefit schedule.

(c) From the appropriation under s. 20.435 ~~(6)~~ (4) (mc), allocate \$1,100,000 in each federal fiscal year for the department's expenses in administering the funds to provide low-income energy assistance.

(d) From the appropriation under s. 20.435 ~~(7)~~ (4) (md), allocate \$2,900,000 in each federal fiscal year for the expenses of a county department in administering under sub. (4) the funds to provide low-income energy assistance.

(e) (intro.) From the appropriation under s. 20.435 ~~(7)~~ (4) (md):

SECTION 1587. 49.80 (3) (e) 1 of the statutes is amended to read:

49.80 (3) (e) 1. Allocate and transfer to the appropriation under s. 20.505 (7) (km), 15% of the moneys received under 42 USC 8621 to 8629 in each federal fiscal year under the priority of maintaining funding for the geographical areas on July 20, 1985, and, if funding is reduced, prorating contracted levels of payment, ~~for contracting for the provision of weatherization to a household eligible under sub. (9) the~~

weatherization assistance program administered by the department of administration under s. 16.39.

SECTION 1588. 49.80 (3) (e) 6 of the statutes is amended to read:

49.80 (3) (e) 6. If federal funds received under 42 USC 8621 to 8629 in a federal fiscal year total less than 90% of the amount received in the previous federal fiscal year 1989, in federal fiscal year 1990 or in federal fiscal year 1991, the department shall, submit a plan of expenditure under s. 16.54 (2) (b).

SECTION 1589. 49.80 (3) (e) 7 of the statutes is amended to read:

49.80 (3) (e) 7. By October 1 of each year and after consulting with the department of administration, allocate funds budgeted but not spent and any funds remaining from previous fiscal years to heating assistance under sub. (6) or to the weatherization assistance program under sub. (9) s. 16.39.

SECTION 1589m. 49.80 (7) of the statutes is amended to read:

49.80 (7) INDIVIDUALS IN STATE PRISONS. No payment under sub. (6) may be made to a prisoner who is imprisoned in a state prison under s. 302.01 or to a person placed at ~~the Ethan Allen school or the Lincoln Hills school~~ a secured correctional facility, as defined in s. 48.02 (15m).

SECTION 1590. 49.80 (9) of the statutes is repealed.

SECTION 1591. 50.01 (1g) (c) of the statutes is amended to read:

50.01 (1g) (c) A shelter facility as defined under s. ~~46.97~~ 16.352 (1) (d).

SECTION 1592. 50.03 (4) (a) 1 of the statutes is amended to read:

50.03 (4) (a) 1. Except as provided in sub. (4m), the department shall issue a license if it finds the applicant to be fit and qualified, ~~and~~ if it finds that the facility meets the requirements established by this subchapter and, for a community-based residential facility, if the facility has paid the license fee under s. 140.85 (2) (a). The department, or its designee, shall make such inspections and investigations as are necessary to determine the conditions existing in each case and shall file written reports. The department may designate and use full-time city or county agencies as its agents in making the inspections and investigations, including such subsequent inspections and investigations as are deemed necessary or advisable. The department shall reimburse the city or county furnishing such service at the rate of \$25 per year per license issued in the municipality. Before renewing the license of any community-based residential facility, the department shall consider all formal complaints filed under sub. (2) (f) during the current license period and the disposition of each. The department shall promulgate rules defining "fit and qualified" for the purposes of this subdivision.

SECTION 1593. 50.035 (6) of the statutes is created to read:

50.035 (6) POSTING OF NOTICE REQUIRED. Beginning on January 1, 1992, the licensee of a community-based residential facility, or his or her designee, shall post in a conspicuous location in the community-based residential facility a notice, provided by the board on aging and long-term care, of the name, address and telephone number of the long-term care ombudsman program under s. 16.009 (2) (b).

Vetoed
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~~SECTION 1593m. 50.04 (2g) of the statutes is created to read:~~

~~50.04 (2g) CONTRACT OF ADMISSIONS. (a) Beginning October 1, 1991, a nursing home shall, for all admissions, use a contract of admissions that is identical to the model contract of admissions developed by the task force convened under 1989 Wisconsin Act 31, section 3023 (30g).~~

~~(b) Beginning October 1, 1991, if a nursing home proposes to use a contract of admissions that differs from the model contract of admissions specified in par. (a), the nursing home shall first submit the differing contract to the department of justice for review and approval and may not use the contract until the approval is given.~~

SECTION 1594. 50.04 (2v) of the statutes is created to read:

50.04 (2v) POSTING OF NOTICE REQUIRED. Beginning on January 1, 1992, a nursing home shall post in a conspicuous location in the nursing home a notice, provided by the board on aging and long-term care, of the name, address and telephone number of the long-term care ombudsman program under s. 16.009 (2) (b).

Vetoed
in Part

~~SECTION 1594m. 50.053 of the statutes is amended to read:~~

~~50.053 Informal conference. The department may shall hold an informal conference with the parties to any contested action under this subchapter to resolve any or all issues prior to formal hearing. Unless any party to the contested case objects, the department may shall delay the commencement of the formal hearing in order to hold the informal conference.~~

SECTION 1594r. 50.09 (1) (f) 3 of the statutes is amended to read:

50.09 (1) (f) 3. Confidentiality of health and personal records, and the right to approve or refuse their release to any individual outside the facility, except in the case of the resident's transfer to another facility or as required by law or 3rd-party payment contracts and except as provided in ss. 146.81 to 146.83 s. 146.82 (2) and (3).

SECTION 1595. 50.097 of the statutes is amended to read:

50.097 Registry. Any person may receive, upon specific written request to the department, requested information that is contained in the registry of nurse's assistants and home health aides under s. 146.40 (4g)

(a) or that is contained in the registry of hospice aides under s. 146.40 (4g) (a) 1.

SECTION 1595d. 50.39 (3) of the statutes is amended to read:

50.39 (3) Facilities governed by ss. 45.365, 48.62, 49.14, 49.171, 50.02, 51.09, 58.06, 149.01, 149.02 and 149.06, ~~the Ethan Allen and Lincoln Hills schools governed by the department under s. 46.03 (1) secured correctional facilities as defined in s. 48.02 (15m),~~ correctional institutions governed by the department of corrections under s. 301.02 and the offices and clinics of persons licensed to treat the sick under chs. 446, 447 and 448 are exempt from ss. 50.32 to 50.39. Sections 50.32 to 50.39 do not abridge the rights of the medical examining board, dentistry examining board, pharmacy examining board, chiropractic examining board and board of nursing in carrying out their statutory duties and responsibilities.

~~SECTION 1595g. 50.51 (1) (d) of the statutes is amended to read:~~

~~50.51 (1) (d) If a person or establishment licensed under ch. 97 is incidentally engaged in an activity for which a permit is required under this section, the department may, by rule, exempt the person or establishment from the permit requirement under this section. Rules under this paragraph shall conform to a memorandum of understanding between the department and the department of agriculture, food and trade and consumer protection.~~

~~SECTION 1595j. 50.535 (2) (am) of the statutes is amended to read:~~

~~50.535 (2) (am) In the administration of this subchapter or s. 140.05 (17), the department may enter into a written agreement with a village, city or county, if the village, city or county has a population greater than 5,000, which designates the village, city or county as its agent in issuing permits to and making investigations or inspections of hotels, restaurants, temporary restaurants, tourist rooming houses, bed and breakfast establishments, campgrounds and camping resorts, recreational and educational camps, mobile home parks and public swimming pools. In a village, city or county without agent status, the department may issue permits, collect permit fees under s. 50.53 and make investigations or inspections of hotels, restaurants, temporary restaurants, tourist rooming houses, bed and breakfast establishments, campgrounds and camping resorts, recreational and educational camps, mobile home parks and public swimming pools. If the department designates a village, city or county as its agent, the department, village, city or county may require no permit for the same operations other than the permit issued by the village, city or county under this subsection. The department shall coordinate the designation of agents under this subsection with the department of agriculture, food and trade and consumer protection to ensure that, to the extent feasible, the same village,~~

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city and county agencies are granted agent status under this subsection and under s. 97.41. Except as otherwise provided by the department, a village, city or county granted agent status shall regulate all types of establishments for which this subchapter permits the department to delegate regulatory authority. No village or city may be designated on or after August 1, 1987, as an agent under this paragraph if the county in which the village or city is located is designated as an agent. If a county is designated before, on or after August 1, 1987, as an agent under this paragraph, the designation only applies to those villages, cities and towns in the county which are not designated as an agent under this subsection.

SECTION 1595jj. 50.535 (2) (am) of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

50.535 (2) (am) In the administration of this subchapter or s. 140.05 (17), the department may enter into a written agreement with a village, city or county, if the village, city or county has a population greater than 5,000, which designates the village, city or county as its agent in issuing permits to and making investigations or inspections of hotels, restaurants, temporary restaurants, tourist rooming houses, bed and breakfast establishments, campgrounds and camping resorts, recreational and educational camps and public swimming pools. In a village, city or county without agent status, the department may issue permits, collect permit fees under s. 50.53 and make investigations or inspections of hotels, restaurants, temporary restaurants, tourist rooming houses, bed and breakfast establishments, campgrounds and camping resorts, recreational and educational camps and public swimming pools. If the department designates a village, city or county as its agent, the department, village, city or county may require no permit for the same operations other than the permit issued by the village, city or county under this subsection. The department shall coordinate the designation of agents under this subsection with the department of agriculture, ~~Food and Trade~~ to ensure that, to the extent feasible, the same village, city and county agencies are granted agent status under this subsection and under s. 97.41. Except as otherwise provided by the department, a village, city or county granted agent status shall regulate all types of establishments for which this subchapter permits the department to delegate regulatory authority. No village or city may be designated on or after August 1, 1987, as an agent under this paragraph if the county in which the village or city is located is designated as an agent. If a county is designated before, on or after August 1, 1987, as an agent under this paragraph, the designation only applies to those villages, cities and towns in the county which are not designated as an agent under this subsection.

SECTION 1595m. 50.545 of the statutes is created to read:

50.545 Certificate of food protection practices. (1) After January 1, 1995, no person may conduct, main-

tain, manage or operate a restaurant unless the operator or manager of the restaurant holds a current, valid certificate of food protection practices issued by the department.

(2) The department may issue a certificate of food protection practices to an individual who satisfactorily completes a written examination, prepared by the department, that demonstrates the individual's basic knowledge of food protection practices or who has achieved comparable compliance.

(3) Each certificate is valid for 5 years from the date of issuance and may be renewed by the holder of the certificate if he or she satisfactorily completes a recertification training course approved by the department.

(4) The council on food protection practices shall advise the department concerning the requirements of this section.

(5) The department shall conduct evaluations of the effect that the food protection practices certification program has on compliance by restaurants with requirements established under s. 50.57 (1) and provide the evaluations, as requested, to the council on food protection practices.

(6) The department, after consulting with the council on food protection practices, shall promulgate rules concerning all of the following:

(a) Establishing a fee for certification and recertification of food protection practices.

(b) Specifying standards for approval of training courses for recertification of food protection practices.

(c) Establishing procedures for issuance of certificates of food protection practices, including application submittal and review.

SECTION 1595mj. 50.57 (1) (e) of the statutes is amended to read:

50.57 (1) (e) Hold a hearing under ch. 227 if, in lieu of proceeding under ch. 68, any interested person in a village, city or county not granted agent status under s. 50.535 appeals to the department alleging that a permit fee for a hotel, restaurant, temporary restaurant, tourist rooming house, campground, camping resort, recreational or educational camp, ~~mobile home park~~ or public swimming pool exceeds the permit issuer's reasonable costs of issuing permits to, making investigations and inspections of, and providing education, training and technical assistance to the establishment.

SECTION 1595r. 50.93 (3) of the statutes is amended to read:

50.93 (3) **PROVISIONAL LICENSE.** If the applicant has not been previously licensed under this subchapter or if the hospice is not in operation at the time that application is made, the department may issue a provisional license. Unless sooner suspended or revoked under sub. (4), a provisional license shall be valid for ~~12~~ 24 months from the date of issuance. Within 30 days prior to the termination of a provisional license, the department shall fully and completely inspect the hospice and, if the hospice meets the applicable

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requirements for licensure, shall issue a regular license under sub. (2). If the department finds that the hospice does not meet the requirements for licensure, the department may not issue a regular license under sub. (2).

Vetoed in Part SECTION 1595m. 50.981 of the statutes is created to read:

50.981 Scope. This subchapter applies only to a hospice that receives federal or state moneys for any purpose.

Vetoed in Part SECTION 1595a. Subchapter V of chapter 50 of the statutes is created to read:

CHAPTER 50
SUBCHAPTER V

ADULT DAY CARE PROVIDERS

50.985 Adult day care providers. The department may provide uniform, statewide certification and regulation of providers of adult day care services. The department may promulgate as rules standards and procedures for certification of providers of adult day care services.

SECTION 1595t. 51.06 (1) (d) of the statutes is created to read:

51.06 (1) (d) At the southern center for developmentally disabled, services for up to 8 individuals with developmental disability who are also diagnosed as mentally ill or who exhibit extremely aggressive and challenging behaviors.

Vetoed in Part SECTION 1595v. 51.06 (2m) of the statutes is created to read:

51.06 (2m) EDUCATIONAL SERVICES FOR ADULTS. The department shall provide educational services by a teacher who is licensed under s. 115.28 (7) (c) for any individual who is admitted to, placed in or residing in a center under sub. (1), if all of the following apply:

- (a) The individual is at least 22 years of age.
- (b) An interdisciplinary team of persons that is appointed by the director of the center has determined that the educational services are appropriate for the individual.

SECTION 1595y. 51.30 (9) (a) and (b) of the statutes are amended to read:

51.30 (9) (a) Any person, including the state or any political subdivision of the state, violating this section shall be liable to any person damaged as a result of the violation for such damages as may be proved, together with exemplary damages of not less than \$100 \$200 for each violation and such costs and reasonable actual attorney fees as may be incurred by the person damaged. A custodian of records incurs no liability under this paragraph for the release of records in accordance with this section while acting in good faith.

(b) In any action brought under par. (a) in which the court determines that the violator acted in a manner that was knowing and wilful, the violator shall be liable for such damages as may be proved together with exemplary damages of not less than \$500 ~~not more than~~ \$1,000 for each violation, together with

costs and reasonable actual attorney fees as may be incurred. It is not a prerequisite to an action under this subsection that the plaintiff suffer or be threatened with actual damages.”.

SECTION 1596. 51.35 (5) of the statutes is amended to read:

51.35 (5) RESIDENTIAL LIVING ARRANGEMENTS; TRANSITIONARY SERVICES. The department and any person, director or board authorized to discharge or transfer patients under this section shall ensure that a proper residential living arrangement and the necessary transitionary services are available and provided for the patient being discharged or transferred. Under this subsection, a proper residential living arrangement may not include a shelter facility, as defined under s. 46.97 16.352 (1) (d), unless the discharge or transfer to the shelter facility is made on an emergency basis for a period not to exceed 10 days.

SECTION 1597. 51.37 (9) of the statutes is amended to read:

51.37 (9) If in the judgment of the director of Mendota mental health institute, Winnebago mental health institute or the Milwaukee county mental health complex, 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 of health and social services, the committing court and the district attorney of the county in which the court is located his or her reasons for the 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 of health and social services, conditionally transfer any person to a legal guardian or other person, subject to the rules of the department of health and social services ~~and the department of corrections~~. Before a person is conditionally transferred or discharged under supervision under this subsection, the department of health and social services shall so notify the municipal police department and county sheriff for the area where the person will be residing. The notification requirement does not apply if a municipal department or county sheriff submits to the department of health and social services a written statement waiving the right to be notified. The department of health and social services may ~~require that a person contract with the department of corrections for the supervision of persons who are transferred or discharged under this subsection be supervised by probation and parole agents of the department of corrections~~.

SECTION 1598. 51.42 (3) (ar) 12 of the statutes is repealed.

SECTION 1598m. 51.42 (3) (aw) 3 of the statutes is created to read:

51.42 (3) (aw) 3. A county department of community programs may own, lease or manage real property for the purposes of operating a treatment facility.

~~SECTION 1598c. 51.42 (7m) of the statutes is created to read:~~

Vetoed
in Part

~~51.42 (7m) COUNCIL ON ALCOHOL AND OTHER DRUG ABUSE TREATMENT. (a) The council on alcohol and other drug abuse treatment shall review and evaluate the outcomes of all inpatient and outpatient programs for treatment of alcohol and other drug abuse that are funded under this section and under s. 51.423 and are allocated to Milwaukee county, over a period of time as determined by the council, with respect to all of the following:~~

~~1. Treatment outcome success for subjects of treatment, as measured by incidences of absence of continuous drug abuse and by a rate of relapse.~~

~~2. Rates of employment for treatment subjects that indicate an increase or decrease in employment for these individuals.~~

~~3. An increase or decrease by treatment subjects in antisocial or criminal activity, as determined by the council.~~

~~4. The cost-effectiveness of inpatient residential treatment programs for alcohol and other drug abuse, as compared to outpatient programs for alcohol and other drug abuse.~~

~~(b) The council on alcohol and other drug abuse treatment shall submit a report annually, beginning March 1, 1992, on the outcomes of programs that are specified in par. (a), to all of the following:~~

~~1. The chief clerk of each house of the legislature for distribution to the appropriate standing committees under s. 13.172 (3).~~

~~2. The secretary of health and social services.~~

~~3. The combined community services board of Milwaukee county.~~

~~SECTION 1601m. 51.423 (2) of the statutes is amended to read:~~

~~51.423 (2) From the appropriations under s. 20.435 (7) (b) and (c), the department shall allocate the funding for services provided or purchased by county departments under s. 46.23, 51.42 or 51.437 to such county departments as provided under s. 46.40. County matching funds are required for the allocations under s. 46.40 (1), (2), (5) to (9) and (12). Before January 1, 1988, the ratio of state and federal funds to county matching funds shall equal 91 to 9. Beginning January 1, 1988 (3) and (5) (e) 1 and 3. Before January 1, 1992, each county's required match for a year equals 9.89% of the total of the county's allocations for that year for which matching funds are required plus the amount the county was required by s. 46.26 (2) (c), 1985 stats., to spend for juvenile delinquency-related services from its allocation for 1987. Beginning January 1, 1992, each county's required match for a year equals a percentage of the county's allocation for that year. The percentage is obtained by~~

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dividing the total matching funds required from counties in 1991 by the total amount of funds allocated to counties in 1991 under s. 20.435 (3) (oo) and (7) (b), (c) and (d) and under s. 20.435 (3) (cd), 1989 stats., and s. 46.48 (4), 1989 stats. Matching funds may be from county tax levies, federal and state revenue sharing funds or private donations to the counties that meet the requirements specified in sub. (5). Private donations may not exceed 25% of the total county match. If the county match is less than the amount required to generate the full amount of state and federal funds allocated for this period, the decrease in the amount of state and federal funds equals the difference between the required and the actual amount of county matching funds.

SECTION 1602g. 51.423 (11) of the statutes is amended to read:

51.423 (11) Each county department under s. 51.42 or 51.437, or both, shall apply all funds it receives under subs. (1) to (7) to provide the services required under ss. 51.42, 51.437 and 51.45 (2) (g) to meet the needs for service quality and accessibility of the persons in its jurisdiction, except that the county department may pay for inpatient treatment only with funds designated by the department for inpatient treatment. The county department may expand programs and services with county funds not used to match state funds under this section subject to the approval of the county board of supervisors in a county with a single-county department or the county boards of supervisors in counties with multicounty departments and with other local or private funds subject to the approval of the department and the county board of supervisors in a county with a single-county department under s. 51.42 or 51.437 or the county boards of supervisors in counties with a multicounty department under s. 51.42 or 51.437. The county board of supervisors in a county with a single-county department under s. 51.42 or 51.437 or the county boards of supervisors in counties with a multicounty department under s. 51.42 or 51.437 may delegate the authority to expand programs and services to the county department under s. 51.42 or 51.437. The county department under s. 51.42 or 51.437 shall report to the department all county funds allocated to the county department under s. 51.42 or 51.437 and the use of such funds. Moneys collected under s. 46.10 shall be applied to cover the costs of primary services, exceptional and specialized services or to reimburse supplemental appropriations funded by counties. County departments under ss. 51.42 and 51.437 shall include collections made on and after October 1, 1978, by the department that are subject to s. 46.10 (8m) (b) and (c) (a) 3 and 4 and are distributed to county departments under ss. 51.42 and 51.437 under s. 20.435 (7) (gg), as revenues on their grant-in-aid expenditure reports to the department.

SECTION 1602h. 51.437 (4r) (d) of the statutes is created to read:

51.437 (4r) (d) May own, lease or manage real property for the purposes of operating a treatment facility.

SECTION 1602j. 51.437 (4rm) (c) 2m of the statutes is created to read:

51.437 (4rm) (c) 2m. Bill the county department of developmental disabilities services for services provided under s. 51.06 (1) (d) to individuals who are eligible for medical assistance that are not provided by the federal government.

SECTION 1602r. 51.44 of the statutes is created to read:

51.44 Early intervention services. (1) In this section:

(a) "Individualized family service plan" means a written plan for providing early intervention services to an eligible child and the child's family.

Vetoed in Part (b) "Interagency coordinating council" means the council under s. 15.197 (13).

(c) "Multidisciplinary evaluation" means the process used by qualified professionals to determine eligibility for early intervention services under this section based on the child's developmental status, the child's health, physical condition and mental condition or the child's atypical development.

(d) "Public health agency" means a health department, commission, committee, board or officer under s. 140.09, 141.01, 141.015, 141.02 or 141.04.

(e) "Service coordination" means activities carried out by a case manager to assist and enable a child eligible for early intervention services under this section and the child's family to receive the rights and services authorized to be provided under the early intervention program under this section.

(1m) The department is the lead agency in this state for the development and implementation of a statewide system of coordinated, comprehensive multidisciplinary programs to provide appropriate early intervention services under the requirements of 20 USC 1476.

Vetoed in Part (2) The interagency coordinating council shall advise the department with respect to the performance of the department's duties under this section.

(3) (a) From the appropriations under s. 20.435 (6) (m) and (7) (bt) and (ma) the department shall allocate in fiscal year 1991-92 funds for activities required for participation under 20 USC 1475 (b), and from the appropriation under s. 20.435 (7) (bt) the department shall allocate in fiscal year 1992-93 funds for activities required for participation under 20 USC 1475 (c). Of these funds, the department shall allocate \$375,000 from the appropriation under s. 20.435 (7) (ma) and all of the funds from the appropriation under s. 20.435 (7) (bt) to counties to provide or contract for the provision of early intervention services to individuals eligible to receive the early intervention services.

(b) Funds that are allocated to counties under par. (a) may not be used to supplant funding from any other source.

(4) Each county board of supervisors shall designate the appropriate county department under s. 46.21, 46.23 or 51.437, the local public health agency or another entity as the local lead agency to provide early intervention services under the funding specified in sub. (3).

(5) The department shall do all of the following:

(a) Promulgate rules for the statewide implementation of the program under this section that do all of the following:

1. Specify the population of children who would be eligible for services under the program.

2. Define the term "early intervention services".

3. Establish personnel standards and a comprehensive plan for the development of personnel providing services in the program.

4. Establish procedures for the resolution of complaints by clients in the program.

5. Specify data collection requirements, including a system for making referrals to service providers.

6. Establish monitoring and supervision authority.

7. Establish policies and procedures for the implementation of individual family services plans and case management services.

8. Develop requirements for local coordination and interagency agreements at state and local levels.

9. Establish requirements for public awareness activities and a statewide directory of services.

(b) Ensure that the children eligible for early intervention services under this section receive all of the following services:

1. A multidisciplinary evaluation.

2. An individualized family service plan.

3. Assignment of a case manager to provide service coordination.

SECTION 1603. 51.45 (5) (b) (intro.) of the statutes is amended to read:

51.45 (5) (b) (intro.) The department shall select, upon application by counties, county departments under s. 46.215, 46.22, 46.23, 51.42 or 51.437 in up to 8 counties representing various geographical regions and populations and shall, from the appropriation under s. 20.435 (7) (a) (f) allocate up to \$500,000 in state fiscal year 1990-91 1991-92 and up to \$500,000 in state fiscal year 1992-93 to the selected county departments to participate in a pilot program to implement and coordinate alcohol and other drug abuse programs and services relating to primary prevention. The county department in each county receiving funding under this paragraph shall appoint or contract with an alcohol and other drug abuse prevention specialist whose duties shall include all of the following:

Vetoed in Part SECTION 1603m. Chapter 54 of the statutes is created to read:

Vetoed
in Part

CHAPTER 54
HEALTH CARE ACCESS

54.01 Definitions. In this chapter:

- (1) "Board" means the health care access board.
- (2) "Clinic" means a place, other than a residence or a hospital, that is used primarily for the provision of nursing, medical, pediatric, dental, chiropractic or optometric care and treatment.
- (3) "Community-based residential facility" has the meaning given in s. 50.01 (1g).
- (4) "Community health center" has the meaning given in 42 USC 254c (a).
- (5) "Disability insurance policy" has the meaning given in s. 632.895 (1) (a).
- (6) "Entity that provides health care services" includes a community health center, a clinic, a center in which nursing services are provided in association with a program of nursing education approved by the board of nursing, a program operated in conjunction with the residency program of an accredited school of medicine, a program of outpatient health care operated by a hospital, a program that provides transportation for health care services or a program organized by at least one health care professional that has a patient population that is a medically underserved population.
- (7) "Health care professional" means a physician who is licensed under ch. 448 or a registered nurse who is licensed under ch. 441.
- (8) "Health care services" includes primary health care, including prenatal and postpartum care; preventive health care; laboratory and X-ray services; prescription drugs and devices; referral; preventive health care education in communities; and patient advocacy services. "Health care services" does not include mental health care or treatment or inpatient or resident care or treatment in a hospital, nursing home or community-based residential facility.
- (9) "Hospital" has the meaning given in s. 50.33 (2).
- (10) "Low income" means income that is at or below the poverty line, as defined in 42 USC 9902 (2).
- (11) "Medically underserved population" has the meaning given in 42 USC 254c (b) (3).
- (12) "Nursing home" has the meaning given in s. 50.01 (3).
- (13) "User of health care services" means a resident of this state who has no or low income and no or an inadequate disability insurance policy.

54.03 Board; duties. The board shall do all of the following:

- (1) Develop a state plan for the provision of health care services to users of health care services. The plan shall establish 6 health care regions in the state, one of which shall be only the area within a county having a population of 500,000 or more. The plan shall assess the locations and needs of medically underserved populations in each of the health care regions.

Vetoed
in Part

(2) Solicit, from the county executives or county administrators or, if none, county boards of supervisors of counties that are within each health care region established under sub. (1), the names of appropriate individuals who agree to serve as members of a regional council on health care for a health care region.

(3) Publicize the standards for grant funding specified in s. 54.20 and provide information and technical assistance to potential applicants for grants under s. 54.15, to enable the potential applicants to design workable programs and submit developed, competitive applications.

(4) Solicit, review, evaluate and approve or disapprove, under the standards specified in s. 54.20, applications for grant funding under s. 54.15.

(5) Periodically review the implementation and operation of the health care access program under this chapter.

(6) Periodically submit a report to the chief clerk of each house of the legislature for distribution to the appropriate standing committees under s. 13.172 (3), with respect to the performance of, problems with and proposed changes, if any, to the health care access program under this chapter.

54.05 Staff and salaries. The salaries of the board staff and all reasonable and necessary operating expenses of the board shall be paid from the appropriation under s. 20.534 (1) (a).

54.07 Regional councils on health care; duties. Each regional council on health care shall do all of the following:

(1) Develop and submit to the board a plan of health care delivery for the region that identifies all of the following:

(a) Areas in the region that have medically underserved populations, ranked in the order of greatest health care need.

(b) Specific health care services that are lacking in each area specified in par. (a), ranked in the order of greatest health care need.

(2) Review and evaluate current and potential health care service delivery by any entity that provides health care services in the region and that submits, or proposes to submit, an application for funding under s. 54.15, and inform the board of the results of the review and evaluation.

(3) Review and evaluate any application from the region that is submitted under s. 54.15 and recommend action by the board with respect to granting or denying funding for the application. If more than one application is submitted from the region, the regional council on health care shall rank the applications in order of excellence.

(4) Review and evaluate, both regularly and at unscheduled intervals, participating programs in the region and notify the health care access board of the results of the review and evaluation.

Vetoed
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in Part

54.15 Funding of participating programs. (1) From the appropriation under s. 20.534 (1) (b), the board shall, in each fiscal year beginning in fiscal year 1992-93, allocate funding as grants to participating programs. Funding under this section shall be allocated in one or more of the health care regions under s. 54.03 (1), to an applying entity that provides health care services in that region, if the entity meets the standards specified in s. 54.20.

(2) Applications for grant funds under this section shall first be submitted, on forms that the board shall provide, to the appropriate regional council on health care for review, evaluation and recommendation under s. 54.07 (3).

(3) The board may grant an award as a participating program to an entity that provides health care services if all of the following apply:

(a) The board determines, based on the recommendation of the regional council on health care, that the applicant will effectively implement the state plan that is specified in s. 54.03 (1) and the applicant meets criteria and standards of the board.

(b) Funding, within the limits of s. 20.534 (1) (b), is available.

(c) The applicant provides sufficient assurances that it will provide health care services to a specified number of users of health care services that is acceptable to the board and that the health care services provided will be of a quality that is acceptable to the board.

(4) If a participating program that is granted funds under this section substantially fails, as determined by the board, to meet the standards specified under s. 54.20, the board may, after notice to the participating program, reduce or terminate payment under this section to the participating program. Reduction or termination of payment shall be effective on the date set by the board in the notice of reduction or termination or upon final action after a hearing under ch. 227.

(5) The board may renew a grant under this section if the applicant for renewal continues to meet the standards specified under s. 54.20, is recommended for refunding by the regional council on health care and the conditions under sub. (3) are met.

54.20 Standards for participating programs. (1) In order to receive grant funds under s. 54.15, each applying entity that provides health care services shall demonstrate all of the following:

(a) That members of the community proposed to be served by the applicant will be involved in the determination of policies and procedures for the delivery of health care services under the grant.

(b) That the applicant's enrollment procedures will permit enrollment from the community of at least a specified number of users of health care services.

(c) That the applicant will not discriminate, with respect to enrollment or provision of health care ser-

vices, on the basis of race, religion, age, sex, sexual orientation, handicap or medical need.

(d) That the applicant will establish all of the following, under criteria that the board shall promulgate as rules:

1. A community health education program.
2. A patient education program.
3. A patient advocacy program.

(e) That the health care services provided by the applicant will meet minimum standards established in rules promulgated by the board.

(f) That the applicant will establish and maintain measures that accomplish all of the following, within limits that the board shall promulgate as rules:

1. Contain health care services costs.
2. Offset the costs of health care services with any revenues that are obtainable from coordination of benefits under s. 54.35 or from subrogation of claims for coverage.
3. Apply the sliding scale of liability, as promulgated by the board by rule, for health care services costs except preventive, prenatal and postpartum care and services costs.

(g) That the applicant has a system of financial accounting that is sufficient to ensure that funds received by the applicant under s. 54.15 or 54.35, from subrogation of claims or otherwise under this chapter, will be correctly and accurately recorded and accounted for.

(2) The board may promulgate as rules criteria for receipt of grant funding that are in addition to those specified in sub. (1) (a) to (g).

(3) The requirements under sub. (1) (a) to (g) and under sub. (2), if any, shall be included in any contract for health care services under a grant under s. 54.15.

54.35 Coordination of benefits. A covered health care services expense under a grant awarded under s. 54.15 does not include a charge for health care for injury or disease for which benefits are payable without regard to fault under coverage that is required by statute to be contained in any motor vehicle or other liability insurance policy or equivalent self-insurance, for which benefits are payable under a worker's compensation or similar statute, or for which benefits are payable under a disability insurance policy, medicare, medical assistance, health care aid under s. 45.351 (1) (a), awards under ch. 949 or any other state or federal governmental program.

54.40 Rule making. The board shall promulgate rules that do all of the following:

(1) Establish a sliding scale of liability for users of health care services, based on a user's ability to pay, for health care services provided by a participating program, except preventive, prenatal and postpartum care and services.

(2) Specify criteria under s. 54.20 (1) (d), (e) and (f).

Vetoed
in Part

(3) Define the term "an inadequate disability insurance policy" for the purposes of determining eligibility for a user of health care services from a participating program under s. 54.15.

(4) Establish criteria for judging the most cost-effective method of delivery of health care services for evaluation of applications submitted under s. 54.15.

54.50 Applicability. This chapter does not apply after June 30, 1994.

SECTION 1603p. 55.06 (6) of the statutes is amended to read:

Vetoed
in Part

55.06 (6) Section 880.33 (2) applies to all hearings under this chapter except for transfers of placement under sub. (9) (b), (c) and (e). A person to be protected shall have a guardian ad litem who is an attorney appointed in accordance with s. 757.48 (1) present at all hearings under this chapter if the person does not have full legal counsel. The court may, however, excuse a personal appearance by a guardian ad litem based on information contained in a written report by the guardian ad litem to the court. If the person is indigent, the county of legal settlement state shall be liable for guardian ad litem fees. The subject individual, attorney or guardian ad litem shall have the right to present and cross-examine witnesses, including any person making an evaluation or review under sub. (8) (c).

SECTION 1603r. 55.06 (9) (b) of the statutes is amended to read:

55.06 (9) (b) Transfer may be made between placement units or from a placement unit to a medical facility other than those specified in pars. (c) to (e) by a guardian or placement facility without approval by a court. When transfer is made by a placement facility, 24 hours' prior written notice of the transfer shall be provided to the guardian, when feasible. If it is not feasible to notify the guardian in advance, written notice shall be provided immediately upon transfer, and notice shall also be provided to the court and to the board designated under s. 55.02 or an agency designated by it within a reasonable time, not to exceed 48 hours from the time of the transfer. Upon petition to a court by a guardian, ward, or attorney, or other interested person specifying objections to a transfer, the court shall order a hearing, within 96 hours after filing of the petition, to determine whether there is probable cause to believe that the transfer is consistent with the requirements specified in par. (a) and is necessary for the best interests of the ward. The court shall notify the ward, guardian and petitioner of the time and place of the hearing, and a guardian ad litem shall be appointed to represent the ward. If the person is indigent, the county of legal settlement state shall be liable for guardian ad litem fees. The petitioner, ward and guardian shall have the right to attend, and to present and cross-examine witnesses.

Vetoed
in Part

SECTION 1603t. 58.07 (1) of the statutes is amended to read:

58.07 (1) The board or council of any town, village, city or county may appoint one or more humane officers and may appropriate money to carry on such programs and pay such salaries as the board or council deems necessary. Humane officers shall serve until their appointments are terminated by the board or council. The board or council shall report all appointments and terminations of appointments to the department of agriculture, food and trade and consumer protection. Before appointing any humane officer the board or council shall secure the recommendations of any humane society existing within such county or municipality. The board or council may appropriate to humane societies any sums of money deemed needful for the prosecution within their respective boundaries of the work for which they were organized.

Vetoed
in Part

SECTION 1604c. 59.07 (33) (b) of the statutes is amended to read:

59.07 (33) (b) Acquire, establish, expand, own, operate and maintain a public museum in the county and appropriate money for such purposes, except that a public museum owned by a county under this subsection may seek tax-exempt status as an entity described under section 501 (c) (3) of the internal revenue code.

SECTION 1604e. 59.07 (41) of the statutes is amended to read:

59.07 (41) **AMBULANCES.** Purchase, equip, operate and maintain ambulances and contract for ambulance service with one or more providers for conveyance of the sick or injured and make reasonable charges for the use thereof.

SECTION 1604g. 59.07 (64) of the statutes is amended to read:

59.07 (64) **PEACE AND ORDER.** Enact and enforce ordinances to preserve the public peace and good order within the county including, but not limited by enumeration, ordinances prohibiting conduct that is the same as or similar to conduct that is prohibited by ss. 947.01 and 947.02, and provide a forfeiture for a violation of the ordinances.

SECTION 1604m. 59.07 (109) and (110) of the statutes are created to read:

59.07 (109) **PUBLIC ASSISTANCE; FALSE REPRESENTATION.** Enact and enforce an ordinance to prohibit conduct that is the same as or similar to conduct that is prohibited by s. 49.12 (1) and provide a forfeiture for a violation of the ordinance.

(110) **FORGERY.** Enact and enforce an ordinance to prohibit conduct that is the same as or similar to conduct that is prohibited by s. 943.38 and provide a forfeiture for a violation of the ordinance.

SECTION 1605g. 59.071 (2) of the statutes is amended to read:

59.071 (2) **FINDINGS.** It is found and declared that industries located in this state have been induced to move their operations in whole or in part to, or to expand their operations in, other states to the detri-

ment of state, county and municipal revenue arising through the loss or reduction of income and franchise taxes, real estate and other local taxes, and thereby causing an increase in unemployment; 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 such 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 commerce, industry and manufacturing; that there is a need to stimulate a larger flow of private investment funds from banks, investment houses, insurers and other financial institutions; that means are necessary under which counties so desiring may create instrumentalities to promote industrial development and such purpose requires and deserves support from counties as a means of preserving the tax base and preventing unemployment. 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 in counties and municipalities by the creation of bodies, corporate and politic, which shall exist and operate 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.

SECTION 1605m. 59.145 of the statutes is created to read:

59.145 Optical disk storage. (1) Upon request of any office, department, commission, board or agency of the county, the board may authorize any county record that is in the custody of the office, department, commission, board or agency to be transferred to optical disk storage in accordance with rules of the department of administration under s. 16.612. The board may thereafter authorize destruction of the original record in accordance with ss. 16.61 (3) (e), 19.21 (5) and 59.715 to 59.717 unless preservation is required by law.

(2) Any copy of a county record generated from optical imaging of an original record is deemed an original record if all of the following conditions are met:

(a) The devices used to transform the record to optical disk format and to generate a copy of the record from optical disk format are ones which accurately reproduce the content of the original.

(b) The optical disk copy and the copy generated from optical disk format comply with the minimum standards of quality for such copies, as established by the rule of the department of administration under s. 16.612.

(c) The record is arranged, identified and indexed so that any individual document or component of the record can be located with the use of proper equipment.

(d) The legal custodian of the record executes a statement of intent and purpose describing the record to be transferred to optical disk format and the disposition of the original record, and executes a certificate verifying that the record was received or created and transferred to optical disk format in the normal course of business and that the statement of intent and purpose is properly recorded in his or her office.

(3) The statement of intent and purpose executed under sub. (2) (d) is presumptive evidence of compliance with all conditions and standards prescribed under sub. (2).

(4) A copy of a record generated from an original record stored on an optical disk which conforms with the standards prescribed under sub. (2) shall be taken as and stand in lieu of and have all of the effect of the original record and shall be admissible in evidence in all courts and all other tribunals or agencies, administrative or otherwise, in all cases where the original document is admissible. A transcript, exemplification or certified copy of such a record so generated, for the purposes specified in this subsection, is deemed to be a transcript, exemplification or certified copy of the original. An enlarged copy of any record so generated, made in accordance with the standards prescribed under sub. (2) and certified by the custodian as provided in s. 889.18 (2), has the same effect as an actual-size copy.

~~SECTION 1605w. 59.20 (4) of the statutes is created to read:~~

~~59.20 (4) At least annually, furnish to the department of revenue, in the form prescribed by the department of revenue, a list of each person who is delinquent in the payment of property taxes under ch. 74 for property that is located in the county.~~

SECTION 1606. 59.20 (5) (b) of the statutes is amended to read:

59.20 (5) (b) For all court imposed fines and forfeitures required by law to be deposited in the state treasury, the amounts required by s. 165.87 for the penalty assessment surcharge, the amounts required by s. 167.31 (5) for the weapons assessment, the amounts required by s. 973.045 for the crime victim and witness assistance surcharge, the amounts required by s. 161.41 (5) for the drug abuse program improvement

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surcharge, the amounts authorized by s. 971.37 (1m) (c) 1 or required by s. 973.055 (1) for the domestic abuse assessment surcharge, the amounts required by s. 346.655 for the driver improvement surcharge, the amounts required by s. 102.85 (4) for the uninsured employer assessment, the amounts required by s. 144.992 for the environmental assessment, the amounts required by s. 29.9965 for the wild animal protection assessment, the amounts required by s. 29.997 for the natural resources assessment surcharge, the amounts required by s. 29.9967 for the fishing shelter removal assessment, the amounts required by s. 350.115 for the snowmobile registration restitution payment and the amount amounts required by s. 29.998 for natural resources restitution payments, transmit to the state treasurer a statement of all moneys required by law to be paid on the actions so entered during the preceding month on or before the first day of the next succeeding month, certified by personal affidavit endorsed upon or attached thereto, and at the same time pay to the state treasurer the amount thereof.

SECTION 1607. 59.20 (5) (b) of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

59.20 (5) (b) For all court imposed fines and forfeitures required by law to be deposited in the state treasury, the amounts required by s. 165.87 for the penalty assessment surcharge, the amounts required by s. 345.54 (1) for the automatic reinstatement assessment, the amounts required by s. 167.31 (5) for the weapons assessment, the amounts required by s. 973.045 for the crime victim and witness assistance surcharge, the amounts required by s. 161.41 (5) for the drug abuse program improvement surcharge, the amounts authorized by s. 971.37 (1m) (c) 1 or required by s. 973.055 (1) for the domestic abuse assessment, the amounts required by s. 346.655 for the driver improvement surcharge, the amounts required by s. 102.85 (4) for the uninsured employer assessment, the amounts required by s. 144.992 for the environmental assessment, the amounts required by s. 29.9965 for the wild animal protection assessment, the amounts required by s. 29.997 for the natural resources assessment surcharge, the amounts required by s. 29.9967 for the fishing shelter removal assessment, the amounts required by s. 350.115 for the snowmobile registration restitution payment and the amounts required by s. 29.998 for natural resources restitution payments, transmit to the state treasurer a statement of all moneys required by law to be paid on the actions so entered during the preceding month on or before the first day of the next succeeding month, certified by personal affidavit endorsed upon or attached thereto, and at the same time pay to the state treasurer the amount thereof.

SECTION 1607r. 59.20 (8n) of the statutes is created to read:

59.20 (8n) Forward all moneys received under s. 66.12 (3) (c) to the state treasurer for deposit in the transportation fund under s. 25.40 (1) (ig).

SECTION 1608. 59.20 (8t) of the statutes is created to read:

59.20 (8t) Forward all moneys for automatic reinstatement assessments received under s. 345.54 to the state treasurer for deposit in the transportation fund under s. 25.40 (1) (ir).

~~SECTION 1608m. 59.21 (5) of the statutes is amended to read:~~

~~59.21 (5) The sheriff or his the sheriff's undersheriff may also deputize in writing other persons to do particular acts, including law enforcement officers from other states, under s. 59.215.~~

SECTION 1609. 59.21 (9) of the statutes is created to read:

59.21 (9) (a) A deputy sheriff in any county may not be suspended or dismissed under sub. (8) or s. 59.07 (20) or 63.10 without pay or benefits, for any action taken that is within the scope of the deputy's employment, until the matter that is the subject of the suspension or dismissal is disposed of by the grievance committee or civil service commission or the time for appeal of that matter passes without an appeal being made.

(b) An ordinance of any county or a collective bargaining agreement may not diminish or abridge a right of a deputy sheriff granted under par. (a). An ordinance of such a county or a collective bargaining agreement may supplement and expand such a right in a manner not inconsistent with par. (a).

(c) If the matter that is the subject of the suspension or dismissal is decided adversely to the deputy sheriff by the grievance committee or civil service commission, the time for appeal passes without an appeal being made or the deputy's appeal to the circuit court is decided adversely to the deputy, all pay and benefits received by the deputy sheriff between the time of his or her suspension or dismissal and the latest of an adverse ruling by the committee, the commission or the court or the time for appeal passes shall be returned to the county.

~~SECTION 1609m. 59.215 of the statutes is created to read:~~

~~59.215 Deputization of law officers from other states; mutual aid agreements. (1) DEFINITIONS. In this section:~~

~~(a) "Law enforcement officer" means a person who is employed by this state, by another state or by a political subdivision of this state or another state to detect and prevent crime and enforce laws or ordinances and who is authorized to make arrests for violations of the laws or ordinances that he or she is employed to enforce.~~

~~(b) "Law enforcement official" means a law enforcement officer who has the power to appoint subordinates and includes, but is not limited to, sheriffs and chiefs of police.~~

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Vetoed in Part (c) "Special deputy" means a law enforcement officer employed by another state or by a political subdivision of another state who is deputized under s. 59.21 (5).

(2) SPECIAL DEPUTIES. (a) A special deputy may assist the sheriff or undersheriff who deputized him or her in law enforcement activities in the sheriff's or undersheriff's county.

(b) A special deputy has the same authority to investigate crimes and enforce laws or ordinances as a deputy sheriff appointed under s. 59.21 (2).

(c) A special deputy who acts under this section is subject to any immunity from or limit on liability to the same extent as a deputy sheriff appointed under s. 59.21 (2) who is covered by s. 895.46 (1) (d), and the county in which the special deputy is deputized shall make any required payments under s. 895.46 (1) (a).

(d) A special deputy who acts under this section is entitled to the same pay and benefits as he or she would be entitled to if the officer continued to work in his or her local jurisdiction and such pay and benefits shall be paid to the special deputy, or to his or her employer, by the county board of the county whose sheriff or undersheriff deputized the special deputy.

(3) MUTUAL AID. A law enforcement officer employed by this state or by a political subdivision of this state who is requested by a law enforcement official from another state to assist in law enforcement activities in that state may enter and assist in law enforcement activities in that state if the law enforcement officer employed by this state or by a political subdivision of this state receives permission to do so from his or her supervisor or employer and if the law enforcement officer is afforded the same law enforcement rights, immunity from or limit on liability, pay and benefits that a special deputy is afforded under sub. (2).

SECTION 1610m. 59.39 (2) of the statutes is amended to read:

59.39 (2) Keep a court record and write therein names of parties in every civil action or proceeding in the court, the names of attorneys representing the parties, a brief statement of the nature of the action or proceeding, the date of filing every paper therein and of each proceeding taken, the file wherein the papers can be found, the time when put on the calendar for trial, and when and how disposed of; the location where minutes in every case can be found and the place in the judgment record or microfilm or optical disk file where any judgment, order or report has been recorded, so as to make the court record a history in brief of each action or proceeding from beginning to final disposition; and a complete index of all proceedings therein.

SECTION 1610r. 59.39 (7) of the statutes is amended to read:

59.39 (7) Keep a judgment record and docket therein all money judgments of the court, transcripts

from judgment dockets of other Wisconsin courts and of federal courts, warrants for unemployment compensation and warrants for delinquent Wisconsin income or franchise taxes.

SECTION 1611. 59.395 (5) of the statutes is amended to read:

59.395 (5) Pay monthly to the county treasurer for the use of the state the state's percentage of the fees required to be paid on each civil action, criminal action and special proceeding filed during the preceding month and pay monthly to the county treasurer for the use of the state the percentage of court imposed fines and forfeitures required by law to be deposited in the state treasury, the amounts required by s. 165.87 (2) (b) for the penalty assessment surcharge, the amounts required by s. 167.31 (5) for the weapons assessment, the amounts required by s. 973.045 for the crime victim and witness assistance surcharge, the amounts required by s. 161.41 (5) for the drug abuse program improvement surcharge, the amounts authorized by s. 971.37 (1m) (c) 1 or required by s. 973.055 for the domestic abuse assessment surcharge, the amounts required by s. 346.655 for the driver improvement surcharge, the amounts required by s. 102.85 (4) for the uninsured employer assessment, the amounts required by s. 144.992 for the environmental assessment, the amounts required under s. 29.9965 for the wild animal protection assessment, the amounts required under s. 29.997 (1) (d) for the natural resources assessment surcharge, the amounts required by s. 29.9967 for the fishing shelter removal assessment, the amounts required by s. 350.115 for the snowmobile registration restitution payment and the amounts required under s. 29.998 (1) (d) for the natural resources restitution payments. The payments shall be made by the 15th day of the month following receipt thereof.

SECTION 1612. 59.395 (5) of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

59.395 (5) Pay monthly to the county treasurer for the use of the state the state's percentage of the fees required to be paid on each civil action, criminal action and special proceeding filed during the preceding month and pay monthly to the county treasurer for the use of the state the percentage of court imposed fines and forfeitures required by law to be deposited in the state treasury, the amounts required by s. 165.87 (2) (b) for the penalty assessment surcharge, the amounts required by s. 345.54 (1) for the automatic reinstatement assessment, the amounts required by s. 167.31 (5) for the weapons assessment, the amounts required by s. 973.045 for the crime victim and witness assistance surcharge, the amounts required by s. 161.41 (5) for the drug abuse program improvement surcharge, the amounts authorized by s. 971.37 (1m) (c) 1 or required by s. 973.055 for the domestic abuse assessment surcharge, the amounts required by s.

346.655 for the driver improvement surcharge, the amounts required by s. 102.85 (4) for the uninsured employer assessment, the amounts required by s. 144.992 for the environmental assessment, the amounts required under s. 29.9965 for the wild animal protection assessment, the amounts required under s. 29.997 (1) (d) for the natural resources assessment surcharge, the amounts required by s. 29.9967 for the fishing shelter removal assessment, the amounts required by s. 350.115 for the snowmobile registration restitution payment and the amounts required under s. 29.998 (1) (d) for the natural resources restitution payments. The payments shall be made by the 15th day of the month following receipt thereof.

SECTION 1612g. 59.51 (1) of the statutes is amended to read:

59.51 (1) Record or cause to be recorded in suitable books to be kept in his or her office, correctly and legibly all deeds, mortgages, maps, instruments and writings authorized by law to be recorded in his or her office and left with him or her for that purpose, provided such documents have plainly printed or type-written thereon the names of the grantors, grantees, witnesses and notary. Any county, by ~~county~~ board resolution duly adopted, may combine the separate books or volumes for deeds, mortgages, miscellaneous instruments, attachments, lis pendens, sales and notices, certificates of organization of corporations, plats or other recorded or filed instruments or classes of documents as long as separate indexes are maintained. Notwithstanding any other provisions of the statutes, any county adopting a system of microfilming or like process or a system of recording documents by optical imaging pursuant to ch. 228 may substitute the headings, reel or disk and microfilm image (frame) for volume and page where recorded and different classes of instruments may be recorded, reproduced or copied on or transferred to the same reel or disk or part of a reel or disk. All recordings made prior to June 28, 1961, which would have been valid under this paragraph, had this paragraph then been in effect, are hereby validated.

SECTION 1612h. 59.51 (16) of the statutes is amended to read:

59.51 (16) In any county where the ~~county~~ board has established a system of recording and indexing by means of electronic data processing ~~or~~, machine printed forms or optical disk storage, the process of typing, key punching ~~or~~, other automated machines or optical imaging may be used to replace any handwritten entry or endorsement as described in this section. The various documents and indexes may also be combined into a general document file with one numbering sequence and one index at any time. The term "book" as used in this section if automated equipment is used may include forms, tab or computer printed sheets as well as cards and other supply forms which although processed separately may be bound after preparation.

SECTION 1612j. 59.512 of the statutes is amended to read:

59.512 (title) Register of deeds; microfilming and optical imaging. Upon the request of the register of deeds, any county, by ~~county~~ board resolution, may authorize the register of deeds to photograph ~~or~~, microfilm or record on optical disks records of deeds, mortgages or other instruments relating to real property or may authorize the register of deeds to record on optical disks instruments relating to security interests in accordance with the requirements of s. 16.61 (7) or 59.145 and to store the original records within the county at a place designated by the ~~county~~ board. The storage place for the original records shall be reasonably safe and shall provide for the preservation of the records authorized to be stored under this section. The register of deeds shall keep a photograph ~~or~~, microfilm or optical disk copy of such records in conveniently accessible files in his or her office and shall provide for examination of such reproduction or examination of a copy generated from an optical disk in enlarged, easily readable form upon request. Compliance with this section satisfies the requirement of s. 59.51 (1) that the register of deeds shall keep such records in his or her office. The register of deeds may make certified copies reproduced from an authorized photograph, from a copy generated from an optical disk or from the original records.

SECTION 1612k. 59.52 (2) of the statutes is amended to read:

59.52 (2) Whenever a ~~county~~ board has established a system of recording and indexing documents by means of electronic data processing ~~or~~, machine printed forms or cards or optical imaging, general alphabetic and numerical indexes without prebound books may be substituted for daily alphabetic and numerical indexes.

SECTION 1612L. 59.53 (2) of the statutes is amended to read:

59.53 (2) Whenever a ~~county~~ board has established a system of recording and indexing documents by means of electronic data processing ~~or~~, machine printed forms or cards or optical imaging, general alphabetic and numerical indexes without prebound books may be substituted for the index as provided in this section.

SECTION 1615. 59.57 (4) of the statutes is amended to read:

59.57 (4) For copies of any records or papers, \$2 for the first page plus \$1 for each additional page, plus 25 cents for the certificate of the register of deeds, except that the department of revenue is exempt from the fees under this subsection.

SECTION 1618. 59.715 (24) (a) of the statutes is renumbered 978.07 (1) (a).

SECTION 1619. 59.715 (24) (b) of the statutes is renumbered 978.07 (1) (b).

SECTION 1620. 59.715 (24) (c) of the statutes is renumbered 978.07 (1) (c) 3 and amended to read:

978.07 (1) (c) 3. ~~Any Except as provided in subds. 1 and 2, any~~ case record of a felony or related case, after the mandatory release date established under s. 302.11 (1), if applicable, of any person convicted of that felony or 10 years after the commencement of the action, whichever is later.

SECTION 1621. 59.715 (24) (d) of the statutes is renumbered 978.07 (1) (d).

SECTION 1622. 59.716 (5) of the statutes is repealed.

SECTION 1623. 59.717 (5) of the statutes is repealed.

SECTION 1624. 59.76 (2) of the statutes is amended to read:

59.76 (2) No action may be brought or maintained against a county, for disclosure of information received under s. 342.20 (3) and maintained under s. 342.20 (4) or received under s. 30.572 (4) and maintained under s. 30.572 (5).

~~Vetoed in Part SECTION 1624am. 59.871 (1) of the statutes is amended to read:~~

~~59.871 (1) The board may appropriate money for the control of insect and worm pests, weeds, or plant or animal diseases within the county, and select from its members a committee which, upon advice from the county agent that an emergency exists because of the destruction which is being or may be wrought to farm lands, livestock or crops in the county by any such pests, may take steps necessary to suppress and control such pests. The clerk shall within 10 days notify the department of agriculture, food and trade and consumer protection of such appropriation and of the members of such committee. The state entomologist and said department shall cooperate with such committee in the execution of measures necessary for the suppression and control of such pests.~~

SECTION 1626g. 59.966 of the statutes is created to read:

59.966 Regional transportation authority. (1) In this section:

(a) "Authority" means the regional transportation authority.

(b) "Region" means the geographic region composed of the counties of Kenosha, Milwaukee, Ozaukee, Racine, Walworth, Washington and Waukesha.

(2) The counties of Kenosha, Milwaukee, Ozaukee, Racine, Walworth, Washington and Waukesha shall create a regional transportation authority. The governing body of the authority shall consist of the following members:

(a) Except as provided in sub. (6), 7 members nominated by the governor, and with the advice and consent of the senate appointed, for 3-year terms, with each member designated to represent one of the counties in the region.

(b) The secretary of transportation or his or her designee.

(c) Three other members nominated by the governor, and with the advice and consent of the senate appointed, for 3-year terms.

(3) The authority shall be responsible for the coordination of highway and transit programs in the region and other responsibilities as specified for the authority by the legislature.

(4) The department of transportation may provide administrative support services to assist the authority in fulfilling its duties.

(5) By November 15, 1992, the authority shall submit to the governor and the chief clerk of each house of the legislature, for distribution to the legislature under s. 13.172 (2), a report on the activities of the authority. The report shall include all of the following:

(a) A plan to improve the coordination and priority of federal, state and local expenditures for highways in the region that have a demonstrably regional impact.

(b) A recommendation on additional functional responsibilities for the authority concerning highways in the region.

(c) A plan to improve the coordinating and funding of expanded public transit in the region.

(d) Recommendations for the assignment of responsibilities between the authority, the department of transportation and other governmental units, including any multicounty regional planning commission organized under s. 66.945 that is located in the region.

(e) A proposal that specifically identifies a permanent regional funding source to provide local funds for highway improvements in the region that have a demonstrably regional impact, and for the local portion of operating and capital costs of public transit not covered by passenger fares. In making its proposal, the authority shall consider at least the following funding sources:

1. A local gas tax.
2. A local vehicle registration fee.
3. A local sales tax.
4. A local motor fuel sales tax.

(f) A recommendation on whether the authority should continue in existence after September 30, 1993.

(6) After June 30, 1993, any county board in the region may, by resolution, withdraw from the authority. In the event of such withdrawal, the county shall not be represented by a member under sub. (2) (a). This subsection does not apply after December 31, 1993.

~~SECTION 1626m. 59.97 (4m) of the statutes is amended to read:~~

~~59.97 (4m) HISTORIC PRESERVATION. Any A county, as an exercise of its zoning and police powers for the purpose of promoting the health, safety and general welfare of the community and of the state, may regulate by ordinance shall, not later than January 1, 1993,~~

Vetoed in Part

Vetoed in Part enact an ordinance to regulate any place, structure or object with a special character, historic interest, archeological or aesthetic interest, or other significant value, for the purpose of preserving the place, structure or object and its significant characteristics. The A county may create a landmarks commission to designate historic or archeological landmarks and establish historic districts. The A county may shall regulate all historic or archeological landmarks and all property within each historic district to preserve the historic or archeological landmarks and property within the district and the character of the district.

SECTION 1628m. 59.971 (1r) of the statutes is created to read:

59.971 (1r) An ordinance enacted under this section may not prohibit the maintenance of stairs, platforms or decks that were constructed before the effective date of this subsection [revisor inserts date], and that are located in any of the following shorelands:

(a) The shoreland of Lake Wissota in Chippewa county.

(b) The shorelands of Lake Holcombe in Chippewa and Rusk counties.

SECTION 1630m. 60.10 (1) (b) 6 of the statutes is created to read:

60.10 (1) (b) 6. Designate town board supervisors as full-time officers.

SECTION 1630r. 60.20 (3) of the statutes is amended to read:

60.20 (3) MEETINGS. Meetings of the town board may be held in the town or in any town, city or village within or adjoining the town, subject to subch. IV V of ch. 19.

SECTION 1631m. 60.30 (1m) of the statutes is created to read:

60.30 (1m) PART-TIME SUPERVISORS. Town board supervisors shall be part-time officers, unless designated as full-time by the town meeting under s. 60.10 (1) (b) 6.

SECTION 1637r. 60.31 (2) of the statutes is amended to read:

60.31 (2) OFFICIAL BOND. Every town clerk, deputy town clerk, town treasurer, deputy town treasurer, elected assessor and town constable shall execute and file an official bond provided by the town, or the town may provide a schedule or blanket bond that includes any or all of these officials. No natural person may be a surety on a bond under this subsection. The bond may be furnished by a surety company under s. 632.17 (2). The amount of the bond shall be fixed by the town board. If the amount of the bond is not fixed by the board, the amount shall be the same as that required of the last incumbent of the office. If the town board at any time determines that the bond is insufficient, it may require an additional bond to be filed within 10 days, in an amount fixed by the board.

SECTION 1638. 60.33 (10m) of the statutes is amended to read:

60.33 (10m) NOTICE OF PROPERTY TAX REVENUE. Notify the treasurer of the county in which the town is located, by ~~March 15~~ February 20, of the proportion of property tax revenue and of the credits under s. 79.10 that is to be disbursed by the county taxation district treasurer to each taxing jurisdiction located in the town.

SECTION 1638g. 60.565 of the statutes is amended to read:

60.565 Ambulance service. The town board shall contract for or operate and maintain ambulance services unless such services are provided by another person. If the town board contracts for ambulance services, it may contract with one or more providers. The town board may determine and charge a reasonable fee for ambulance service provided under this section. The town board may purchase equipment for medical and other emergency calls.

Vetoed in Part SECTION 1638m. 60.725 of the statutes is repealed.

SECTION 1638r. 60.77 (5) (bs) of the statutes is created to read:

60.77 (5) (bs) Provide direct financial assistance for costs related to the replacement of private sewage systems, as defined in s. 145.01 (12), that are failing. This paragraph does not apply after the last day of the 36th month beginning after the effective date of this paragraph [revisor inserts date].

SECTION 1639. 61.25 (8) of the statutes is amended to read:

61.25 (8) To make a tax roll and deliver the same to the village treasurer; and to make and transmit to the county clerk treasurer, on blanks provided by the department of revenue, a statement showing the assessed valuation of all the property in the village and separately the total amount of all taxes levied therein, including highway and street taxes, for the current year, and the purposes for which they were levied.

SECTION 1640. 61.25 (10) of the statutes is amended to read:

61.25 (10) To notify the treasurer of the county in which the village is located, by ~~March 15~~ February 20, of the proportion of property tax revenue and of the credits under s. 79.10 that is to be disbursed by the county taxation district treasurer to each taxing jurisdiction located in the village.

SECTION 1645g. 61.64 of the statutes is created to read:

61.64 Ambulance service. The village board may purchase, equip, operate and maintain ambulances and contract for ambulance service with one or more providers for conveyance of the sick or injured. The village board may determine and charge a reasonable fee for ambulance service provided under this section.

Vetoed in Part SECTION 1645m. 61.72 of the statutes is amended to read:

61.72 Pest and disease prevention. When a village board shall appropriate money for the control of insect pests, weeds, or plant or animal diseases, the

Vetoed in Part department of agriculture, food and trade and consumer protection upon request of the village board shall cooperate with the village and shall provide technical assistance and direction for the expenditure of such funds.

Vetoed in Part SECTION 1645i. 62.09 (8) (b) of the statutes is amended to read:

62.09 (8) (b). He shall from time to time give the council such information and recommend such measures as he may deem advantageous to the city. When present he shall may preside at the meetings of the council.

SECTION 1646. 62.09 (11) (j) of the statutes is amended to read:

62.09 (11) (j) The clerk shall notify the treasurer of the county in which the city is located, by March 15 February 20, of the proportion of property tax revenue and of the credits under s. 79.10 that is to be disbursed by the county taxation district treasurer to each taxing jurisdiction located in the city.

SECTION 1646m. 62.133 of the statutes is created to read:

62.133 Ambulance service. The common council may purchase, equip, operate and maintain ambulances and contract for ambulance service with one or more providers for conveyance of the sick or injured. The common council may determine and charge a reasonable fee for ambulance service provided under this section.

Vetoed in Part SECTION 1647m. 62.23 (7) (em) of the statutes is amended to read:

62.23 (7) (em) *Historic preservation.* Any A city, as an exercise of its zoning and police powers for the purpose of promoting the health, safety and general welfare of the community and of the state, may regulate by ordinance shall, not later than January 1, 1993, enact an ordinance to regulate any place, structure or object with a special character, historic interest, archeological or aesthetic interest, or other significant value, for the purpose of preserving the place, structure or object and its significant characteristics. The A city may create a landmarks commission to designate historic or archeological landmarks and establish historic districts. The A city may shall regulate all historic or archeological landmarks and all property within each historic district to preserve the historic or archeological landmarks and property within the district and the character of the district.

SECTION 1660am. 63.08 (1) (a) of the statutes is amended to read:

63.08 (1) (a) Any applicant for an examination under s. 63.05 shall be a resident of this state for one year prior to before applying for an examination. The commission may require an applicant to file a written application form which bears upon the applicant's fitness for a vacant position and which the commission deems necessary. For a position offering a skilled, technical or professional service, upon a finding that a

suitable number of qualified applicants cannot be obtained from within the state, the commission may open the examination to residents of other states. For other services the commission may require longer periods of residence within the county for entrance to an examination. Residency in this state may be waived for an applicant for an examination for a position which requires a license in a health care field. No question pertaining to political affiliation or religious faith may be asked of any applicant for an examination.

SECTION 1660ap. 63.32 of the statutes is amended to read:

63.32 Applicants to be examined; character of examinations. All applicants for offices, places or employments in the civil service of such city, except those mentioned in s. 63.27, shall have been be residents of this state for one year prior to before their application for examination, and shall be subject to examination under and in accordance with the rules so made by said commissioners; except that for technical and professional services the commission may open the examination to residents of other states who are citizens of the United States and except, further, that for other services the commission shall not be precluded from requiring longer periods of residence within the city, county or state for entrance to examinations. Such examinations, including minimum training and experience requirements, shall be job-related in compliance with appropriate validation standards and may include tests of physical qualifications, and, when appropriate, of manual skill. All relevant experience, whether paid or unpaid, shall satisfy experience requirements. No otherwise qualified blind persons shall be discriminated against in examination, reexamination, appointment, reappointment, promotion or demotion unless eyesight is absolutely indispensable for the performance of the duties and responsibilities of the position. No question in any examination shall relate to political or religious opinions or affiliations, and no appointment or selection to an office or for employment within the scope of the rules established as aforesaid shall be in any manner affected or influenced by such opinions or affiliations. All such applicants may be examined by a competent physician as to the soundness of their health for the work to be performed. Upon the request of an applicant or an eligible for a civil service position who is blind, the department of health and social services, shall obtain from the city civil service commission a detailed description of all duties entailed by such position and shall investigate the necessity for eyesight in the fulfillment of the duties of any position, and shall determine and report its findings to the civil service commission, as to the physical ability of the applicant, or eligible, to perform the duties of such position. Such findings shall be conclusive as to the physical qualifications of any applicant or eligible so examined.

SECTION 1660b. 63.53 (2) of the statutes is amended to read:

63.53 (2) The following employees are not members of the classified service: the superintendent of schools, deputy superintendent of schools, associate superintendent of schools, ~~secretary-business manager of the board of school directors~~, executive assistant to the superintendent of schools, assistant to the superintendent of schools, community superintendent, division director, department director, principals, teachers and substitute teachers actually engaged in teaching, staff of the board of school directors if the board so decides under s. 119.18 (10) (c), and, in any department of the school board devoted wholly or principally to the subjects of municipal recreation and adult education, all employees of those departments whose duties are peculiar to municipal recreation and adult education but not including employees whose duties are clerical or custodial.

SECTION 1660d. 65.90 (3) (b) (intro.) of the statutes is amended to read:

65.90 (3) (b) (intro.) Any budget summary required under par. (a) (intro.) shall include all of the following for the proposed budget, and the budget in effect and the budget of the preceding year, and shall also include the percentage change between the budget of the current year and the proposed budget:

SECTION 1660e. 65.90 (3) (b) 1 of the statutes is renumbered 65.90 (3) (b) 1. (intro.) and amended to read:

65.90 (3) (b) 1. (intro.) All For the general fund, all expenditures, by major expenditure category, in the following categories:

SECTION 1660f. 65.90 (3) (b) 1. a. to i. of the statutes are created to read:

- 65.90 (3) (b) 1. a. General government.
- b. Public safety.
- c. Public works.
- d. Health and human services.
- e. Culture, recreation and education.
- f. Conservation and development.
- g. Capital outlay.
- h. Debt service.
- i. Other financing uses.

SECTION 1660g. 65.90 (3) (b) 2 of the statutes is renumbered 65.90 (3) (b) 2. (intro.) and amended to read:

65.90 (3) (b) 2. (intro.) All For the general fund, all revenues, by major revenue source, from the following sources:

SECTION 1660gm. 65.90 (3) (b) 2. a. to i. of the statutes are created to read:

- 65.90 (3) (b) 2. a. Taxes.
- b. Special assessments.
- c. Intergovernmental revenues.
- d. Licenses and permits.
- e. Fines, forfeitures and penalties.

- f. Public charges for services.
- g. Intergovernmental charges.
- h. Miscellaneous revenue.
- i. Other financing sources.

SECTION 1660go. 65.90 (3) (b) 3 of the statutes is repealed.

SECTION 1660gr. 65.90 (3) (b) 4 of the statutes is amended to read:

65.90 (3) (b) 4. All beginning and year-end governmental and proprietary fund balances.

SECTION 1660h. 65.90 (3) (b) 5 and 6 of the statutes are created to read:

65.90 (3) (b) 5. The contribution of the property tax to each governmental fund and to each proprietary fund that receives property tax revenue and the totals for all funds.

6. Revenue and expenditure totals, by fund, for each governmental fund, and for each proprietary fund and the revenue and expenditure totals for all funds combined.

SECTION 1660p. 65.90 (3) (bm) of the statutes is repealed and recreated to read:

65.90 (3) (bm) Any budget summary created under par. (a) shall include an itemization of proposed increases and decreases to the current year budget due to new or discontinued activities and functions.

SECTION 1660r. 65.90 (3) (c) of the statutes is amended to read:

65.90 (3) (c) The department of public instruction under s. 115.28, the department of revenue under s. 73.10 and the board of vocational, technical and adult education under s. 38.04 shall encourage and consult with interested public and private organizations regarding the budget summary information required under pars. (a) and (b). The department of public instruction and the board of vocational, technical and adult education shall specify the revenue and expenditure detail that is required under par. (b) 1 and 2 for school districts and for vocational, technical and adult education districts.

SECTION 1660t. 65.90 (3) (d) of the statutes is created to read:

65.90 (3) (d) A municipality may publish any additional budget summary information that its governing body considers necessary, but the additional information shall be reported separately from the information required under pars. (a), (b) and (bm).

SECTION 1660u. 66.013 (2) (a) of the statutes is amended to read:

66.013 (2) (a) "Department" means the department of development administration.

SECTION 1660v. 66.02 of the statutes is amended to read:

66.02 Consolidation. Any town, village or city may be consolidated with a contiguous town, village or city, by ordinance, passed by a two-thirds vote of all the members of each board or council, fixing the terms of the consolidation and ratified by the electors at a

referendum held in each municipality. The ballots shall bear the words, "for consolidation", and "against consolidation", and if a majority of the votes cast thereon in each municipality are for consolidation, the ordinances shall then be in effect and have the force of a contract. The ordinance and the result of the referendum shall be certified as provided in s. 66.018 (5); if a town the certification shall be preserved as provided in ss. 60.03 and 66.018 (5), respectively. Consolidation shall not affect the preexisting rights or liabilities of any municipality and actions thereon may be commenced or completed as though no consolidation had been effected. Any consolidation ordinance proposing the consolidation of a town and another municipality shall, within 10 days after its adoption and prior to its submission to the voters for ratification at a referendum, be submitted to the circuit court and the department of development administration for a determination whether such proposed consolidation is in the public interest. The circuit court shall determine whether the proposed ordinance meets the formal requirements of this section and shall then refer the matter to the department of development administration, which shall find as prescribed in s. 66.014 whether the proposed consolidation is in the public interest in accordance with the standards in s. 66.016. The department's findings shall have the same status as incorporation findings under ss. 66.014 to 66.019.

SECTION 1660w. 66.021 (7) (a), (11) (a) and (c) (intro.), (12) and (15) of the statutes are amended to read:

66.021 (7) (a) An ordinance for the annexation of the territory described in the annexation petition may be enacted by a two-thirds vote of the elected members of the governing body not less than 20 days after the publication of the notice of intention to circulate the petition and not later than 120 days after the date of filing with the city or village clerk of the petition for annexation or of the referendum election if favorable to the annexation. If the annexation is subject to sub. (11) the governing body shall first review the reasons given by the department of development administration that the proposed annexation is against the public interest. Such ordinance may temporarily designate the classification of the annexed area for zoning purposes until the zoning ordinance is amended as prescribed in s. 62.23 (7) (d). Before introduction of an ordinance containing such temporary classification, the proposed classification shall be referred to and recommended by the plan commission. The authority to make such temporary classification shall not be effective when the county ordinance prevails during litigation as provided in s. 59.97 (7).

(11) (a) *Annexations within populous counties.* No annexation proceeding within a county having a population of 50,000 or more as shown by the last federal census shall be valid unless the person causing a notice of annexation to be published pursuant to sub. (3)

shall within 5 days of the publication mail a copy of the notice and a scale map of the proposed annexation to the clerk of each municipality affected and the department of development administration. The department may within 20 days after receipt of the notice mail to the clerk of the town within which the territory lies and to the clerk of the proposed annexing village or city a notice that in its opinion the annexation is against the public interest. No later than 10 days after mailing the notice, the department shall advise the clerk of the town in which the territory is located and the clerk of the village or city to which the annexation is proposed of the reasons the annexation is against the public interest as defined in par. (c). The annexing municipality shall review such advice before final action is taken.

(c) *Definition of public interest.* (intro.) For purposes of this subsection public interest is determined by the department of development administration after consideration of the following:

(12) UNANIMOUS APPROVAL. If a petition for direct annexation signed by all of the electors residing in such territory and the owners of all of the real property in such territory is filed with the city or village clerk, and with the town clerk of the town or towns in which such territory is located, together with a scale map and a description of the property to be annexed, showing the boundaries of such territory and the relation of the territory to the municipalities to which annexation is requested, an annexation ordinance for the annexation of such territory may be enacted by a two-thirds vote of the elected members of the governing body of the city or village without compliance with the notice requirements of sub. (3). In such annexations, subject to sub. (11), the person filing the petition with the city or village clerk and the town clerk shall, within 5 days of such filing, mail a copy of the scale map and a description of the territory to be annexed to the department of development administration and the governing body shall review the advice of the department, if any, before enacting the annexation ordinance.

(15) ANNEXATION OF TOWN ISLANDS. Upon its own motion, a city or village by a two-thirds vote of the entire membership of its governing body may enact an ordinance annexing territory which comprises a portion of a town or towns and which was completely surrounded by territory of the city or village on December 2, 1973. The ordinance shall include all surrounded town areas except those exempt by mutual agreement of all of the governing bodies involved. The annexation ordinance shall contain a description of the territory sufficiently accurate to determine its location, and the name of the town or towns from which such territory is detached. Upon enactment of the ordinance, the city or village clerk immediately shall file 5 certified copies of the ordinance in the office of the secretary of state, together with 5 copies of a scale map showing the boundaries of the territory

annexed. The secretary of state shall forward 2 copies of the ordinance and scale map to the department of transportation, one copy to the department of revenue and one copy to the department of ~~development~~ administration. This subsection does not apply if the town island was created only by the annexation of a railroad right-of-way or drainage ditch. This subsection does not apply to land owned by a town government which has existing town government buildings located thereon. No town island may be annexed under this subsection if the island consists of over 65 acres or contains over 100 residents. After December 2, 1973, no city or village may, by annexation, create a town area which is completely surrounded by the city or village.

SECTION 1662g. 66.03 (13) (bb) of the statutes is amended to read:

66.03 (13) (bb) *Apportionment when court returns territory to former status.* Whenever territory which has been annexed, consolidated, detached or incorporated returns to its former status by reason of a final court determination, there shall be an apportionment of general property taxes and current aids, ~~shared taxes~~ and shared revenues to adjust such assets between the municipalities, and no other apportionment of assets and liabilities. The basis of the apportionment shall be determined by the apportionment board subject to appeal to the circuit court, but the apportionment shall insofar as practicable equitably adjust such assets between the municipalities involved on the basis of the portion of the calendar year the territory was located in the respective municipalities.

SECTION 1662m. 66.04 (2m) of the statutes is created to read:

66.04 (2m) **DELEGATION OF INVESTMENT AUTHORITY.** Any county, city, village, town, school district, drainage district, vocational, technical and adult education district or other governing board, as defined in s. 34.01 (1), may delegate the investment authority over any of its funds not immediately needed to a state or national bank, or trust company, which is authorized to transact business in this state if all of the following conditions are met:

(a) The institution is authorized to exercise trust powers under s. 221.04 (6) or ch. 223.

(b) The governing board renews annually the investment agreement under which it delegates its investment authority, and reviews annually the performance of the institution with which its funds are invested.

SECTION 1663m. 66.05 (1) (b) of the statutes is amended to read:

66.05 (1) (b) ~~Whenever~~ Except as provided in sub. (9), if a municipal governing body, inspector of buildings or designated officer determines that the cost of such repairs would exceed 50 per cent of the assessed value of such building divided by the ratio of the assessed value to the recommended value as last published by the department of revenue for the municipal-

ity within which such building is located, such repairs shall be presumed unreasonable and it shall be presumed for the purposes of this section that such building is a public nuisance.

SECTION 1664m. 66.05 (9) (a) 1 of the statutes is renumbered 66.05 (9) (a) 1m and amended to read:

66.05 (9) (a) 1m. "Historic building" means any building, structure or object listed on, or any building, structure or object within and contributing to a historic district listed on, the national register of historic places in Wisconsin ~~or~~, the state register of historic places or a list of historic places maintained by a municipality.

SECTION 1664p. 66.05 (9) (a) 1 of the statutes is created to read:

66.05 (9) (a) 1. "Cost of repairs" includes the estimated cost of repairs that are necessary to comply with applicable building codes, or other ordinances or regulations, governing the repair or renovation of a historic building.

SECTION 1664s. 66.05 (9) (d) of the statutes is created to read:

66.05 (9) (d) If a municipal governing body, inspector of buildings or designated officer determines that the cost of repairs to a historic building would be less than 85% of the assessed value of the building divided by the ratio of the assessed value to the recommended value as last published by the department of revenue for the municipality within which the historic building is located, such repairs shall be presumed reasonable.

SECTION 1664t. 66.058 (3) (c) (intro.) of the statutes is amended to read:

66.058 (3) (c) (intro.) In addition to the license fee provided in pars. (a) and (b), each local taxing authority shall collect from each mobile home occupying space or lots in a park in the city, town or village, except from mobile homes that constitute improvements to real property under s. 70.043 (1) and from recreational mobile homes and camping trailers as defined in s. 70.111 (19), a monthly parking permit fee computed as follows: On January 1, the assessor shall determine the total fair market value of each mobile home in the taxation district subject to the monthly parking permit fee. The fair market value, minus the tax-exempt household furnishings thus established, shall be equated to the general level of assessment for the prior year on other real and personal property in the district. The value of each mobile home thus determined shall be multiplied by the general property gross tax rate ~~less any credit rate under s. 79.10~~ established on the preceding year's assessment of general property. The total annual parking permit fee thus computed shall be divided by 12 and shall represent the monthly mobile home parking permit fee. The fee shall be applicable to mobile homes moving into the tax district any time during the year. The park operator shall furnish information to the tax district clerk and the assessor on mobile homes added to the park within 5 days after their arrival, on forms prescribed

Vetoed
in Part

by the department of revenue. As soon as the assessor receives the notice of an addition of a mobile home to a park, the assessor shall determine its fair market value and notify the clerk of that determination. The clerk shall equate the fair market value established by the assessor and shall apply the appropriate tax rate, divide the annual parking permit fee thus determined by 12 and notify the mobile home owner of the monthly fee to be collected from the mobile home owner. A municipality, by ordinance, may require the mobile home park operator to collect the monthly parking fee from the mobile home owner. Liability for payment of the fee shall begin on the first day of the next succeeding month and shall remain on the mobile home only for such months as the mobile home remains in the tax district. A new fee and a new valuation shall be established each January and shall continue for that calendar year. The valuation established shall be subject to review as are other values established under ch. 70. If the board of review reduces a valuation on which previous monthly payments have been made the tax district shall refund past excess fee payments. The monthly parking permit fee shall be paid by the mobile home owner to the local taxing authority on or before the 10th of the month following the month for which such parking permit fee is due. No such fee shall be imposed for any space occupied by a mobile home accompanied by an automobile for an accumulating period not to exceed 60 days in any 12 months if the occupants of the mobile home are tourists or vacationists. Exemption certificates in duplicate shall be accepted by the treasurer of the licensing authority from qualified tourists or vacationists in lieu of monthly mobile home parking permit fees. The credit under s. 79.10 (9) (b) 1, as it applies to the assessed improved property of a property taxpayer of a municipality shall apply to the estimated fair market value of a mobile home owned by a resident of the municipality. The credits under s. 79.10 (9) (b) 2 and (bm), as it applies to the principal dwelling on a parcel of taxable property of an owner shall apply to the estimated fair market value of a mobile home that is the principal dwelling of the owner. The owner of the mobile home shall file a claim for the credit with the treasurer of the municipality in which the property is located no later than January 31. To obtain the credit under s. 79.10 (9) (b) 2 or (bm), the owner shall attest on the claim that the mobile home is the owner's principal dwelling, as defined in s. 79.10 (1) (f). The treasurer shall reduce the owner's parking permit fee by the amount of any allowable credit. The treasurer shall furnish notice of all claims for credits filed under this paragraph to the department of revenue as provided under s. 79.10 (1m).

Vetoed
in Part

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Vetoed
in Part

~~SECTION 1673m. 66.075 (1) of the statutes is amended to read:~~

~~66.075 (1). Authority is hereby given to every county and to every city of more than 5,000 inhabi-~~

~~tants to construct and maintain public slaughterhouses upon such conditions and under such regulations as may be imposed by the department of agriculture, food and trade and consumer protection.~~

SECTION 1674c. 66.119 (1) (b) 7. c. of the statutes is amended to read:

66.119 (1) (b) 7. c. That if the alleged violator makes a cash deposit and does not appear in court, ~~either~~ he or she ~~either~~ will be deemed to have tendered a plea of no contest and submitted to a forfeiture, a penalty assessment imposed by s. 165.87 and, a jail assessment imposed by s. 302.46 (1) and any applicable domestic abuse assessment imposed by s. 973.055 (1) not to exceed the amount of the deposit or will be summoned into court to answer the complaint if the court does not accept the plea of no contest.

SECTION 1674d. 66.119 (1) (b) 7. c. of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

66.119 (1) (b) 7. c. That if the alleged violator makes a cash deposit and does not appear in court, he or she either will be deemed to have tendered a plea of no contest and submitted to a forfeiture, a penalty assessment imposed by s. 165.87, a jail assessment imposed by s. 302.46 (1), any applicable domestic abuse assessment imposed by s. 973.055 (1) and an automatic reinstatement assessment imposed by s. 345.54 (1) not to exceed the amount of the deposit or will be summoned into court to answer the complaint if the court does not accept the plea of no contest.

SECTION 1675c. 66.119 (1) (b) 7. d. of the statutes is amended to read:

66.119 (1) (b) 7. d. That if the alleged violator does not make a cash deposit and does not appear in court at the time specified, an action may be commenced against the alleged violator to collect the forfeiture, the penalty assessment imposed by s. 165.87 and, the jail assessment imposed by s. 302.46 (1) and any applicable domestic abuse assessment imposed by s. 973.055 (1).

SECTION 1676d. 66.119 (1) (b) 7. d. of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

66.119 (1) (b) 7. d. That if the alleged violator does not make a cash deposit and does not appear in court at the time specified, an action may be commenced against the alleged violator to collect the forfeiture, the penalty assessment imposed by s. 165.87, the jail assessment imposed by s. 302.46 (1) any applicable domestic abuse assessment imposed by s. 973.055 (1) and the automatic reinstatement assessment imposed by s. 345.54 (1).

SECTION 1677c. 66.119 (1) (c) of the statutes is amended to read:

66.119 (1) (c) An ordinance adopted under par. (a) shall contain a schedule of cash deposits ~~which that~~ are to be required for the various ordinance violations, and for the penalty assessment imposed by s.

165.87 ~~and~~, the jail assessment imposed by s. 302.46 (1) and any applicable domestic abuse assessment imposed by s. 973.055 (1), for which a citation may be issued. The ordinance shall also specify the court, clerk of court or other official to whom cash deposits are to be made and shall require that receipts be given for cash deposits.

SECTION 1677d. 66.119 (1) (c) of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

66.119 (1) (c) An ordinance adopted under par. (a) shall contain a schedule of cash deposits that are to be required for the various ordinance violations, and for the penalty assessment imposed by s. 165.87, the jail assessment imposed by s. 302.46 (1), any applicable domestic abuse assessment imposed by s. 973.055 (1) and the automatic reinstatement assessment imposed by s. 345.54 (1), for which a citation may be issued. The ordinance shall also specify the court, clerk of court or other official to whom cash deposits are to be made and shall require that receipts be given for cash deposits.

SECTION 1678c. 66.119 (3) (a) of the statutes is amended to read:

66.119 (3) (a) The person named as the alleged violator in a citation may appear in court at the time specified in the citation or may mail or deliver personally a cash deposit in the amount, within the time and to the court, clerk of court or other official specified in the citation. If a person makes a cash deposit, the person may nevertheless appear in court at the time specified in the citation, provided that the cash deposit may be retained for application against any forfeiture, penalty assessment ~~or~~, jail assessment ~~which~~ or domestic abuse assessment that may be imposed.

SECTION 1678d. 66.119 (3) (a) of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

66.119 (3) (a) The person named as the alleged violator in a citation may appear in court at the time specified in the citation or may mail or deliver personally a cash deposit in the amount, within the time and to the court, clerk of court or other official specified in the citation. If a person makes a cash deposit, the person may nevertheless appear in court at the time specified in the citation, provided that the cash deposit may be retained for application against any forfeiture, penalty assessment, jail assessment, domestic abuse assessment or automatic reinstatement assessment that may be imposed.

SECTION 1679c. 66.119 (3) (b) of the statutes is amended to read:

66.119 (3) (b) If a person appears in court in response to a citation, the citation may be used as the initial pleading, unless the court directs that a formal complaint be made, and the appearance confers personal jurisdiction over the person. The person may plead guilty, no contest or not guilty. If the person pleads guilty or no contest, the court shall accept the

plea, enter a judgment of guilty and impose a forfeiture, the penalty assessment imposed by s. 165.87 ~~and~~, the jail assessment imposed by s. 302.46 (1) and any applicable domestic abuse assessment imposed by s. 973.055 (1). A plea of not guilty shall put all matters in the case at issue, and the matter shall be set for trial.

SECTION 1679d. 66.119 (3) (b) of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

66.119 (3) (b) If a person appears in court in response to a citation, the citation may be used as the initial pleading, unless the court directs that a formal complaint be made, and the appearance confers personal jurisdiction over the person. The person may plead guilty, no contest or not guilty. If the person pleads guilty or no contest, the court shall accept the plea, enter a judgment of guilty and impose a forfeiture, the penalty assessment imposed by s. 165.87, the jail assessment imposed by s. 302.46 (1), any applicable domestic abuse assessment imposed by s. 973.055 (1) and the automatic reinstatement assessment imposed by s. 345.54 (1). A plea of not guilty shall put all matters in the case at issue, and the matter shall be set for trial.

SECTION 1680c. 66.119 (3) (c) of the statutes is amended to read:

66.119 (3) (c) If the alleged violator makes a cash deposit and fails to appear in court, the citation may serve as the initial pleading and the violator shall be deemed considered to have tendered a plea of no contest and submitted to a forfeiture, the penalty assessment imposed by s. 165.87 ~~and~~, the jail assessment imposed by s. 302.46 (1) and any applicable domestic abuse assessment imposed by s. 973.055 (1) not exceeding the amount of the deposit. The court may either accept the plea of no contest and enter judgment accordingly or reject the plea. If the court accepts the plea of no contest, the defendant may move within 10 days after the date set for the appearance to withdraw the plea of no contest, open the judgment and enter a plea of not guilty if the defendant shows to the satisfaction of the court that the failure to appear was due to mistake, inadvertence, surprise or excusable neglect. If the plea of no contest is accepted and not subsequently changed to a plea of not guilty, no costs or fees may be taxed against the violator, but a penalty assessment ~~and~~, a jail assessment ~~and~~, if applicable, a domestic abuse assessment shall be assessed. If the court rejects the plea of no contest or if the alleged violator does not make a cash deposit and fails to appear in court at the time specified in the citation, an action for collection of the forfeiture, penalty assessment and jail assessment and any applicable domestic abuse assessment may be commenced. A city or village may commence action under s. 66.12 (1) and a county or town may commence action under s. 778.10. The citation may be used as the complaint in the action for the collection of the forfeiture, penalty

assessment and jail assessment and any applicable domestic abuse assessment.

SECTION 1681c. 66.119 (3) (c) of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

66.119 (3) (c) If the alleged violator makes a cash deposit and fails to appear in court, the citation may serve as the initial pleading and the violator shall be deemed to have tendered a plea of no contest and submitted to a forfeiture, the penalty assessment imposed by s. 165.87, the jail assessment imposed by s. 302.46 (1), any applicable domestic abuse assessment imposed by s. 973.055 (1) and the automatic reinstatement assessment imposed by s. 345.54 (1) not exceeding the amount of the deposit. The court may either accept the plea of no contest and enter judgment accordingly or reject the plea. If the court accepts the plea of no contest, the defendant may move within 10 days after the date set for the appearance to withdraw the plea of no contest, open the judgment and enter a plea of not guilty if the defendant shows to the satisfaction of the court that the failure to appear was due to mistake, inadvertence, surprise or excusable neglect. If the plea of no contest is accepted and not subsequently changed to a plea of not guilty, no costs or fees may be taxed against the violator, but a penalty assessment, a jail assessment and an automatic reinstatement assessment and, if applicable, a domestic abuse assessment shall be assessed. If the court rejects the plea of no contest or if the alleged violator does not make a cash deposit and fails to appear in court at the time specified in the citation, an action for collection of the forfeiture, penalty assessment, jail assessment and automatic reinstatement assessment and any applicable domestic abuse assessment may be commenced. A city or village may commence action under s. 66.12 (1) and a county or town may commence action under s. 778.10. The citation may be used as the complaint in the action for the collection of the forfeiture, penalty assessment, jail assessment and automatic reinstatement assessment and any applicable domestic abuse assessment.

SECTION 1683c. 66.12 (1) (b) of the statutes is amended to read:

66.12 (1) (b) Local ordinances, except as provided in this paragraph or ss. 345.20 to 345.53, may contain a provision for stipulation of guilt or no contest of any or all violations under those ordinances, and may designate the manner in which the stipulation is to be made and fix the penalty to be paid. When a person charged with a violation for which stipulation of guilt or no contest is authorized makes a timely stipulation and pays the required penalty and pays the penalty assessment imposed by s. 165.87 ~~and~~, the jail assessment imposed by s. 302.46 (1) and any applicable domestic abuse assessment imposed by s. 973.055 (1) to the designated official, the person need not appear in court and no witness fees or other additional costs

may be taxed unless the local ordinance so provides. A court appearance is required for a violation of a local ordinance in conformity with s. 346.63 (1). The official receiving the penalties shall remit all moneys collected to the treasurer of the county, city, town or village in whose behalf the sum was paid, except that all jail assessments shall be remitted to the county treasurer, within 20 days after its receipt by him or her; and in case of any failure in the payment, the treasurer may collect the payment of the officer by action, in the name of the office, and upon the official bond of the officer, with interest at the rate of 12% per year from the time when it should have been paid. In the case of the penalty assessment imposed by s. 165.87 and any applicable domestic abuse assessment imposed by s. 973.055 (1), the treasurer of the county, city, town or village shall remit to the state treasurer the sum required by law to be paid on the actions so entered during the preceding month on or before the first day of the next succeeding month. The governing body of the county, city, town, village or other municipal subdivision shall by ordinance designate the official to receive the penalties and the terms under which the official shall qualify.

SECTION 1683d. 66.12 (1) (b) of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

66.12 (1) (b) Local ordinances, except as provided in this paragraph or ss. 345.20 to 345.53, may contain a provision for stipulation of guilt or no contest of any or all violations under those ordinances, and may designate the manner in which the stipulation is to be made and fix the penalty to be paid. When a person charged with a violation for which stipulation of guilt or no contest is authorized makes a timely stipulation and pays the required penalty and pays the penalty assessment imposed by s. 165.87, the jail assessment imposed by s. 302.46 (1), any applicable domestic abuse assessment imposed by s. 973.055 (1) and the automatic reinstatement assessment imposed by s. 345.54 (1) to the designated official, the person need not appear in court and no witness fees or other additional costs may be taxed unless the local ordinance so provides. A court appearance is required for a violation of a local ordinance in conformity with s. 346.63 (1). The official receiving the penalties shall remit all moneys collected to the treasurer of the county, city, town or village in whose behalf the sum was paid, except that all jail assessments and automatic reinstatement assessments shall be remitted to the county treasurer, within 20 days after its receipt by him or her; and in case of any failure in the payment, the treasurer may collect the payment of the officer by action, in the name of the office, and upon the official bond of the officer, with interest at the rate of 12% per year from the time when it should have been paid. In the case of the penalty assessment imposed by s. 165.87 and any applicable domestic abuse assessment imposed by s. 973.055 (1), the treasurer of the county,

city, town or village shall remit to the state treasurer the sum required by law to be paid on the actions so entered during the preceding month on or before the first day of the next succeeding month. The governing body of the county, city, town, village or other municipal subdivision shall by ordinance designate the official to receive the penalties and the terms under which the official shall qualify.

SECTION 1683e. 66.12 (3) (b) of the statutes is amended to read:

66.12 (3) (b) All forfeitures and penalties recovered for the violation of any ordinance, resolution or bylaw of any city or village shall be paid into the city or village treasury for the use of the city or village, except as otherwise provided in par. (c), sub. (1) (b) and s. 165.87. The judge shall report and pay into the treasury, quarterly, or at more frequent intervals if so required, all moneys collected belonging to the city or village, which report shall be certified and filed in the office of the treasurer; and the judge shall be entitled to duplicate receipts for such moneys, one of which he or she shall file with the city or village clerk.

SECTION 1683g. 66.12 (3) (c) of the statutes is created to read:

66.12 (3) (c) The entire amount in excess of \$150 of any forfeiture imposed for the violation of any traffic regulation in conformity with ch. 348 shall be transmitted to the county treasurer if the violation occurred on an interstate highway, a state trunk highway or a highway over which the local highway authority does not have primary maintenance responsibility. The county treasurer shall then make payment to the state treasurer as provided in s. 59.20 (8n).

~~SECTION 1683m. 66.124 (1) of the statutes is amended to read:~~

Vetoed
in Part

~~66.124 (1) An employe or agent of a village, city or county designated by the department of health and social services under s. 50.535 (2) or the department of agriculture, food and trade and consumer protection under s. 97.41 may enter, at reasonable hours, any premises for which the village, city or county issues a permit under s. 50.535 (2) or 97.41 to inspect the premises, secure samples or specimens, examine and copy relevant documents and records or obtain photographs or other evidence needed to enforce subch. III of ch. 50, ch. 97 or s. 140.05 (17), relating to those premises. If samples of food are taken, the village, city or county shall pay or offer to pay the market value of those samples. The village, city, county, department of health and social services or department of agriculture, food and trade and consumer protection shall examine the samples and specimens secured and shall conduct other inspections and examinations needed to determine whether there is a violation of subch. III of ch. 50, ch. 97 or s. 140.05 (17), rules adopted by the departments under those statutes, or regulations adopted by the village, city or county under s. 50.535 (2) (g) or 97.41 (7).~~

SECTION 1684c. 66.183 of the statutes, as created by 1989 Wisconsin Act 336, is repealed.

SECTION 1684d. 66.184 of the statutes is amended to read:

66.184 Self-insured health plans. If a city, including a 1st class city, or a village provides health care benefits under its home rule power to its officers and employes on a self-insured basis, the self-insured plan shall comply with ss. 631.90, 631.93 (2) and, 632.87 (5), 632.895 (9) and 632.896.

SECTION 1684m. 66.26 (1) of the statutes is amended to read:

66.26 (1) Territory outside the district which becomes annexed for municipal purposes to a city or village, or is added to a town sanitary district under s. 60.785 (1), which, prior to the annexation or addition, is located entirely within the original district may be added to the district upon receipt by the commission, and the regional planning commission of the region within which the district or the greatest portion of the district is located, of official notice from the city or village that the municipal annexation has occurred or from the town sanitary district that the addition has occurred, except that such territory shall be added under sub. (2) if, within 30 days after receipt of such notice, that regional planning commission files with the commission a written objection to any part of the annexation or addition or the commission issues a written determination disapproving the addition of the territory under this subsection. Failure of the commission to disapprove the addition of the territory under this subsection is subject to review under ch. 227.

~~SECTION 1684r. 66.292 of the statutes is created to read:~~

Vetoed
in Part

~~**66.292 Wage rates on publicly funded private construction projects.** (1) In this section:~~

~~(a) "Area" has the meaning given in s. 103.49 (1) (a).~~

~~(b) "Department" means the department of industry, labor and human relations.~~

~~(c) "Employee" means a person who is employed directly upon the site of a private construction project or who delivers to a private construction project mineral aggregate, such as sand, gravel or stone, that is incorporated into the private construction project by depositing the material substantially in place, directly or through spreaders, from the transporting vehicle. "Employee" does not include a person who is engaged in the processing or manufacture of materials or products or in the delivery of processed or manufactured materials or products by or for a commercial establishment that has a fixed place of business from which it regularly supplies processed or manufactured materials or products.~~

~~(d) "Hourly basic rate" has the meaning given in s. 103.49 (1) (b).~~

~~(e) "Municipality" means a county, city, village, town, school district, board of school directors, sewer~~

Vetoed
in Part

~~district, drainage district, vocational, technical and adult education district or any other public or quasi-public corporation, officer, board or other body having the authority to award financial assistance for private construction projects.~~

~~(f) "Prevailing hours of labor" has the meaning given in s. 103.49 (1) (c).~~

~~(g) "Prevailing wage rate" has the meaning given in s. 103.49 (1) (d).~~

~~(h) "Private construction project" means the construction, installation, remodeling or repair of any building, or any other construction project, to which s. 66.293 does not apply.~~

~~(2) Any municipality that provides financial assistance to any person for a private construction project shall require that the person that receives that financial assistance, and any subcontractor, agent or other person doing or contracting to do all or part of the work on that private construction project, pay to all employees the prevailing wage rate for all hours worked within the prevailing hours of labor and, for hours worked in excess of the prevailing hours of labor, 1.5 times the hourly basic rate of pay.~~

~~(3) Before providing financial assistance to any person for a private construction project, a municipality shall request the department to ascertain the prevailing wage rates, prevailing hours of labor and hourly basic rates of pay in the area in which the private construction project is to be done for all trades and occupations required in the private construction project under contemplation. The department shall notify the municipality of its determination within 30 days after the date of the request.~~

~~(4) Section 101.02 (5) (f), (12), (13) and (14) applies to this section. Section 111.322 (2m) applies to discharge or other discriminatory acts arising in connection with any proceeding under this section.~~

SECTION 1685. 66.30 (1) (a) of the statutes is amended to read:

66.30 (1) (a) In this section "municipality" means the state or any department or agency thereof, or any city, village, town, county, school district, public library system, public inland lake protection and rehabilitation district, sanitary district, farm drainage district, metropolitan sewerage district, sewer utility district, solid waste management system created under s. 59.07 (135), water utility district, mosquito control district, municipal electric company, county or city transit commission, commission created by contract under this section, taxation district or regional planning commission.

SECTION 1685m. 66.30 (2m) (e) of the statutes is amended to read:

66.30 (2m) (e) The corporation may receive gifts and grants and be subject to their use, control and investment as provided in s. 118.27, and the transfer of the property to the corporation shall be exempt from income, franchise, inheritance, estate and gift taxes.

SECTION 1685n. 66.30 (2m) (e) of the statutes, as affected by 1987 Wisconsin Act 27 and 1991 Wisconsin Act (this act), is repealed and recreated to read:

66.30 (2m) (e) The corporation may receive gifts and grants and be subject to their use, control and investment as provided in s. 118.27, and the transfer of the property to the corporation shall be exempt from income, franchise and death taxes.

~~SECTION 1689e. 66.325 (2) of the statutes is amended to read:~~

~~66.325 (2) The emergency power of the governing body herewith conferred includes the general authority to order, by ordinance or resolution, whatever is necessary and expedient for the health, safety, welfare and good order of such municipality in such emergency and shall include without limitation because of enumeration the power to bar, restrict or remove all unnecessary traffic, both vehicular and pedestrian, from the local highways, except as provided in s. 166.25 (4), notwithstanding any provision of chs. 341 to 349 or any other provisions of law. The governing body may provide penalties for violation of any emergency ordinance or resolution not to exceed a \$100 forfeiture or, in default of payment thereof 6 months' imprisonment for each separate offense.~~

~~SECTION 1689g. 66.33 (5) of the statutes is amended to read:~~

~~66.33 (5) Any municipality may participate in the state financial assistance program for soil and water resources protection established under s. 144.21, 144.24 or 144.25 and may enter into agreements with the department of natural resources for that purpose. Any municipality may participate in the clean water fund program under ss. 144.241 and 144.2415 and may enter into agreements with the department of administration and the department of natural resources for that purpose. Any county may participate in the state financial assistance program for soil and water resources protection established under s. 92.14 and may enter into agreements with the department of agriculture, food and trade and consumer protection for that purpose.~~

~~SECTION 1689h. 66.35 (title) of the statutes is amended to read:~~

~~66.35 (title) Medical waste.~~

~~SECTION 1689i. 66.35 (3) of the statutes is created to read:~~

~~66.35 (3) A municipality may limit the hours of operation of a medical waste incinerator located in the municipality and may restrict the routes and hours for transporting medical waste in the municipality.~~

SECTION 1689j. 66.375 of the statutes is created to read:

66.375 Municipal rent control prohibited. (1) No city, village, town or county may regulate the amount of rent or fees charged for the use of a residential rental dwelling unit.

Vetoed
in Part

Vetoed
in Part

Vetoed
in Part

(2) This section does not prohibit a city, village, town, county or housing authority or the Wisconsin housing and economic development authority from doing any of the following:

(a) Entering into a rental agreement which regulates rent or fees charged for the use of a residential rental dwelling unit it owns or operates.

(b) Entering into an agreement with a private person who regulates rent or fees charged for a residential rental dwelling unit.

SECTION 1689L. 66.39 (7) (m) of the statutes is amended to read:

66.39 (7) (m) The bonds, notes, debentures or other evidences of indebtedness executed by an authority shall not be a debt or charge against any county, state or other governmental authority, other than against said housing authority itself and its available property, income or other assets in accordance with the terms thereof and of this section, and no individual liability shall attach for any official act done by any member of such authority. No such authority shall have the power to levy any tax or assessment. Provided, however, that for income or franchise tax purposes such bonds, notes, debentures or other evidences of indebtedness shall be deemed obligations of a political subdivision of this state.

SECTION 1689Li. 66.433 (6) of the statutes is amended to read:

66.433 (6) OPEN MEETINGS. All meetings of the commission and its consulting committees shall be publicly held and open to all citizens at all times as required by subch. IV V of ch. 19.

SECTION 1689Lm. 66.521 (1) (a) of the statutes is amended to read:

66.521 (1) (a) It is found and declared that industries located in this state have been induced to move their operations in whole or in part to, or to expand their operations in, other states to the detriment of state, county and municipal revenue raising through the loss or reduction of income and franchise taxes, real estate and other local taxes, and thereby causing an increase in unemployment; 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 commerce, industry and manufacturing; 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 industrial buildings 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.

SECTION 1689Lr. 66.60 (1) (a) of the statutes is amended to read:

66.60 (1) (a) Except as provided in sub. subs. (6m) and (19), as a complete alternative to all other methods provided by law, any city, town or village may, by resolution of its governing body, levy and collect special assessments upon property in a limited and determinable area for special benefits conferred upon such property by any municipal work or improvement, and may provide for the payment of all or any part of the cost of the work or improvement out of the proceeds of such special assessments.

SECTION 1689m. 66.60 (4) of the statutes 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, If property of the state may be subject to assessment under s. 66.64, the municipal clerk shall file a copy of the report shall also be filed with the state agency which manages the property and, if, If the assessment of to the property of the state for a project, as defined under s. 66.64 (2), is \$50,000 or more, the state agency shall submit a request for approval of the assessment, with its recommendation, to the building commission. The building commission shall review the assessment and shall determine within 90 days of receipt of the date on which the commission receives 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. If the building commission so determines, it shall approve the assessment. No project in which the property of the state is assessed at \$50,000 or more may be commenced and no contract on such project may be let without the approval of the assessment by the building commission under this subsection. The building commission shall submit a copy of its decision determination under this subsection to the state agency which manages the property which is the subject of the decision determination.

SECTION 1689n. 66.60 (19) of the statutes is amended to read:

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~~66.60(19) A 1st class city may not assess and collect a special assessment under this section against any parcel of land to which all of the following conditions apply:~~

~~(a) The parcel of land is in a blighted area, as defined in s. 66.43 (3) (a).~~

~~(b) The city held the title to the parcel within 5 years before the date of the special assessment.~~

~~(c) The title to the parcel of land was transferred from the city to the owner of an adjacent parcel of land after January 1, 1987.~~

SECTION 1689nn. 66.606 (4) of the statutes is created to read:

66.606 (4) Subsections (1) to (3) do not authorize a responsible unit to impose a restriction, tax or fee on packaging for a purpose relating to the disposal of the packaging.

SECTION 1689nr. 66.74 of the statutes is amended to read:

66.74 Assessment on racing prohibited. Notwithstanding subch. V of ch. 77, no county, town, city or village may levy or collect from any licensee, as defined in s. 562.01 (7), any fee, tax or assessment on any wager in any race, as defined in s. 562.01 (10), or on any admission to any racetrack, as defined in s. 562.01 (12), except as provided in s. 562.08.

SECTION 1689nt. 66.886 (6) of the statutes is amended to read:

66.886 (6) RECORDS; MEETINGS. All records of the commission are subject to subch. II of ch. 19. Subchapter IV V of ch. 19 governs all meetings of the commission.

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~~SECTION 1689nl. 66.891 of the statutes is created to read:~~

~~66.891 Optional duties of the commission. Subject to ss. 66.88 to 66.918, and subject to permit and other requirements contained in chs. 30, 31, 144 and 147, the commission may project, plan, design, construct, maintain and operate programs, facilities, buildings, structures and devices including dams, aerators, dredging operations, debris collection and bank restoration, to improve and maintain surface water quality within the district's service area to support the propagation of shellfish, fish and wildlife and to permit recreation both in and on such surface water.~~

SECTION 1689p. 66.905 (title) and (1) (a) of the statutes are amended to read:

66.905 (title) Minority business development and training program.

(1) (a) "Minority business" means a sole proprietorship, partnership, joint venture or corporation that is at least 51% owned and controlled by one or more minority group members and that is engaged in construction or construction-related activities.

SECTION 1689pc. 66.905 (2) of the statutes is renumbered 66.905 (2) (a) and amended to read:

66.905 (2) (a) From the amounts allocated for purposes of this section under s. 20.866 (2) (to), the district shall fund a ~~demonstration~~ development and training program for the purpose of developing the capability of minority businesses to participate in construction and construction-related projects funded under the combined sewer overflow abatement program under s. 144.242.

SECTION 1689pd. 66.905 (2) (b) and (c) of the statutes are created to read:

66.905 (2) (b) From the amounts allocated for purposes of this section under s. 20.866 (2) (tc), the district shall fund a development and training program for the purpose of developing the capability of minority businesses to participate in construction and construction-related projects funded under the clean water fund program under ss. 144.241 and 144.2415.

(c) The district may implement the training programs under pars. (a) and (b) directly, or may contract under this section for the implementation of these training programs.

SECTION 1689pf. 66.905 (3m) of the statutes is repealed.

SECTION 1689pi. 66.905 (5) of the statutes is amended to read:

66.905 (5) AWARD OF CONTRACT. For each contract to be awarded under this section, the executive director shall select from among all applicants the proposal that best meets the requirements under sub. (3), taking into consideration the cost of implementing the proposal. ~~Before approving a prime contract, the district shall evaluate any proposal of a subcontractor under sub. (3m) (b).~~ The district shall award contracts to the applicants selected by the executive director under this subsection.

SECTION 1689pk. 66.905 (6) of the statutes is renumbered 66.905 (6) (intro.) and amended to read:

66.905 (6) (title) REVIEW AND IMPLEMENTATION COMMITTEE. (intro.) The executive director may establish a committee to assist him or her in reviewing all of the following areas:

(a) Reviewing proposals and selecting the prime contractors to which contracts will be awarded.

SECTION 1689pL. 66.905 (6) (b) of the statutes is created to read:

66.905 (6) (b) Developing the implementation plan that is required under sub. (7).

SECTION 1689pn. 66.905 (7) of the statutes is renumbered 66.905 (7) (a) (intro.) and amended to read:

66.905 (7) (a) (intro.) The executive director shall develop a plan for the expeditious implementation of the ~~program~~ programs created under this section ~~and that does all of the following:~~

(b) The executive director shall submit the plan to the secretary of natural resources for review and comment. The secretary of natural resources shall provide

the executive director with comments or recommendations for changes in the plan, if any, within 30 days after the plan is submitted. No contracts may be awarded under sub. (5) until 30 days after the date the plan is submitted to the secretary of natural resources or until the date the executive director receives the secretary's comments or recommendations, whichever is earlier.

SECTION 1689pp. 66.905 (7) (a) 1 to 4 of the statutes are created to read:

66.905 (7) (a) 1. Provides for the training of minority group members in construction and construction-related trades and occupations.

2. Provides for management and technical assistance to minority group members in construction and construction-related businesses.

3. Provides other management services necessary to assist minority businesses in developing construction-related capabilities and opportunities for participation in construction projects.

4. Provides for the development of a program that enables minority participation in specific components of contracts awarded for the purpose of developing the technical capabilities of minority businesses.

SECTION 1689ps. 66.91 (1m) of the statutes is created to read:

66.91 (1m) INVESTMENT OF FUNDS. Notwithstanding any of the limits or restrictions in ss. 66.066 (2) (d) and (f), 66.069 (1) (c) and 67.11 (2) on the debt instruments in which the district or commission may invest any of its funds that are not immediately needed, the district may invest any such funds in any of the following:

(a) A debt instrument listed under s. 66.04 (2).

(b) Bankers' acceptances, of state or federally chartered banks, that are eligible for purchase by the federal reserve system.

SECTION 1689pu. 66.911 of the statutes is created to read:

66.911 Minority financial advisers and investment firms. (1) In this section, "minority financial adviser" and "minority investment firm" mean a financial adviser and investment firm, respectively, certified by the department of development under s. 560.036 (2).

(2) The commission shall attempt to ensure that 5% of the total funds expended for financial and investment analysis and for common stock and convertible bond brokerage commissions in each fiscal year is expended for the services of minority financial advisers or minority investment firms.

SECTION 1689q. 66.94 (5) (c) of the statutes is amended to read:

66.94 (5) (c) *Tax equivalent.* In lieu of the property taxes levied under subch. I of ch. 76, and in lieu of the income or franchise taxes levied under ch. 71 which, but for par. (b), would be due and payable as the state's share of such property and income taxes, there shall be paid to the state treasurer, as a tax equivalent but not in excess of the state's current share of said

property taxes and income or franchise taxes, the net revenues of the next preceding year, after the payment of (1) all operating costs, including all charges which may be incurred pursuant to subs. (29) and (34) and all other costs and charges incidental to the operation of the transportation system; (2) interest on and principal of all bonds payable from said revenues and to meet all other charges upon such revenues as provided by any trust agreement executed by the authority in connection with the issuance of bonds or certificates; (3) all costs and charges incurred pursuant to subs. (32) and (33) and any other costs and charges for acquisition, installation, construction or replacement or reconstruction of equipment, structures or rights-of-way not financed through the issuance of bonds or certificates under sub. (15); and (4) any compensation required to be paid to any municipality for the use of streets, viaducts, bridges, subways and other public ways. Deficiencies in any annual tax equivalent shall not be cumulative.

~~SECTION 1690m. 66.955 (3) of the statutes is amended to read:~~

~~66.955 (3) The department of natural resources may conduct research on the control of nuisance weeds. The secretaries of natural resources and of agriculture, food and trade and consumer protection may authorize any person to plant or cultivate nuisance weeds for the purpose of controlled experimentation.~~

SECTION 1691. 66.96 (5) of the statutes is created to read:

66.96 (5) This section does not apply to Canada thistle or annual noxious weeds that are located on land that the department of natural resources owns, occupies or controls and that is maintained in whole or in part as habitat for wild birds by the department of natural resources.

SECTION 1692. 66.98 (1) of the statutes is amended to read:

66.98 (1) Every weed commissioner shall carefully investigate concerning the existence of noxious weeds in the district; and if any person therein neglects to destroy any weeds as required by s. 66.96, the weed commissioner shall, after first giving 5 days' written notice by mail to the owner or occupant and in cities and villages without giving such written notice, destroy or cause all such weeds to be destroyed, in the manner deemed to be the most economical method, and for each day devoted to doing so the weed commissioner shall receive such compensation as is determined by the town board, village board or city council upon presenting to the proper treasurer the account therefor, verified by oath and approved by the appointing officer. Such account shall specify by separate items the amount chargeable to each piece of land, describing the same, and shall, after being paid by the treasurer, be filed with town, city or village clerk, who shall enter the amount chargeable to each tract of land in the next tax roll in a column headed

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"For the Destruction of Weeds", as a tax on the lands upon which such weeds were destroyed, which tax shall be collected under ch. 74, except in case of lands which are exempt from taxation in the usual way. A delinquent tax may be collected as is a delinquent real property tax under chs. 74 and 75 or as is a delinquent personal property tax under ch. 74. In case of railroad or other lands not taxed in the usual way the amount chargeable against the same shall be certified by the town, city or village clerk to the state treasurer who shall add the amount designated therein to the sum due from the company owning, occupying or controlling the lands specified, and the treasurer shall collect the same therefrom as prescribed in subch. I of ch. 76, and return the amount collected to the town, city or village from which such certificate was received. Any such commissioner may after written notice given as herein provided and in cities and villages without giving such written notice, enter upon any lands that are not exempt under s. 66.96 (5) and upon which any of the weeds mentioned in s. 66.96 are growing, and cut or otherwise destroy them, without being liable to an action for trespass or any other action for damages resulting from such entry and destruction, if reasonable care is exercised in the performance of the duty hereby imposed.

SECTION 1693. 69.01 (26) of the statutes is amended to read:

69.01 (26) "Vital records" means certificates of birth, death, divorce or annulment, marriage documents, fetal death reports and data related thereto.

SECTION 1694. 69.22 (1) (a) of the statutes is amended to read:

69.22 (1) (a) Except as provided under par. (c), \$5 \$7 for issuing one certified copy of a vital record and \$2 for any additional certified copy of the same vital record issued at the same time.

SECTION 1695. 69.22 (1) (b) of the statutes is amended to read:

69.22 (1) (b) Except as provided under par. (c), \$5 \$7 for any uncertified copy of a vital record issued under s. 69.21 (2) or for verifying information submitted by a requester without issuance of a copy.

SECTION 1696. 69.22 (1) (c) of the statutes is amended to read:

69.22 (1) (c) ~~Eight~~ Ten dollars for issuing a copy of a birth certificate, \$3 \$5 of which shall be forwarded to the state treasurer and credited to the appropriations under s. 20.433 (1) (g) and (h).

SECTION 1697. 69.22 (2) of the statutes is amended to read:

69.22 (2) The state registrar and any local registrar may charge \$5 \$7 for a search of vital records if the registrar finds no record. In addition to the \$5 \$7, a registrar may charge a fee to cover the costs of a search of vital records if the requester provides no identifying information or identifying information which is imprecise or inadequate.

SECTION 1698. 69.22 (5) (b) 2 of the statutes is amended to read:

69.22 (5) (b) 2. The filing of a birth certificate under s. 69.14 (2) (b) 5. The fee under this subdivision includes the search for the birth certificate and the first copy of the certificate except that the state registrar shall add to the \$20 fee, the \$3 \$5 fee required under sub. (1) (c).

SECTION 1699. 69.60 of the statutes is amended to read:

69.60 Taxes and bonds. The clerk of each town and, city, and of each village which collects its taxes independently of the town, and the town clerk of each town in which any village is situated, the taxes for which village are collected by the town treasurer, shall annually, at the time required by law to deliver the tax roll to the town, city or village treasurer, make out and transmit to the county clerk treasurer, on blanks furnished by the department of revenue, a statement showing the assessed valuation of all property within the town, city or village, and separately the total amount of all taxes levied therein by said town, city or village, including school district, vocational, technical and adult education district, highway, street and sidewalk taxes for the current year, and the total amount of all special assessments made, assessed or levied during the year irrespective of the manner or time of collection and the purposes for which the same were levied; also a complete and detailed statement of the bonded and other indebtedness of the town, city or village, and of the accrued interest, if any, remaining unpaid, and the purposes for which said indebtedness was incurred.

~~SECTION 1699m. 69.60 of the statutes is amended to read:~~

~~**69.60 Agricultural statistics.** The department of agriculture, food and trade and consumer protection may collect statistics in relation to principal farm products and agricultural resources as may be necessary through the use of mail surveys and other appropriate means.~~

SECTION 1700. 69.67 of the statutes is amended to read:

69.67 Returns may be sent for; expense. If any town, city or village clerk fails or neglects to transmit to the county clerk treasurer the statement required by s. 69.60 for 10 days after the time required by law to transmit or make the same, the county clerk treasurer shall in either case send a messenger to such clerk who has so failed or neglected to procure the same, and such messenger shall be entitled to receive \$3 per day and 10 cents per mile for each mile necessarily traveled in the discharge of duty, to be paid out of the county treasury on the order of the chairperson of the county board and county clerk treasurer. The amount so paid shall be charged to the proper town, city or village and added to and collected with the next county tax apportioned thereto. The county clerk treasurer

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shall, immediately after having sent any such messenger, notify the treasurer of the proper town, city or village of the amount of expense so incurred, and the treasurer shall deduct that amount from the compensation of the delinquent clerk.

SECTION 1701. 70.05 (5) (a) 1m of the statutes is created to read:

70.05 (5) (a) 1m. "Class of property" means residential under s. 70.32 (2) (a) 1 or (b) 1; commercial under s. 70.32 (2) (a) 2 or (b) 2; personal property; or the sum of agricultural under s. 70.32 (2) (a) 4 or (b) 4, swamp or waste under s. 70.32 (2) (b) 5 and productive forest land under s. 70.32 (2) (b) 6.

SECTION 1702. 70.05 (5) (a) 3 of the statutes is amended to read:

70.05 (5) (a) 3. "Major class of property" means any class ~~which~~ of property that includes more than 5% of the full value of the taxation district.

SECTION 1703. 70.05 (5) (c) of the statutes, as affected by 1987 Wisconsin Act 399, is repealed and recreated to read:

70.05 (5) (c) Annually beginning in 1992, the department of revenue shall determine the ratio of the assessed value to the full value of all taxable general property and of each major class of property of each taxation district and publish its findings in the report required under s. 73.06 (5).

SECTION 1704. 70.05 (5) (d) of the statutes is amended to read:

70.05 (5) (d) If the department of revenue determines that the assessed value of the each major class of property of a taxation district, including 1st class cities, has not been established within 10% of the full value of the same major class of property during the same year at least once during the 4-year period consisting of the current year and the 3 preceding years, the department shall notify the clerk of the taxation district of its intention to proceed under par. (e) (f) if the taxation district's assessed value of each major class of property for the subsequent year is not within 10% of the full value of the same major class of property. The department's notice shall be in writing and mailed to the clerk of the taxation district on or before November 1 of the year of the determination.

SECTION 1705. 70.05 (5) (e) of the statutes is repealed.

SECTION 1706. 70.05 (5) (f) and (g) of the statutes are amended to read:

70.05 (5) (f) ~~Beginning in 1992, if~~ If, in the year after the notice under par. (d), the department of revenue determines that the assessed value of the each major class of property of a taxation district, including 1st class cities, has not been established so that the ratios of assessed value to full value of any 2 major classes of property under s. 70.32 (2) are within 10% of each other at least once during the 4-year period consisting of the current year and the 3 preceding years the full value of the same major class of property, the department shall notify the clerk of the taxation district in

writing on or before November 1 of the year of determination that the district's assessment staff is required to participate in the program under s. 73.08 (3) during the next year.

(g) If, in the year after the year in which a taxation district's assessment staff participates in the program under s. 73.08 (3), the department of revenue determines that the ~~ratios of assessed value to full value of any 2 major classes of each major class of property under s. 70.32 (2) are~~ is not within 10% of each other the full value of the same major class of property, the department shall order special supervision under s. 70.75 (3) for that taxation district for the succeeding year's assessment. That order shall be in writing and shall be mailed to the clerk of the taxation district on or before November 1 of the year of the determination.

~~SECTION 1706. 70.11 (2) of the statutes is renumbered 70.11 (2) (a) and amended to read:~~

~~70.11 (2) (a) Property owned by any county, city, village, town, school district, vocational, technical and adult education district, public inland lake protection and rehabilitation district, metropolitan sewerage district, municipal water district created under s. 198.22 or town sanitary district, lands belonging to cities of any other state used for public parks, and land tax-deeded to any county or city before January 2, but any.~~

~~(b) The exemption in par. (a) does not apply to the following:~~

~~1. Any residence located upon property owned by the a county for park purposes which is rented out by the county for a nonpark purpose shall not be exempt from taxation. Except as to land acquired under s. 59.965 (2) (d) this exemption shall not apply to land.~~

~~2. Land conveyed after August 17, 1961, to any such governmental unit or for its benefit while the grantor or others for his or her benefit are permitted to occupy the land or part thereof in consideration for the conveyance. Leasing the property exempt under this subsection, regardless of the lessee and the use of the lessee's income, does not render that property taxable, except land acquired under s. 59.965 (2) (d).~~

~~SECTION 1706g. 70.11 (2) (b) 3 of the statutes is created to read:~~

~~70.11 (2) (b) 3. Land that is leased to another person unless 3 of the taxing jurisdictions, including the town, city or village, county, school district, and vocational, technical and adult education district, in which the land is located consent, by adopting a resolution, to the exemption despite the lessee and the lessee's use of the land. Consent is required even if the lease is in effect on the effective date of this subdivision. ... [revisor inserts date]. If the land is within more than one municipality, county, school district or vocational, technical and adult education district, only the jurisdiction of that type that includes the part of the land having the greatest value may consent. Renewal, extension and transfer of the lease and a material~~

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Vetoed in Part change in the use of the land invalidate the existing consent under this subdivision. Leasing the land, regardless of the lessee and the use of the leasehold income, does not render the property taxable if consent is given.

Vetoed in Part SECTION 1706m. 70.11 (4) of the statutes is renumbered 70.11 (4) (b) and amended to read:

70.11 (4) (b) Property owned and used exclusively by educational institutions offering regular courses 6 months in the year; or by churches or religious, educational or benevolent charitable associations, including benevolent nursing homes that are exempt from taxation under section 501 (c) (3) of the internal revenue code and retirement homes for the aged that are exempt from taxation under section 501 (c) (3) of the internal revenue code, and also including property owned and used for housing for pastors and their ordained assistants, members of religious orders and communities, and ordained teachers, whether or not contiguous to and a part of other property owned and used by such associations or churches; or by women's clubs; or by domestic, incorporated historical societies; or by domestic, incorporated, free public library associations; or by fraternal societies operating under the lodge system (except university, college and high school fraternities and sororities), but not exceeding 10 acres of land necessary for location and convenience of buildings while such property is not used for profit. Property owned by churches or religious associations necessary for location and convenience of buildings, used for educational purposes and not for profit, shall not be subject to the 10-acre limitation but shall be subject to a 30-acre limitation. Property that is exempt from taxation under this subsection and is leased remains exempt from taxation only if, in addition to the requirements specified in the introductory phrase of this section, the lessee does not discriminate on the basis of race.

SECTION 1706r. 70.11 (4) (a) of the statutes is created to read:

70.11 (4) (a) In this subsection, "charitable association" means an entity that is exempt from taxation under section 501 (c) (3) of the internal revenue code.

SECTION 1706t. 70.11 (8) of the statutes is repealed and recreated to read:

70.11 (8) TAXED IN PART. Property that is exempt under this section and that is used in part in a trade or business for which the owner of the property is subject to taxation under sections 511 to 515 of the internal revenue code, as defined in s. 71.22 (4m), shall be assessed for taxation at that portion of the fair market value of the property that is attributable to the part of the property that is used in the unrelated trade or business. This subsection does not apply to property that is leased by an exempt organization to another person or to property that is exempt under sub. (34).

SECTION 1707. 70.11 (13m) of the statutes is amended to read:

70.11 (13m) ARCHAEOLOGICAL SITES. Archaeological sites and contiguous lands identified under s. 44.02 (23) if the property is subject to a permanent easement, covenant or similar restriction running with the land and if that easement, covenant or restriction is held by the state historical society or by an entity approved by the state historical society and protects the archaeological features of the property.

SECTION 1707m. 70.11 (15g) of the statutes is created to read:

70.11 (15g) BARNYARD RUNOFF CONTROL. Any facility or system used on a farm the principal purpose of which is to control barnyard runoff if a county land conservation committee certifies that that facility or system meets appropriate nonpoint source water pollution control standards.

SECTION 1709. 70.11 (21) (f) of the statutes is amended to read:

70.11 (21) (f) If property about which a statement has been filed under par. (c) is determined to be taxable, the owner may appeal that determination to the tax appeals commission under s. 73.01 (5) (a), except that assessments under s. 76.07 shall be appealed under s. 76.08 and except that assessments under s. 70.995 (5) shall be appealed under s. 70.995 (8).

SECTION 1710. 70.11 (27) of the statutes is repealed and recreated to read:

70.11 (27) MANUFACTURING MACHINERY AND SPECIFIC PROCESSING EQUIPMENT. (a) In this subsection:

1. "Building" means any structure used for sheltering people, machinery, animals or plants; storing property; or working, office, parking, sales or display space.

2. "Machinery" means a structure or assemblage of parts that transmits forces, motion or energy from one part to another in a predetermined way by electrical, mechanical or chemical means, but "machinery" does not include a building.

3. "Manufacturing" means engaging in an activity classified as manufacturing under s. 70.995.

4. "Power wiring" means bus duct, secondary service wiring or other wiring that is used exclusively to provide electrical service to production machines that are exempt under par. (b). "Power wiring" does not include transformers.

5. "Production process" means the manufacturing activities beginning with conveyance of raw materials from plant inventory to a work point of the same plant and ending with conveyance of the finished product to the place of first storage on the plant premises, including conveyance of work in process directly from one manufacturing operation to another in the same plant, including the holding for 3 days or less of work in process to ensure the uninterrupted flow of all or part of the production process and including quality control activities during the time period specified in this subdivision but excluding storage, machine repair and maintenance, research and development, plant

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communication, advertising, marketing, plant engineering, plant housekeeping and employee safety and fire prevention activities; and excluding generating, transmitting, transforming and furnishing electric current for light or heat; generating and furnishing steam; supplying hot water for heat, power or manufacturing; and generating and furnishing gas for lighting or fuel or both.

6. "Specific processing equipment" means containers for chemical action, mixing or temporary holding of work in process to ensure the uninterrupted flow of all or part of the production process, process piping, tools, implements and quality control equipment.

6m. "Storage" means the holding or safekeeping of raw materials or components before introduction into the production process; the holding, safekeeping or preservation of work in process or of components outside the production process; and the holding or safekeeping of finished products or of components after completion of the production process; whether or not any natural processes occur during that holding, safekeeping or preservation; but "storage" does not include the holding for 3 days or less of work in process to ensure the uninterrupted flow of all or part of the production process.

7. "Used directly" means used so as to cause a physical or chemical change in raw materials or to cause a movement of raw materials, work in process or finished products.

8. "Used exclusively" means to the exclusion of all other uses except for other use not exceeding 5% of total use.

(b) Machinery and specific processing equipment; and repair parts, replacement machines, safety attachments and special foundations for that machinery and equipment; that are used exclusively and directly in the production process in manufacturing tangible personal property, regardless of their attachment to real property, but not including buildings. The exemption under this paragraph shall be strictly construed.

SECTION 1710m. 70.11 (35) of the statutes is created to read:

70.11 (35) CULTURAL AND ARCHITECTURAL LANDMARKS. Property described in s. 234.935 (1).

Vetoed in Part SECTION 1710r. 70.111 (18) of the statutes is amended to read:

70.111 (18) SOLAR AND WIND ENERGY SYSTEMS. Solar energy systems and wind energy systems. In this subsection, "solar energy system" means equipment which directly converts and then transfers or stores solar energy into usable forms of thermal or electrical energy, but does not include equipment or components that would be present as part of a conventional energy system or a system that operates without mechanical means. In this subsection, "wind energy system" means equipment which converts and then transfers or stores energy from the wind into usable forms of energy, but does not include equipment or components that would be present as part of a con-

ventional energy system. The exemption under this subsection is effective until December 31, 1995. Vetoed in Part

SECTION 1711. 70.113 (4) of the statutes, as created by 1989 Wisconsin Act 336, is amended to read:

70.113 (4) For ~~lands~~ land acquired after ~~January 1, 1992~~ December 31, 1991, aids shall be paid under s. 70.114 and not under this section.

SECTION 1712. 70.114 (1) (b) of the statutes is amended to read:

70.114 (1) (b) "Estimated value", for the year during which ~~the lands are~~ land is purchased, means the purchase price and, for later years, means the value that was used for calculating the aid payment under this section for the prior year increased or decreased to reflect the annual percentage change in the equalized valuation of all ~~land property~~, excluding improvements, in the taxation district, as determined by comparing the most recent determination of equalized valuation under s. 70.57 for that ~~land property~~ to the next preceding determination of equalized valuation under s. 70.57 for that ~~land property~~.

SECTION 1713. 70.114 (1) (c) of the statutes is amended to read:

70.114 (1) (c) "~~Lands~~" "Land" means state forests, as defined in s. 28.02 (1), that are acquired after ~~January 1, 1992~~ December 31, 1991, state parks that are acquired after ~~January 1, 1992~~ December 31, 1991, under s. 27.01 and other ~~lands areas~~ that are acquired after ~~January 1, 1992~~ December 31, 1991, under s. 23.09 (2) (d), 23.091, 23.27, 23.29, 23.293, 23.31 or 29.571 (1).

SECTION 1714. 70.114 (2) of the statutes is amended to read:

70.114 (2) (title) APPLICATION. For all ~~lands~~ land acquired after ~~January 1, 1992~~ December 31, 1991, the department shall pay aids in lieu of taxes under this section and not under s. 70.113.

SECTION 1715. 70.114 (3) (title) of the statutes is renumbered 70.114 (4) (title).

SECTION 1716. 70.114 (3) (a) of the statutes is renumbered 70.114 (4) (a) and amended to read:

70.114 (4) (a) On or before January 31, the department shall pay to each treasurer of a taxation district, with respect to each parcel of land acquired by the department within the taxation district on the date of the preceding tax levy or before January 1 of the preceding year, an amount determined by multiplying each parcel's estimated value equated to the average level of assessment in the taxation district by the aggregate net general property tax rate that would apply to the parcel of land if it were taxable, as shown on property tax bills prepared for that year under s. 74.09.

SECTION 1717. 70.114 (3) (b) of the statutes is renumbered 70.114 (4) (b).

SECTION 1718. 70.114 (4) of the statutes is renumbered 70.114 (3).

~~SECTION 1720g. 70.27 (5) of the statutes is amended to read.~~ Vetoed in Part

Vetoed
in Part

~~70.27 (5) SURVEYS, RECONCILIATIONS. The surveyor making the plat shall survey and lay out the boundaries of each parcel, street, alley, lane, roadway or dedication to public or private use, according to the records of the register of deeds, and whatever evidence that may be available to show the intent of the buyer and seller, in the chronological order of their conveyance or dedication, and set temporary monuments to show the results of such survey which shall be made permanent upon recording of the plat as provided for in this section. The map shall be at a scale of not more than 100 feet per inch, unless waived in writing by the department of agriculture, food and trade and consumer protection under s. 236.20 (2) (L). The owners of record of lands in the plat shall be notified by certified letter mailed to their last-known address, in order that they shall have opportunity to examine the map, view the temporary monuments, and make known any disagreement with the boundaries as shown by the temporary monuments. It is the duty of the surveyor making the plat to reconcile any discrepancies that may be revealed, so that the plat as certified to the governing body is in conformity with the records of the register of deeds as nearly as is practicable. When boundary lines between adjacent parcels, as evidenced on the ground, are mutually agreed to in writing by the owners of record, such lines shall be the true boundaries for all purposes thereafter, even though they may vary from the metes and bounds descriptions previously of record. Such written agreements shall be recorded in the office of the register of deeds. On every assessor's plat, as certified to the governing body, shall appear the volume, page and document number of the metes and bounds description of each parcel, as recorded in the office of the register of deeds, which shall be identified with the number by which such parcel is designated on the plat, except that lots which have been conveyed or otherwise acquired but upon which no deed is recorded in the office of register of deeds may be shown on an assessor's plat and when so shown shall contain a full metes and bounds description.~~

~~SECTION 1720. 70.27 (8) of the statutes is amended to read:~~

~~70.27 (8) PLAT FILED WITH GOVERNING BODY. Within 2 days after the assessor's plat is filed with the governing body, it shall be transmitted to the department of agriculture, food and trade and consumer protection by the clerk of the governing body which ordered the plat. The department of agriculture, food and trade and consumer protection shall review the plat within 30 days of its receipt. No such plat may be given final approval by the local governing body until the department of agriculture, food and trade and consumer protection has certified on the face of the original plat that it complies with the applicable provisions of ss. 236.15 and 236.20. After the plat has been so certified the clerk shall promptly publish a class 3 notice thereof, under ch. 985. The plat shall remain on~~

~~file in the clerk's office for 30 days after the first publication. At any time within the 30-day period any person or public body having an interest in any lands affected by the plat may bring a suit to have the plat corrected. If no suit is brought within the 30-day period, the plat may be approved by the governing body, and filed for record. If a suit is brought, approval shall be withheld until the suit is decided. The plat shall then be revised in accordance with the decision if necessary, and, without rereferral to the department of agriculture, food and trade and consumer protection unless rereferral is ordered by the court. The plat may then be approved by the governing body and filed for record. When so filed the plat shall carry on its face the certificate of the clerk that all provisions of this section have been complied with. When recorded after approval by the governing body, the plat shall have the same effect for all purposes as if it were a land division plat made by the owners in full compliance with ch. 236. Before January 1 of each year, the register of deeds shall notify the town clerks of the recording of any assessors' plats made or amended during the preceding year, affecting lands in their towns.~~

~~SECTION 1721. 70.30 (8) of the statutes is repealed.~~

~~SECTION 1722. 70.32 (1) of the statutes is amended to read:~~

~~70.32 (1) Real property shall be valued by the assessor in the manner specified in the Wisconsin property assessment manual provided under s. 73.03 (2a) from actual view or from the best information that the assessor can practicably obtain, at the full value which could ordinarily be obtained therefor at private sale. In determining the value, the assessor shall consider, as to each piece, its advantage or disadvantage of location, quality of soil, quantity of standing timber, water privileges, mines, minerals, quarries, or other valuable deposits known to be available therein, and their value; but the fact that the extent and value of minerals or other valuable deposits in any parcel of land are unascertained shall not preclude the assessor from affixing to such parcel the value which could ordinarily be obtained therefor at private sale. If on the assessment date occurring in 1957 or in any year thereafter any person other than a governmental unit of Wisconsin owns real estate in which a Wisconsin governmental unit has retained mineral rights, timber rights or an easement or any similar interest in such real estate, the value of any such retained right shall be eliminated in determining the assessable value of such property, and such retained interest shall be excepted in the assessment description of such land and in any notice, tax certificate or tax deed following from any such assessment recent arm's-length sales of the property to be assessed if according to professionally acceptable appraisal practices those sales conform to recent arm's-length sales of reasonably comparable property; recent arm's-~~

Vetoed
in Part

length sales of reasonably comparable property; and all factors that, according to professionally acceptable appraisal practices, affect the value of the property to be assessed.

SECTION 1724. 70.325 of the statutes is repealed.

SECTION 1724b. 70.337 of the statutes is repealed and recreated to read:

70.337 Tax exemption reports. (1) By January 31 of each even-numbered year, the owner of each parcel of property that is exempt under s. 70.11 shall file with the clerk of the taxation district in which the property is located a form containing the following information:

(a) The name and address of the owner of the property and, if applicable, the type of organization that owns the property.

(b) The legal description and parcel number of the property as shown on the assessment roll.

(c) The date of acquisition of the property.

(d) A description of any improvements on the land.

(e) A statement indicating whether or not any portion of the property was leased to another person during the preceding 2 years. If the property was leased, the statement shall identify the portion of the property that was leased, identify the lessee and describe the ways in which the lease payments were used by the owner of the property.

(f) The owner's estimate of the fair market value of the property on January 1 of the even-numbered year. The owner shall provide this estimate by marking one of a number of value ranges provided on the form prepared under sub. (2). The assessor for the taxation district within which the property is located may review the owner's estimate of the fair market value of the property and adjust it if necessary to reflect the correct fair market value.

(2) By July 1 of each even-numbered year, the clerk of each taxation district shall complete and deliver to the department of revenue a form on which the clerk estimates the value of tax-exempt property, classified by type of owner, within the taxation district.

(3) The department of revenue shall prescribe the contents of the form for reporting the information required under sub. (1), including the categories of value of property that the department of revenue determines will result in the best estimate of the value of tax-exempt property in this state. The department of revenue shall also prescribe the contents of the form under sub. (2). The form under sub. (2) shall provide for estimates of the value of tax-exempt property in the taxation district that is owned by various categories of owners, including property that is owned by the state; cities, villages and towns; school districts; counties; benevolent and educational associations; fraternal and labor organizations; nonprofit hospitals; private colleges; and churches and religious associations. The forms under subs. (1) and (2) shall be prepared and distributed under s. 70.09 (3).

(4) The department of revenue shall tabulate data from the forms received under sub. (2) and prepare an estimate of the value of tax-exempt property in this state by category of owner. The department shall include this information in the summary of tax exemption devices prepared under s. 16.425 (3).

(5) Each person that is required to file a report under sub. (1) shall pay a reasonable fee that is sufficient to defray the costs to the taxation district of distributing and reviewing the forms under sub. (1) and of preparing the form for the department of revenue under sub. (2). The amount of the fee shall be established by the governing body of the taxation district.

(6) If the form under sub. (1) is not received by January 31 of the even-numbered year, the taxation district clerk shall send the owner of the property a notice, by certified mail, stating that the property for which the form is required will be appraised at the owner's expense if a completed form is not received by the taxation district clerk within 30 days after the notice is sent. If the completed form is not received by the taxation district clerk within 30 days after the notice is sent, the property shall be appraised either by the taxation district assessor or by a person hired by the taxation district to conduct the appraisal. ~~If the owner of the property does not pay the cost of the appraisal, the cost may be entered on the tax roll as a special charge and collected under chs. 74 and 75.~~

Vetoed
in Part

(7) This section does not apply to property that is exempt under s. 70.11 (13), (13m), (15), (15m), (21) or (30), property that is exempt under s. 70.11 (18) if a payment in lieu of taxes is made for that property, lake beds owned by the state or highways, as defined in s. 340.01 (22).

SECTION 1724c. 70.339 of the statutes is created to read:

70.339 Reporting requirements. (1) By March 15 each person that owns property that is exempt under s. 70.11 and that was used in the most recently ended taxable year in a trade or business for which the owner of the property was subject to taxation under sections 511 to 515 of the internal revenue code, as defined in s. 71.22 (4m), shall file with the clerk of the taxation district in which the property is located a statement containing the following information:

(a) The name, address and telephone number of the owner of the property.

(b) The name, address and telephone number of a person who can be contacted concerning the use of the property in a trade or business.

(c) A general description of the activities engaged in to conduct the trade or business.

(d) The location and a description of the property that is used in the trade or business including, if applicable, the specific portion of a building that is used to conduct the trade or business.

(2) The format and distribution of statements under this section shall be governed by s. 70.09 (3).

(3) If the statement required under this section is not received by the due date, the taxation district clerk shall send the owner of the property a notice, by certified mail, stating that failure to file a statement is subject to the penalties under sub. (4).

Vetoed
in Part

(4) A person who fails to file a statement within 30 days after notification under sub. (3) shall forfeit \$10 for each succeeding day on which the form is not received by the taxation district clerk, but not more than \$500. ~~Forfeitures imposed under this subsection may be entered on the tax roll as a special charge and collected under chs. 74 and 75.~~

SECTION 1724d. 70.375 (4) (e) of the statutes is amended to read:

70.375 (4) (e) Except as provided in par. (em), federal ~~and income taxes paid~~, state income or franchise taxes paid, property taxes, sales taxes and use taxes paid and other taxes paid and deductible by corporations in computing net income under s. 71.26 (2) which are allocable to the mine, excluding the tax under this section.

SECTION 1724f. 70.375 (4) (em) of the statutes is amended to read:

70.375 (4) (em) In the case of a mine owned by a corporation that owns other business operations or is part of an affiliated group of corporations eligible to file consolidated federal income tax returns, the determination of deductible state income or franchise taxes and federal income taxes shall be made by calculating the taxable income from the mine as though the mine were a separate entity and applying the federal income tax laws and state income or franchise tax laws to this income as though the mine were filing a separate income or franchise tax return. To calculate taxable income, federal taxable income as it applies to the depletion deduction under section 613 of the internal revenue code shall be adjusted to reflect the difference between Wisconsin income or franchise tax law and federal income tax law.

SECTION 1724h. 70.39 (4) of the statutes is amended to read:

70.39 (4) Within 5 days after the receipt of the warrant the sheriff shall file a copy of it with the clerk of the circuit court of the county, unless the person makes satisfactory arrangements for payment with the department, in which case, the sheriff shall, at the direction of the department, return the warrant to it. The clerk shall docket the warrant as a delinquent income or franchise tax warrant is docketed under s. 806.11. The clerk shall accept, file and docket the warrant without prepayment of any fee, but shall submit a statement of the proper fees within 30 days to the department of revenue. The fees shall be paid by the state treasurer upon audit by the department of administration on the certificate of the secretary of revenue and shall be charged to the proper appropriation for the department of revenue. The sheriff shall be entitled to the same fees for executing upon the

warrant as upon an execution against property issued out of a court of record, to be collected in the same manner. Upon the sale of any real estate the sheriff shall execute a deed of the real estate, and the person may redeem the real estate as from a sale under an execution against property upon a judgment of a court of record. No public official may demand prepayment of any fee for the performance of any official act required in carrying out this section.

SECTION 1725. 70.395 (2) (j) of the statutes is amended to read:

70.395 (2) (j) Prior to the beginning of a fiscal year, the board shall certify to the department of administration for payment from the investment and local impact fund any sum necessary for the department of natural resources to make payments under s. 144.441 (6) (d) ~~and (e)~~ for the long-term care of mining waste sites, if moneys in the waste management fund are insufficient to make complete payments during that fiscal year, but this sum may not exceed the balance in the waste management fund at the beginning of that fiscal year or 50% of the balance in the investment and local impact fund at the beginning of that fiscal year, whichever amount is greater.

SECTION 1725m. 70.40 (3) of the statutes 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 is a special tax under ch. 74 and shall be deductible from gross income for income or franchise tax purposes as personal property taxes are deductible by corporations in computing net income under s. 71.26 (2). Taxes collected under this section shall be divided as follows: 30% to the state general fund 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 1726. 70.415 of the statutes is repealed.

SECTION 1726d. 70.42 (3) of the statutes is amended to read:

70.42 (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 is a special tax under ch. 74 and when paid shall be deductible from gross income for income or franchise tax purposes as personal property taxes are deductible by corporations in computing net income under s. 71.26 (2). Taxes collected under this section shall be divided as follows: 10% to the state, 20% to the county, 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 1726g. 70.421 (3) of the statutes is amended to read:

70.421 (3) The tax provided for shall be separately assessed to the person chargeable therewith by the assessor and shall be included in the assessment roll annually submitted by such assessor to the town, village or city clerk and shall be entered by said clerk on the tax roll. Such tax shall be paid and collected in the taxing district where such refinery is situated, and shall be deductible from gross income for income or franchise tax purposes in the same manner as personal property taxes are deductible by corporations in computing net income under s. 71.26 (2). Such tax is a special tax under ch. 74 and the entire proceeds of such tax shall be retained by such taxing district.

SECTION 1728. 70.43 (1) of the statutes is repealed and recreated to read:

70.43 (1) In this section, "palpable error" means an error under s. 74.33 (1).

SECTION 1729. 70.43 (3) of the statutes is amended to read:

70.43 (3) The dollar amount of the adjustment determined in the correction under sub. (2) shall be referred to the board of review and, if certified by that board, shall be entered in a separate section of the current assessment roll, as prescribed by the department of revenue, and shall be used to determine the amount of additional taxes to be collected or taxes to be refunded. The dollar amount of the adjustment may be appealed to the board of review in the same manner as other assessments. The taxes to be collected or refunded shall be determined on the basis of the net tax rate of the previous year, taking into account credits under s. 79.10. The taxes to be collected or refunded ~~shall not be shared with or charged back to other taxing jurisdictions and shall be reflected on the tax roll in the same manner as omitted property under s. 70.44, but any such adjustment may not be carried forward to future years. The governing body of the taxation district shall proceed under s. 74.41.~~

SECTION 1729g. 70.47 (7) (a) of the statutes is amended to read:

70.47 (7) (a) Objections to the amount or valuation of property shall first be made in writing and filed with the clerk of the board of review prior to adjournment of public hearings by the board. If the board is in session 5 days, including its first meeting and any adjourned meetings, all objections shall be filed within such time unless failure to file within such time is waived by the board upon a showing of good cause for such failure. The board may require such objections to be submitted on forms approved by the department of

Vetoed in Part revenue. ~~In counties under s. 70.99, persons who own land and improvements to that land may object to the aggregate valuation of that land and improvements to that land, but no person who owns land and improve-~~

ments to that land may object only to the valuation of that land or only to the valuation of improvements to that land. No person shall be allowed in any action or proceedings to question the amount or valuation of property unless such written objection has been filed and such person in good faith presented evidence to such board in support of such objections and made full disclosure before said board, under oath of all of his property liable to assessment in such district and the value thereof. The requirement that it be in writing may be waived by express action of the board.

SECTION 1729i. 70.47 (16) (a) of the statutes is amended to read:

70.47 (16) (a) In 1st class cities all objections to the amount or valuation of real or personal property shall be first made in writing and filed with the tax commissioner on or before the 3rd Monday in May. No person may, in any action or proceeding, question the amount or valuation of real or personal property in the assessment rolls of the city unless objections have been so filed. The board may not waive the requirement that objections be in writing. ~~In counties under s. 70.99, persons who own land and improvements to that land may object to the aggregate valuation of that land and improvements to that land, but no person who owns land and improvements to that land may object only to the valuation of that land or only to the valuation of improvements to that land.~~ If the objections have been investigated by a committee of the board of assessors under s. 70.07 (6), the board of review may adopt the recommendation of the committee unless the objector requests or the board orders a hearing. At least 2 days' notice of the time fixed for the hearing shall be given to the objector or attorney and to the city attorney of the city. The provisions of the statutes relating to boards of review not inconsistent with this subsection apply to proceedings before the boards of review of 1st class cities, except that the board need not adjourn until the assessment roll is completed by the tax commissioner, as required in s. 70.07 (6), but may immediately hold hearings on objections filed with the tax commissioner, and the changes, corrections and determinations made by the board acting within its powers shall be prima facie correct. Appeal from the determination shall be by an action for certiorari commenced within 90 days after final adjournment of the board of review. The action shall be given preference.

SECTION 1729m. 70.51 (2) of the statutes is amended to read:

70.51 (2) The county clerk of any county having a population of 500,000 or more and containing a city of the 1st class shall deliver his certificates of apportionment of taxes and statement of the names of persons in said city subject to an income or franchise tax to the tax commissioner instead of the city clerk of such city.

SECTION 1730. 70.511 (2) (a) of the statutes is amended to read:

Vetoed in Part

70.511 (2) (a) If the reviewing authority has not made a determination prior to the time of the tax levy with respect to a particular objection to the amount, valuation or taxability of property, the tax levy on the property or person shall be based on the contested assessed value of the property. A tax bill shall be sent to, and paid by, the person subject to the tax levy as though there had been no objection filed, except that the payment shall be considered to be made under protest. The entire tax bill shall be paid when due under s. 74.11, 74.12, ~~74.85~~ or 74.87 even though the reviewing authority has reduced the assessment prior to the time for full payment of the tax billed.

SECTION 1731. 70.55 of the statutes is amended to read:

70.55 Special messenger. Whenever any town, city or village clerk shall have failed to transmit any such statement within the time fixed as aforesaid, the county ~~clerk~~ treasurer or the department of revenue shall send a messenger therefor, who shall be paid and the expenses charged back as provided in s. 69.67 or 73.03 (6), respectively; and whenever any county ~~clerk~~ treasurer shall have failed to transmit any such ~~abstract statement~~, within the time fixed as aforesaid, the department of revenue may send a messenger therefor, who shall be paid and the expenses therefor charged back to the county.

SECTION 1732. 70.57 (3) (a) and (b) of the statutes are repealed.

SECTION 1733. 70.85 (1) of the statutes is amended to read:

70.85 (1) COMPLAINT. A taxpayer may file a written complaint with the department of revenue alleging that the assessment of one or more items or parcels of property in the taxation district the estimated fair market value of which, as ~~shown on the tax bill~~ determined under s. 70.47, does not exceed \$1,000,000 is radically out of proportion to the general level of assessment of all other property in the district.

SECTION 1734. 70.995 (1) (d) of the statutes is repealed and recreated to read:

70.995 (1) (d) Except for the activities under sub. (2), activities not classified as manufacturing in the standard industrial classification manual, 1987 edition, published by the U.S. office of management and budget are not manufacturing for this section.

Vetoed in Part SECTION 1735. 70.995 (2) (g) of the statutes is amended to read:

~~70.995 (2) (g) Processors of waste paper, wastepaper, waste fibers or waste plastics being who either serve multiple customers or process waste from multiple sources and who use large machines for recycling to sort, grade, compact, granulate or bale clean waste paper, waste fibers or waste plastics, not mixed with other solid waste, for sale or use for recycling purposes, but does not include the collection of wastepaper, waste fibers or waste plastics nor the sorting of~~

~~them from nonusable portions of solid waste purposes~~ **Vetoed in Part**

SECTION 1735c. 70.995 (8) (c) of the statutes is amended to read:

70.995 (8) (c) All objections to the amount, valuation or taxability of ~~real or personal~~ property shall be first made in writing on a form prescribed by the department of revenue and shall be filed with the state board of assessors within the time prescribed in par. (b). A \$45 fee shall be paid when the objection is filed unless a fee has been paid in respect to the same piece of property and that appeal has not been finally adjudicated. The objection is not filed until the fee is paid. Neither the state board of assessors nor the tax appeals commission may waive the requirement that objections be in writing. ~~In counties under s. 70.99,~~ persons who own land and improvements to that land may object to the aggregate value of that land and improvements to that land, but no person who owns land and improvements to that land may object only to the valuation of that land or only to the valuation of improvements to that land.

Vetoed in Part

SECTION 1735h. 71.01 (6) (a) of the statutes is amended to read:

71.01 (6) (a) For taxable year 1987, for natural persons and fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds, "internal revenue code" means the federal internal revenue code as amended to December 31, 1986, and as amended by P.L. 100-203, P.L. 100-647, P.L. 101-140 and, P.L. 101-239 and P.L. 101-508 and as indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-140 and, P.L. 101-239 and P.L. 101-508 as it applies to taxable year 1987, except that for taxable years that end after July 1, 1987, and before December 31, 1987, "internal revenue code" does not include changes to the federal internal revenue code made by sections 142, 802 and 803 and subtitle A of title XI of P.L. 99-514. Amendments to the internal revenue code enacted after December 31, 1986, do not apply to this paragraph with respect to taxable year 1987, except that changes to the internal revenue code made by P.L. 100-203, P.L. 100-647, P.L. 101-140 and, P.L. 101-239 and P.L. 101-508 and changes that indirectly affect the federal internal revenue code made by P.L. 100-203, P.L. 100-647, P.L. 101-140 and, P.L. 101-239 and P.L. 101-508 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1735j. 71.01 (6) (b) of the statutes is amended to read:

71.01 (6) (b) For taxable years that end after July 1, 1988, and before December 31, 1988, for natural persons and fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds, "internal revenue code" means the federal internal revenue code as amended to December 31, 1986, and as amended by P.L. 100-203, P.L. 100-647, P.L. 101-140 and, P.L. 101-239 and P.L. 101-508 and as indirectly affected by

P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140 and, P.L. 101-239 and P.L. 101-508. Amendments to the internal revenue code enacted after December 31, 1986, do not apply to this paragraph for taxable years that end after July 1, 1988, and before December 31, 1988, except that changes to the internal revenue code made by P.L. 100-203, P.L. 100-647, P.L. 101-140 and, P.L. 101-239 and P.L. 101-508 and changes that indirectly affect the federal internal revenue code made by P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140 and, P.L. 101-239 and P.L. 101-508 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1735k. 71.01 (6) (c) of the statutes is amended to read:

71.01 (6) (c) For taxable years that begin after December 31, 1987, and before January 1, 1989, for natural persons and fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds, "internal revenue code" means the federal internal revenue code as amended to December 31, 1987, and as amended by P.L. 100-647, P.L. 101-73, P.L. 101-140 and, P.L. 101-239 and P.L. 101-508 and as indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140 and, P.L. 101-239 and P.L. 101-508. Amendments to the federal internal revenue code enacted after December 31, 1987, do not apply to this paragraph with respect to taxable years beginning after December 31, 1987, and before January 1, 1989, except that changes to the internal revenue code made by P.L. 100-647, P.L. 101-73, P.L. 101-140 and, P.L. 101-239 and P.L. 101-508 and changes that indirectly affect the federal internal revenue code made by P.L. 100-647, P.L. 101-73, P.L. 101-140 and, P.L. 101-239 and P.L. 101-508 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1735n. 71.01 (6) (d) of the statutes is amended to read:

71.01 (6) (d) For taxable years that begin after December 31, 1988, and before January 1, 1990, for natural persons and fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds, "internal revenue code" means the federal internal revenue code as amended to December 31, 1988, and as amended by P.L. 101-73, P.L. 101-140, P.L. 101-194 and, P.L. 101-239, P.L. 101-280 and P.L. 101-508 and as indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179 and, P.L. 101-239, P.L. 101-280 and P.L. 101-508. Amendments to the federal internal revenue code enacted after December 31, 1988, do not apply to this paragraph with respect to taxable years beginning after December 31, 1988, and before January 1, 1990, except that changes to the internal revenue code made by P.L. 101-73, P.L. 101-140, P.L. 101-194 and, P.L. 101-239, P.L. 101-280 and P.L. 101-508 and changes that indirectly affect the federal internal revenue code made by P.L. 101-73, P.L. 101-140, P.L. 101-179 and, P.L. 101-239, P.L. 101-280 and P.L. 101-508 apply for

Wisconsin purposes at the same time as for federal purposes.

SECTION 1736m. 71.01 (6) (e) of the statutes is amended to read:

71.01 (6) (e) For taxable years that begin after December 31, 1989, and before January 1, 1991, for natural persons and fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds, "internal revenue code" means the federal internal revenue code as amended to December 31, 1989, and as amended by P.L. 101-280 and P.L. 101-508 and as indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179 and, P.L. 101-239, P.L. 101-280 and P.L. 101-508. The internal revenue code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal internal revenue code enacted after December 31, 1989, do not apply to this paragraph with respect to taxable years beginning after December 31, 1989, and before January 1, 1991, except that changes to the internal revenue code made by P.L. 101-280 and P.L. 101-508 and changes that indirectly affect the federal internal revenue code made by P.L. 101-280 and P.L. 101-508 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1737m. 71.01 (6) (f) of the statutes is created to read:

71.01 (6) (f) For taxable years that begin after December 31, 1990, for natural persons and fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds, "internal revenue code" means the federal internal revenue code as amended to December 31, 1990, and as indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-280 and P.L. 101-508. The internal revenue code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal internal revenue code enacted after December 31, 1990, do not apply to this paragraph with respect to taxable years beginning after December 31, 1990.

SECTION 1738. 71.01 (7r) of the statutes is amended to read:

71.01 (7r) Notwithstanding sub. (6), for purposes of computing amortization or depreciation, "internal revenue code" means either the federal internal revenue code as amended to December 31, ~~1989~~ 1990, or the federal internal revenue code in effect for the taxable year for which the return is filed, except that property that, under s. 71.02 (2) (d) 12, 1985 stats., is required to be depreciated for taxable year 1986 under the internal revenue code as amended to December 31, 1980, shall continue to be depreciated under the internal revenue code as amended to December 31, 1980.

~~SECTION 1739d. 71.01 (10) (intro.) (a) and (b) of the statutes are amended to read:~~

~~71.01 (10) (intro.) "Small business stock" means an equity security that the taxpayer has held for at least 5 years and that is issued by a corporation that, on the~~

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Vetoed in Part ~~December 31 before acquisition by the taxpayer, or for a corporation which was incorporated during the calendar year in which the stock is issued, as of the date of the acquisition of the stock, fulfills all of the following requirements and so certifies to the taxpayer upon acquisitions within 5 years after the date of incorporation.~~

~~(a) Has at least 50% of its property and at least 50% of its payroll, both as computed under s. 71.25, in this state, as calculated for the corporation's first taxable year following incorporation.~~

~~(b) Has no more than 500 employees covered by Wisconsin unemployment insurance, including employees of any corporation that owns more than 50% of the stock of the issuing corporation, as calculated for the corporation's first taxable year following incorporation.~~

~~SECTION 1739h. 71.01 (10) (c) of the statutes is renumbered 71.01 (10) (c) 1 and amended to read:~~

~~71.01 (10) (c) 1. Derives For stock issued after August 31, 1987, and before the 2nd day after publication of this act ... [revisor inserts date], derives no more than 25% of its gross receipts from rents, interest, dividends and sales of intangible investment assets combined, unless the corporation derives less than \$3,000 of that income and has not been incorporated for more than 2 calendar years, as calculated for the corporation's taxable year prior to the taxpayer's acquisition of the stock.~~

~~SECTION 1739p. 71.01 (10) (c) 2 of the statutes is created to read:~~

~~71.01 (10) (c) 2. For stock issued on or after the 2nd day after publication of this act ... [revisor inserts date], derives no more than 25% of its gross receipts from rents, interest, dividends and sales of intangible investment assets combined, unless the corporation derives less than \$3,000 of that income and has not been incorporated for more than 2 calendar years, as calculated at the end of the corporation's first taxable year following incorporation.~~

~~SECTION 1739r. 71.01 (10) (d) and (e) of the statutes are amended to read:~~

~~71.01 (10) (d) Has not issued no stock that is listed on the New York stock exchange, the American stock exchange or the national association of securities dealers automated quotation system on the last day of the 12th month following the date of incorporation.~~

~~(e) Has, on the December 31 before acquisition by the taxpayer, or, for a corporation which was incorporated during the calendar year in which the stock is issued, as of the date of acquisition of the stock, not liquidated its assets in whole or in part for tax purposes only in order to fulfill the requirements under this subsection and then reorganized.~~

~~SECTION 1746. 71.01 (14) of the statutes is amended to read:~~

71.01 (14) "Wisconsin net operating loss" of persons other than corporations means "federal net operating loss" adjusted as prescribed in s. 71.05 (6) (a) and (b) (intro.), 1 to 8 and 10 to 12, (7) to (12) and (19) to (21), except s. 71.05 (6) (b) 9, except that no deductions allowable on schedule A for federal income tax purposes are allowable.

SECTION 1747. 71.02 (1) of the statutes is amended to read:

71.02 (1) For the purpose of raising revenue for the state and the counties, cities, villages and towns, there shall be assessed, levied, collected and paid a tax on all net incomes of individuals and fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds subject to the tax under s. 71.23 (2), by every natural person residing within the state or by his or her personal representative in case of death, and trusts administered within the state; by every nonresident natural person and trust of this state, upon such income as is derived from property located or business transacted within the state including, but not limited by enumeration, income derived from a limited partner's distributive share of partnership income, the state lottery under ch. 565, any multistate lottery under ch. 565 if the winning lottery ticket or lottery share was purchased from a retailer, as defined in s. 565.01 (6), located in this state or from the lottery board and pari-mutuel wager winnings and purses subject to s. 562.065 (3) (a) and (b) and (3m) (a) and (b), and also by every nonresident natural person upon such income as is derived from the performance of personal services within the state, except as exempted under s. 71.05 (1) to (3). Every natural person domiciled in the state shall be deemed to be residing within the state for the purposes of determining liability for income taxes and surtaxes.

SECTION 1747r. 71.03 (title) of the statutes is amended to read:

71.03 (title) Filing returns; certain claims.

SECTION 1748. 71.03 (2) (a) 3 of the statutes is amended to read:

71.03 (2) (a) 3. Every natural person for whom a deduction from tax under s. 71.07 (8) (b) is allowable to another taxpayer for the taxable year shall file a return if that natural person has any amount of unearned income and that person has gross income, not including earned income, of \$500 \$550 or more.

SECTION 1748m. 71.03 (6m) of the statutes is created to read:

71.03 (6m) TIME TO FILE CLAIMS; NO RETURN REQUIRED. A claim for a credit under s. 71.07 (3m) or subch. VIII or IX that is filed by a natural person who is not required to file a report under sub. (2) (a) shall be filed on a calendar year basis in conformity with the filing requirements in subs. (6) and (7).

SECTION 1748q. 71.04 (1) (a) of the statutes is amended to read:

71.04 (1) (a) All income or loss of resident individuals and resident estates and trusts shall follow the residence of the individual, estate or trust. Income or loss of nonresident individuals and nonresident estates and trusts from business, not requiring apportionment under sub. (4), (10) or (11), shall follow the situs of the business from which derived. All items of income, loss and deductions of nonresident individuals and nonresident estates and trusts derived from a tax-option corporation not requiring apportionment under sub. (9) shall follow the situs of the business of the corporation from which derived. Income or loss of nonresident individuals and nonresident estates and trusts derived 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 property or tangible personal property shall follow the situs of the property from which derived. Income from personal services of nonresident individuals, including income from professions, shall follow the situs of the services. A nonresident limited partner's distributive share of partnership income shall follow the situs of the business. Income of nonresident individuals, estates and trusts from any multistate lottery under ch. 565 is taxable by this state, but only if the winning lottery ticket or lottery share was purchased from a retailer, as defined in s. 565.01 (6), located in this state or from the lottery board. Income of nonresident individuals, nonresident trusts and nonresident estates from pari-mutuel winnings and purses subject to s. 562.065 (3) (a) and (b) and (3m) (a) and (b) is taxable by this state. All other income or loss of nonresident individuals and nonresident estates and trusts, including income or loss derived from land contracts, mortgages, stocks, bonds and securities or from the sale of similar intangible personal property, shall follow the residence of such persons, except as provided in par. (b) and sub. (9).

SECTION 1751. 71.04 (4) of the statutes is amended to read:

71.04 (4) NONRESIDENT ALLOCATION AND APPORTIONMENT FORMULA. Nonresident individuals and nonresident estates and trusts engaged in business within and without the state shall be taxed only on such income as is derived from business transacted and property located within the state. The amount of such income attributable to Wisconsin may be determined by an allocation and separate accounting thereof, when the business of such nonresident individual or nonresident estate or trust within the state is not an integral part of a unitary business, but the department of revenue may permit an allocation and separate accounting in any case in which it is satisfied that the use of such method will properly reflect the income taxable by this state. In all cases in which allocation and separate accounting is not permissible, the determination shall be made in the following manner: for all businesses except financial organizations ~~and~~, public utilities, railroads, sleeping car companies and car line companies there shall first be deducted from

the total net income of the taxpayer the part thereof (less related expenses, if any) that follows the situs of the property or the residence of the recipient. The remaining net income shall be apportioned to Wisconsin by use of an apportionment fraction composed of a sales factor representing 50% of the fraction, a property factor representing 25% of the fraction and a payroll factor representing 25% of the fraction.

SECTION 1752. 71.04 (8) (title) of the statutes is amended to read:

71.04 (8) (title) RAILROADS, FINANCIAL ORGANIZATIONS AND PUBLIC UTILITIES.

SECTION 1753. 71.04 (8) (c) of the statutes is amended to read:

71.04 (8) (c) The net business income of railroads, sleeping car companies, car line companies, financial organizations and public utilities requiring apportionment shall be apportioned pursuant to rules of the department of revenue, but the income taxed is limited to the income derived from business transacted and property located within the state.

SECTION 1753t. 71.05 (1) (d) of the statutes is created to read:

71.05 (1) (d) *Interest income.* Interest received on bonds issued by the Wisconsin housing and economic development authority to fund a loan under s. 234.935.

SECTION 1754. 71.05 (6) (a) 11 of the statutes is repealed.

SECTION 1755. 71.05 (6) (a) 12 of the statutes is amended to read:

71.05 (6) (a) 12. All alimony deducted for federal income tax purposes and paid while the individual paying the alimony was a nonresident of this state; all penalties for early withdrawals from time savings accounts and deposits deducted for federal income tax purposes and paid while the individual charged with the penalty was a nonresident of this state; all repayments of supplemental unemployment compensation benefits deducted for federal income tax purposes and made while the individual making the repayment was a nonresident of this state; all reforestation expenses related to property not in this state, deducted for federal income tax purposes and paid while the individual paying the expense was not a resident of this state; all contributions to individual retirement accounts, simplified employee pension plans and self-employment retirement plans and all deductible employee contributions, deducted for federal income tax purposes and in excess of that amount multiplied by a fraction the numerator of which is the individual's wages and net earnings from a trade or business taxable by this state and the denominator of which is the individual's total wages and net earnings from a trade or business; ~~and~~ the contributions to a Keogh plan deducted for federal income tax purposes and in excess of that amount multiplied by a fraction the numerator of which is the individual's net earnings from a trade or business, taxable by this state, and the denominator of which is the

individual's total net earnings from a trade or business; the amount of health insurance costs of self-employed individuals deducted under section 162 (L) of the internal revenue code for federal income tax purposes and in excess of that amount multiplied by a fraction the numerator of which is the individual's net earnings from a trade or business, taxable by this state, and the denominator of which is the individual's total net earnings from a trade or business; and the amount of self-employment taxes deducted under section 164 (f) of the internal revenue code for federal income tax purposes and in excess of that amount multiplied by a fraction the numerator of which is the individual's net earnings from a trade or business, taxable by this state, and the denominator of which is the individual's total net earnings from a trade or a business.

SECTION 1757. 71.05 (6) (a) 17 of the statutes is created to read:

71.05 (6) (a) 17. The amount received under s. 71.07 (3m) (c) or 71.60, or both, that is not included in federal adjusted gross income.

SECTION 1758m. 71.05 (6) (b) 6 of the statutes is amended to read:

71.05 (6) (b) 6. ~~The~~ For the original purchaser of small business stock that is purchased at the time that the business is incorporated, the amount of net capital gains on small business stock otherwise subject to the tax under s. 71.02 if the taxpayer has not acquired the stock by gift, has not acquired the stock in a stock-for-stock exchange and submits with the taxpayer's return a copy of the certification under s. 71.01 (10).

SECTION 1760. 71.05 (6) (b) 7 of the statutes is repealed.

Vetoed in Part SECTION 1760g. 71.05 (6) (b) 9 of the statutes is amended to read:

71.05 (6) (b) 9. On assets that are livestock held more than one year by a person in the farming business, as defined in section 464 (e) (1) of the internal revenue code, whose nonfarm Wisconsin adjusted gross income is \$50,000 or less, on all other assets held more than 5 years and on all assets acquired from a decedent, 60% of the capital gain as computed under the internal revenue code, not including capital gains for which the federal tax treatment is determined under section 406 of P.L. 99-514 and not including amounts treated as ordinary income for federal income tax purposes because of the recapture of depreciation or any other reason. For purposes of this subdivision, the capital gains and capital losses for all assets shall be netted before application of the percentage.

SECTION 1760m. 71.05 (6) (b) 13. (intro.) and a. and 14. (intro.) and a. of the statutes, as created by 1991 Wisconsin Act 2, are amended to read:

71.05 (6) (b) 13. (intro.) Any amount of basic, special and incentive pay income or compensation, as those terms are used in 37 USC chapters 3 and 5,

received from the federal government by a person who is a member of a reserve component of the U.S. armed forces, as defined in 26 USC 7701 (a) (15), and is below the grade of commissioned officer, for services performed for Operation Desert Shield or Operation Desert Storm in the Desert Shield or Desert Storm theater of operations. In this subdivision, "services performed for Operation Desert Shield or Operation Desert Storm" means service in a unit of the U.S. armed forces if:

a. The service is performed by a person who is a member of a reserve component of the U.S. armed forces, is below the grade of commissioned officer and is activated for Operation Desert Shield or Operation Desert Storm; and

14. (intro.) Up to \$500 per month of basic, special and incentive pay income or compensation, as those terms are used in 37 USC chapters 3 and 5, received from the federal government by a person who is a member of a reserve component of the U.S. armed forces, as defined in 26 USC 7701 (a) (15), and is a commissioned officer, for services performed for Operation Desert Shield or Operation Desert Storm in the Desert Shield or Desert Storm theater of operations. In this subdivision, "services performed for Operation Desert Shield or Operation Desert Storm" means service in a unit of the U.S. armed forces if:

a. The service is performed by a person who is a member of a reserve component of the U.S. armed forces, is a commissioned officer and is activated for Operation Desert Shield or Operation Desert Storm; and

~~SECTION 1760r. 71.05 (6) (b) 15 and 16 of the statutes are created to read:~~

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71.05 (6) (b) 15. For taxable years beginning after December 31, 1991, and before January 1, 1993, an amount paid by a self-employed person for medical care insurance for the person, his or her spouse and the person's dependents, calculated as follows:

a. Twenty-five percent of the amount paid by the person for medical care insurance that qualifies for the calculation used to determine a deduction for medical care insurance under section 162 (L) of the internal revenue code, as that section existed on December 31, 1990.

b. From the amount calculated under subd. 15. a. subtract the amounts deducted from gross income for medical care insurance in the calculation of federal adjusted gross income and the amounts for medical care insurance used in calculating the credit under s. 71.07 (5).

c. For a person who is domiciled in this state for the entire taxable year, reduce the amount calculated under subd. 15. b. to the person's net earnings from a trade or business that are taxable by this state.

d. For a person who is a part-year resident of this state, modify the amount calculated under subd. 15. b. by multiplying the amount by a fraction the numera-

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for of which is the person's net earnings from a trade or business taxable by this state and the denominator of which is the person's total net earnings from a trade or business.

16. For taxable years beginning on or after January 1, 1993, an amount paid by a self-employed person for medical care insurance for the person, his or her spouse and the person's dependents, calculated as follows:

a. Fifty percent of the amount paid by the person for medical care insurance that qualifies for the calculation used to determine a deduction for medical care insurance under section 162 (L) of the internal revenue code, as that section existed on December 31, 1990.

b. From the amount calculated under subd. 16. a., subtract the amounts deducted from gross income for medical care insurance in the calculation of federal adjusted gross income and the amounts for medical care insurance used in calculating the credit under s. 71.07 (5).

c. For a person who is domiciled in this state for the entire taxable year, reduce the amount calculated under subd. 16. b. to the person's net earnings from a trade or business that are taxable by this state.

d. For a person who is a part-year resident of this state, modify the amount calculated under subd. 16. b. by multiplying the amount by a fraction the numerator of which is the person's net earnings from a trade or business taxable by this state and the denominator of which is the person's total net earnings from a trade or business.

SECTION 1761. 71.05 (8) (b) of the statutes is amended to read:

71.05 (8) (b) A Wisconsin net operating loss may be carried forward against Wisconsin taxable incomes of the next 15 taxable years, if the taxpayer was subject to taxation under this chapter in the taxable year in which the loss was sustained, to the extent not offset against other income of the year of loss and to the extent not offset against Wisconsin modified taxable income of any year between the loss year and the taxable year for which the loss carry-forward is claimed. In this paragraph, "Wisconsin modified taxable income" means Wisconsin taxable income with the following exceptions: a net operating loss deduction or offset for the loss year or any taxable year thereafter is not allowed, the deduction for long-term capital gains under sub. (6) (b) 9 is not allowed, the amount deductible for losses from sales or exchanges of capital assets may not exceed the amount includable in income for gains from sales or exchanges of capital assets and "Wisconsin modified taxable income" may not be less than zero.

SECTION 1761b. 71.05 (22) (f) of the statutes is amended to read:

71.05 (22) (f) *Limitation for dependent who files return.* In the case of a taxpayer with respect to whom a deduction under s. 71.07 (8) is allowable to another person, the Wisconsin standard deduction shall not

exceed the taxpayer's earned income, as defined in section 911 (b) (d) (2) of the internal revenue code as of December 31, 1976, that is taxable under this chapter if that earned income is more than \$500 \$550 and shall not be less than \$500 \$550 if that earned income is \$500 \$550 or less.

SECTION 1761e. 71.07 (2di) (b) of the statutes is renumbered 71.07 (2di) (b) 1 and amended to read:

71.07 (2di) (b) 1. The Except as provided in subd. 2, the credit, including any credits carried over, may be offset only against the amount of the tax otherwise due under this chapter attributable to income from the business operations of the claimant in the development zone and against the tax attributable to income from directly related business operations of the claimant.

3. Partnerships and tax-option corporations may not claim the credit under this subsection, but the eligibility for, and amount of, that credit shall be determined on the basis of their economic activity, not that of their shareholders or partners. The corporation or partnership shall compute the amount of the credit that may be claimed by each of its shareholders or partners and shall provide that information to each of its shareholders or partners. Partners and shareholders of tax-option corporations may claim the credit based on the partnership's or corporation's activities in proportion to their ownership interest and may offset it against the tax attributable to their income from the partnership's or corporation's business operations in the development zone and against the tax attributable to their income from the partnership's or corporation's directly related business operations.

SECTION 1761m. 71.07 (2di) (b) 2 of the statutes is created to read:

71.07 (2di) (b) 2. If the claimant is located on an Indian reservation, as defined in s. 560.86 (5), and is an American Indian, as defined in s. 560.86 (1), an Indian business, as defined in s. 560.86 (4), or a tribal enterprise, and if the allowable amount of the credit under this subsection exceeds the taxes otherwise due under this chapter on or measured by the claimant's income, the amount of the credit not used as an offset against those taxes shall be certified to the department of administration for payment to the claimant by check, share draft or other draft. In this subdivision, "tribal enterprise" means a business that is at least 51% owned and controlled by the governing body of one or more Indian tribes, is actively managed by the governing body, or by the designee of the governing body, of one or more Indian tribes and is currently performing a useful business function.

SECTION 1761s. 71.07 (2di) (c) of the statutes is amended to read:

71.07 (2di) (c) The Except as provided in par. (b) 2, the carry-over provisions of s. 71.28 (4) (e) and (f) as they relate to the credit under s. 71.28 (4) relate to the credit under this subsection and apply as if the development zone continued to exist.

SECTION 1762. 71.07 (2dj) (am) 1 of the statutes is amended to read:

71.07 (2dj) (am) 1. Modify "member of a targeted group", as defined in section 51 (d) of the internal revenue code, to include persons unemployed as a result of a business action subject to s. 109.07 (1m) and persons specified under 29 USC ~~1652~~ 1651 (a) and to require a member of a targeted group to be a resident of this state.

SECTION 1762d. 71.07 (2dj) (am) 4c of the statutes is created to read:

71.07 (2dj) (am) 4c. Modify the rule for ineligible individuals under section 51 (i) (1) of the internal revenue code to allow credit for the wages of related individuals paid by an Indian business, as defined in s. 560.86 (4), or a tribal enterprise, as defined in sub. (2di) (b) 2, if the Indian business or tribal enterprise is located in a development zone designated under s. 560.71 (3) (c) 2.

SECTION 1762h. 71.07 (2dL) (c) of the statutes is renumbered 71.07 (2dL) (c) 1 and amended to read:

71.07 (2dL) (c) 1. The Except as provided under subd. 2, the credit under par. (a), including any credits carried over, may be offset only against the amount of the tax otherwise due under this chapter attributable to income from the business operations of the claimant in the development zone and against the tax attributable to income from directly related business operations.

SECTION 1762p. 71.07 (2dL) (c) 2 of the statutes is created to read:

71.07 (2dL) (c) 2. If the claimant is located on an Indian reservation, as defined in s. 560.86 (5), and is an American Indian, as defined in s. 560.86 (1), an Indian business, as defined in s. 560.86 (4), or a tribal enterprise, as defined in sub. (2di) (b) 2, and if the allowable amount of the credit under par. (a) exceeds the taxes otherwise due under this chapter on or measured by the claimant's income, the amount of the credit not used as an offset against those taxes shall be certified to the department of administration for payment to the claimant by check, share draft or other draft.

SECTION 1762t. 71.07 (2dL) (d) of the statutes is amended to read:

71.07 (2dL) (d) The Except as provided in par. (c) 2, the carry-over provisions of s. 71.28 (4) (e) and (f) as they relate to the credit under s. 71.28 (4) relate to the credit under this subsection and apply as if the development zone continued to exist.

~~SECTION 1762we. 71.07 (3m) (b) 1. a. of the statutes is amended to read:~~

~~71.07 (3m) (b) 1. a. Eligibility and qualifications. a. Subject to the limitations provided in this subsection and s. 71.89 (3) and (3m), a claimant may claim as a credit against Wisconsin income taxes otherwise due, the amount derived under par. (c). 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 by check, share draft or other draft paid from the appropriation under s. 20.835 (2) (g) (fin).~~

SECTION 1762wm. 71.07 (3m) (b) 2. a. of the statutes is amended to read:

71.07 (3m) (b) 2. a. Unless a claim is filed with the department ~~within 12 months following the close of the taxable year in which the property taxes accrued in conformity with the filing requirements in s. 71.03 (6) and (7).~~

SECTION 1762ws. 71.07 (3m) (b) 3 of the statutes is repealed.

SECTION 1765s. 71.07 (5) (a) 7 of the statutes is repealed.

SECTION 1766. 71.07 (5) (a) 8 of the statutes is repealed.

~~SECTION 1766e. 71.07 (9) (a) 2 of the statutes is amended to read:~~

~~71.07 (9) (a) 2. "Principal dwelling" means any dwelling, whether owned or that is rented, and the land surrounding it that is reasonably necessary for use of the dwelling as a primary dwelling of the claimant and may include a part of a multidwelling or multipurpose building and a part of the land upon which it is built that is used as the claimant's primary dwelling.~~

~~SECTION 1766g. 71.07 (9) (a) 3 of the statutes is repealed.~~

~~SECTION 1766i. 71.07 (9) (b) of the statutes is amended to read:~~

~~71.07 (9) (b). Subject to the limitations under this subsection, a claimant may claim as a credit against, but not to exceed the amount of, taxes under s. 71.02, 10% of the first \$2,000 of property taxes or rent constituting property taxes, or 10% of the first \$1,000 of property taxes or rent constituting property taxes of a married person filing separately.~~

SECTION 1767. 71.07 (9e) (a) (intro.) of the statutes is amended to read:

71.07 (9e) (a) (intro.) Any natural person may credit against income taxes otherwise due an amount equal to one of the following percentages of the federal basic earned income credit for which the person is eligible for the taxable year under section 32 (b) (1) (A) to (C) of the internal revenue code:

SECTION 1770. 71.07 (9r) (a) of the statutes is amended to read:

71.07 (9r) (a) For taxable years beginning on or after August 1, 1988, any natural person may credit against taxes otherwise due under this chapter an amount equal to 25% of the costs of preservation or rehabilitation of historic property located in this state if the physical work of construction or destruction in

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preparation for construction begins after December 31, 1988, except that the credit may not exceed \$10,000, or \$5,000 for married persons filing separately, for any preservation or rehabilitation project.

SECTION 1770m. 71.07 (9r) (b) 1m of the statutes is created to read:

71.07 (9r) (b) 1m. The costs included in the claim relate only to preservation or rehabilitation work done to any of the following:

- a. The exterior of the historic property.
- b. The interior of a window sash if work is done to the exterior of the window sash.
- c. Structural elements of the historic property.
- d. The heating or ventilating systems.
- e. Electrical or plumbing systems, but not electrical or plumbing fixtures.

SECTION 1771. 71.07 (9r) (b) 2 of the statutes is amended to read:

71.07 (9r) (b) 2. The historic property is ~~a human burial site or an archaeological site, as defined in s. 44.47 (1) (b), or the historic property is an owner-occupied personal residence or other property not eligible for the credit under sub. (9m) if the residence or property is not actively used in a trade or business, held for the production of income or held for sale or other disposition in the ordinary course of the claimant's trade or business.~~

SECTION 1771m. 71.07 (9r) (b) 3. c. of the statutes is repealed.

SECTION 1772. 71.07 (9r) (b) 5 of the statutes is amended to read:

71.07 (9r) (b) 5. The expenditures for preservation or rehabilitation of the historic property ~~exceed the greater of \$1,000 or the adjusted basis of the building if the historic property is a building or of the entire property if the historic property is not a building on the date that the physical work of construction, or destruction in preparation for construction, begins exceed \$10,000.~~

SECTION 1772m. 71.07 (9r) (b) 7 of the statutes is repealed.

SECTION 1773. 71.07 (9r) (c) of the statutes is amended to read:

71.07 (9r) (c) The Wisconsin adjusted basis of the ~~building if the historic property is a building or of the entire property if the historic property is not a building~~ shall be reduced by the amount of any credit awarded under this subsection. ~~The Wisconsin adjusted basis of a partner's interest in a partnership or of stock in a tax option corporation shall be adjusted to take into account adjustments made under this paragraph.~~

SECTION 1774. 71.07 (9r) (f) of the statutes is amended to read:

71.07 (9r) (f) No natural person may claim a credit under this subsection and under sub. (9m) for the same expenses.

SECTION 1775. 71.07 (9r) (g) of the statutes is amended to read:

71.07 (9r) (g) The provisions of s. 71.28 (4) ~~(e)~~, (f), (g) and (h), as they apply to the credit under s. 71.28 (4), apply to the credit under this subsection.

SECTION 1776. 71.07 (9r) (h) of the statutes is repealed.

SECTION 1777. 71.07 (9r) (i) of the statutes is amended to read:

71.07 (9r) (i) If the historic property is owned by 2 or more natural persons that hold legal title or equitable title as a land contract vendee and are not joint tenants, tenants in common or spouses owning marital property, the credit under this subsection may be claimed as follows:

1. For projects benefiting one owner, a natural person may claim the credit based on eligible costs incurred individually.

2. For projects benefiting 2 or more owners, a natural person may claim the credit based on eligible costs incurred by the benefiting owners in proportion to the natural person's ownership interest.

SECTION 1778. 71.07 (9r) (j) (intro.) of the statutes is amended to read:

71.07 (9r) (j) (intro.) No natural person may claim the credit under this subsection for any of the following:

SECTION 1779. 71.07 (9r) (j) 2 of the statutes is amended to read:

71.07 (9r) (j) 2. Rehabilitation of historic property if the historic property was acquired by the claimant under an agreement requiring the claimant to sell or otherwise dispose of the historic property back to the previous owner within 5 years after the date that the historic property was acquired.

SECTION 1779m. 71.07 (9r) (k) of the statutes is created to read:

71.07 (9r) (k) A natural person who receives a credit under this subsection shall add to his or her liability for taxes imposed under this chapter an amount equal to the amount of credits received under this subsection for rehabilitating or preserving the property if, within 5 years after the date on which the preservation or rehabilitation work that was the basis of the credit is completed, the person either sells or conveys the property by deed or land contract or the state historical society certifies to the department of revenue that the historic property has been altered to the extent that it does not comply with the standards promulgated under s. 44.02 (24).

SECTION 1780g. 71.08 (1) (intro.) of the statutes is amended to read:

71.08 (1) IMPOSITION. (intro.) If the tax imposed on a natural person, married couple filing jointly, trust or estate under s. 71.02, not considering the credits under ss. 71.07 (1), (2di), (2dj), (2dL), (2ds), (2fd), (3m) ~~and~~, (6) ~~and~~ (9e), 71.28 (1di), (1dj), (1dL), (1ds), (1fd) and (2m) and 71.47 (1di), (1dj), (1dL), (1ds), (1fd) and

(2m) and subchs. VIII and IX and payments to other states under s. 71.07 (7), is less than the tax under this section, there is imposed on that natural person, married couple filing jointly, trust or estate, instead of the tax under s. 71.02, an alternative minimum tax computed as follows:

Vetoed in Part SECTION 1780m. 71.08 (1) (a) of the statutes is amended to read:

71.08 (1) (a) Adjust the alternative minimum taxable income, as defined in section 55 (b) (2) of the internal revenue code, by the amounts under s. 71.05 (6) to (21), except s. 71.05 (6) (a) 13 and (b) 5 and 9 and (8), by the amounts needed to modify federal alternative tax net operating loss deductions to reflect differences between Wisconsin net operating loss deductions and federal net operating loss deductions for minimum tax purposes. The department of revenue shall by rule define Wisconsin net operating loss deductions for minimum tax purposes.

Vetoed in Part SECTION 1780r. 71.08 (1) (bm) (intro.) of the statutes is amended to read:

71.08 (1) (bm) (intro.) For stocks acquired after December 31, 1987 ~~1988~~, under incentive stock options, as defined in section 422A (b) of the internal revenue code.

SECTION 1782. 71.10 (7m) of the statutes is created to read:

71.10 (7m) DISCHARGE OF INDEBTEDNESS; MODIFICATIONS. If a person excludes from gross income an amount of income from a discharge of indebtedness because of discharges of debts described under section 108 (a) of the internal revenue code, the person shall make the adjustments specified in section 108 (b) of the internal revenue code, but the net operating loss under s. 71.01 (14), not the federal net operating loss, and Wisconsin credits, not federal credits, and the capital loss carry-forward as limited under s. 71.05 (10) (c), not the federal capital loss carry-forward, shall be applied, and the reduction rate for a credit carry-over is 6.93%, not 33 1/3%.

SECTION 1783d. 71.22 (4) (a) of the statutes is amended to read:

71.22 (4) (a) Except as provided in sub. (5) and ss. 71.26 (2) (b) and (3), 71.34 (1g) and 71.42 (2), "internal revenue code", for taxable year 1987, means the federal internal revenue code as amended to December 31, 1986, and as amended by P.L. 100-203, P.L. 100-647, P.L. 101-140 ~~and~~, P.L. 101-239 ~~and~~ P.L. 101-508 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-140 ~~and~~, P.L. 101-239 ~~and~~ P.L. 101-508 as it applies to taxable year 1987, except that for taxable years 1987 that end after July 1 and before December 31 "internal revenue code" does not include changes to the federal internal revenue code made by sections 142, 801, 802

and 803 of P.L. 99-514. Amendments to the federal internal revenue code enacted after December 31, 1986, do not apply to this paragraph with respect to taxable year 1987, except that changes to the internal revenue code made by P.L. 100-203, P.L. 100-647, P.L. 101-140 ~~and~~, P.L. 101-239 ~~and~~ P.L. 101-508 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 100-203, P.L. 100-647 excluding section 1008 (g) (5) of P.L. 100-647, P.L. 101-140 ~~and~~, P.L. 101-239 ~~and~~ P.L. 101-508 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1783f. 71.22 (4) (b) of the statutes is amended to read:

71.22 (4) (b) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34 (1g) and 71.42 (2), "internal revenue code", for taxable years that end after July 1, 1988, and before December 31, 1988, means the federal internal revenue code as amended to December 31, 1986, and as amended by P.L. 100-203, P.L. 100-647, P.L. 101-140 ~~and~~, P.L. 101-239 ~~and~~ P.L. 101-508 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140 ~~and~~, P.L. 101-239 ~~and~~ P.L. 101-508. Amendments to the internal revenue code enacted after December 31, 1986, do not apply to this paragraph for taxable years that end after July 1, 1988, and before December 31, 1988, except that changes to the internal revenue code made by P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140 ~~and~~, P.L. 101-239 ~~and~~ P.L. 101-508 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 100-203, P.L. 100-647 excluding section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140 ~~and~~, P.L. 101-239 ~~and~~ P.L. 101-508 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1783h. 71.22 (4) (c) of the statutes is amended to read:

71.22 (4) (c) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34 (1g) and 71.42 (2), "internal revenue code", for taxable years that begin after December 31, 1987, and before January 1, 1989, means the federal internal revenue code as amended to December 31, 1987, and as amended by P.L. 100-647, P.L. 101-73, P.L. 101-140 ~~and~~, P.L. 101-239 ~~and~~ P.L. 101-508 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140 ~~and~~, P.L. 101-239 ~~and~~ P.L. 101-508. Amendments to the federal internal revenue code enacted after December 31, 1987, do not apply to this paragraph with respect to taxable years beginning after December 31, 1987, and before January 1, 1989, except that changes to the internal revenue code made

by P.L. 100-647, P.L. 101-73, P.L. 101-140 and, P.L. 101-239 and P.L. 101-508 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 100-647 excluding section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140 and, P.L. 101-239 and P.L. 101-508 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1783j. 71.22 (4) (d) of the statutes is amended to read:

71.22 (4) (d) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34 (1g) and 71.42 (2), "internal revenue code", for taxable years that begin after December 31, 1988, and before January 1, 1990, means the federal internal revenue code as amended to December 31, 1988, and as amended by P.L. 101-73, P.L. 101-140 and, P.L. 101-239 and P.L. 101-508 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179 and, P.L. 101-239 and P.L. 101-508. Amendments to the federal internal revenue code enacted after December 31, 1988, do not apply to this paragraph with respect to taxable years beginning after December 31, 1988, and before January 1, 1990, except that changes to the internal revenue code made by P.L. 101-73, P.L. 101-140 and, P.L. 101-239 and P.L. 101-508 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 101-73, P.L. 101-140, P.L. 101-179 and, P.L. 101-239 and P.L. 101-508 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1784m. 71.22 (4) (e) of the statutes is amended to read:

71.22 (4) (e) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34 (1g) and 71.42 (2), "internal revenue code", for taxable years that begin after December 31, 1989, and before January 1, 1991, means the federal internal revenue code as amended to December 31, 1989, and as amended by P.L. 101-508 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179 and, P.L. 101-239 and P.L. 101-508. The internal revenue code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal internal revenue code enacted after December 31, 1989, do not apply to this paragraph with respect to taxable years beginning after December 31, 1989, and before January 1, 1991, except that changes to the internal revenue code made by P.L. 101-508 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 101-508 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1785m. 71.22 (4) (f) of the statutes is created to read:

71.22 (4) (f) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34 (1g) and 71.42 (2), "internal revenue code", for taxable years that begin after December 31, 1990, means the federal internal revenue code as amended to December 31, 1990, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239 and P.L. 101-508. The internal revenue code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal internal revenue code enacted after December 31, 1990, do not apply to this paragraph with respect to taxable years beginning after December 31, 1990.

SECTION 1785p. 71.22 (4m) (a) of the statutes is amended to read:

71.22 (4m) (a) For taxable years that begin after July 31, 1987, and before January 1, 1989, "internal revenue code", for corporations that are subject to a tax on unrelated business income under s. 71.26 (1) (a), means the federal internal revenue code as amended to December 31, 1987, and as amended by P.L. 100-647, P.L. 101-73, P.L. 101-140 and, P.L. 101-239 and P.L. 101-508 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140 and, P.L. 101-239 and P.L. 101-508. Amendments to the federal internal revenue code enacted after December 31, 1987, do not apply to this paragraph with respect to taxable years beginning after July 31, 1987, and before January 1, 1989, except that changes to the internal revenue code made by P.L. 100-647, P.L. 101-73, P.L. 101-140 and, P.L. 101-239 and P.L. 101-508 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 100-647, P.L. 101-73, P.L. 101-140 and, P.L. 101-239 and P.L. 101-508 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1785r. 71.22 (4m) (b) of the statutes is amended to read:

71.22 (4m) (b) For taxable years that begin after December 31, 1988, and before January 1, 1990, "internal revenue code", for corporations that are subject to a tax on unrelated business income under s. 71.26 (1) (a), means the federal internal revenue code as amended to December 31, 1988, and as amended by P.L. 101-73, P.L. 101-140 and, P.L. 101-239 and P.L. 101-508 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179 and, P.L. 101-239 and P.L. 101-508. Amendments to the internal revenue code enacted after December 31, 1988, do not apply to this paragraph with respect to taxable years beginning after December 31, 1988, and before January 1, 1990, except that

changes to the internal revenue code made by P.L. 101-73, P.L. 101-140 ~~and~~ P.L. 101-239 ~~and~~ P.L. 101-508 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 101-73, P.L. 101-140, P.L. 101-179 ~~and~~ P.L. 101-239 ~~and~~ P.L. 101-508 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1786m. 71.22 (4m) (c) of the statutes is amended to read:

71.22 (4m) (c) For taxable years that begin after December 31, 1989, ~~and before January 1, 1991,~~ "internal revenue code", for corporations that are subject to a tax on unrelated business income under s. 71.26 (1) (a), means the federal internal revenue code as amended to December 31, 1989, ~~and as amended by P.L. 101-508 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179 ~~and~~ P.L. 101-239 ~~and~~ P.L. 101-508.~~ The internal revenue code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the internal revenue code enacted after December 31, 1989, do not apply to this paragraph with respect to taxable years beginning after December 31, 1989, ~~and before January 1, 1991, except that changes to the internal revenue code made by P.L. 101-508 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 101-508 apply for Wisconsin purposes at the same time as for federal purposes.~~

SECTION 1787m. 71.22 (4m) (d) of the statutes is created to read:

71.22 (4m) (d) For taxable years that begin after December 31, 1990, "internal revenue code", for corporations that are subject to a tax on unrelated business income under s. 71.26 (1) (a), means the federal internal revenue code as amended to December 31, 1990, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239 and P.L. 101-508. The internal revenue code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the internal revenue code enacted after December 31, 1990, do not apply to this paragraph with respect to taxable years beginning after December 31, 1990.

SECTION 1788. 71.22 (11) of the statutes is amended to read:

71.22 (11) Except as provided in s. 71.45 (2), "Wisconsin net income", for corporations engaged in business wholly within this state, means net income and, for corporations engaged in business both within and outside this state, means the amount assigned to this state under s. 71.25 (6), ~~(10) (c) or (13)~~ or by a separate accounting or allocation, if allowed under s. 71.25 (6), or by another method approved under s. 71.25 (11) or (12).

SECTION 1788m. 71.24 (6) (b) of the statutes is amended to read:

71.24 (6) (b) If a corporation changes its basis of reporting from a calendar year to a fiscal year a separate return shall be made for the period between the close of the last calendar year and the date designated as the close of the fiscal year. If the change is from a fiscal year to a calendar year, a separate return shall be made for the period between the close of the last fiscal year and the following December 31. If the change is from one fiscal year to another fiscal year a separate return shall be made for the period between the close of the former fiscal year and the date designated as the close of the new fiscal year. In no case shall a separate income ~~or franchise~~ tax return be made for a period of more than 12 months.

SECTION 1789. 71.24 (7) of the statutes is amended to read:

71.24 (7) EXTENSIONS. In the case of a corporation required to file a return, when sufficient reason is shown, the department of revenue may on written request allow such further time for making and delivering the return as is considered necessary, not to exceed 30 days ~~or in~~. In the case of a cooperative filing a return or a domestic international sales corporation, as defined in s. 71.30 (5), ~~the department of revenue may allow an extension not to exceed 6 months. In the case of a foreign corporation that does not have an office or place of business in the United States the department of revenue may allow an extension not to exceed 3 months.~~ Any extension of time granted by law or by the internal revenue service for the filing of corresponding federal returns shall extend the time for filing under this chapter if a copy of any extension requested of the internal revenue service is filed with the return. Termination of an automatic extension by the internal revenue service, or its refusal to grant such automatic extension, shall similarly require that any returns due under this chapter are due on or before the date for termination fixed by the internal revenue service. Except for payments of estimated taxes, income ~~or franchise~~ taxes payable upon the filing of the tax return shall not become delinquent during such extension period, but shall be subject to interest at the rate of 12% per year during such period.

SECTION 1789g. 71.24 (9) (b) of the statutes is amended to read:

71.24 (9) (b) Additional income ~~or franchise~~ taxes assessed under s. 71.74 (1) to (5), (7) and (8) shall become delinquent if not paid on or before the due date stated in the notice to the taxpayer.

SECTION 1789j. 71.24 (10) of the statutes is amended to read:

71.24 (10) ADVANCE PAYMENTS. The department of revenue shall accept in advance income ~~or franchise~~ taxes and surtaxes from taxpayers desirous of making such payments before the same shall become due and payable. Advance payment of taxes under this subsec-

tion shall not relieve the taxpayer from additional taxes which may result from subsequent legislation or from additional taxable income disclosed or discovered subsequent to such payment.

SECTION 1790. 71.25 (6) of the statutes is amended to read:

71.25 (6) ALLOCATION AND SEPARATE ACCOUNTING AND APPORTIONMENT FORMULA. Corporations engaged in business within and without the state shall be taxed only on such income as is derived from business transacted and property located within the state. The amount of such income attributable to Wisconsin may be determined by an allocation and separate accounting thereof, when the business of such corporation within the state is not an integral part of a unitary business, but the department of revenue may permit an allocation and separate accounting in any case in which it is satisfied that the use of such method will properly reflect the income taxable by this state. In all cases in which allocation and separate accounting is not permissible, the determination shall be made in the following manner: for all businesses except financial organizations, public utilities, railroads, sleeping car companies, car line companies and corporations or associations that are subject to a tax on unrelated business income under s. 71.26 (1) (a) there shall first be deducted from the total net income of the taxpayer the part thereof (less related expenses, if any) that follows the situs of the property or the residence of the recipient. The remaining net income shall be apportioned to Wisconsin by use of an apportionment fraction composed of a sales factor under sub. (9) representing 50% of the fraction, a property factor under sub. (7) representing 25% of the fraction and a payroll factor under sub. (8) representing 25% of the fraction.

SECTION 1791. 71.25 (10) (title) of the statutes is amended to read:

71.25 (10) (title) RAILROADS, FINANCIAL ORGANIZATIONS AND PUBLIC UTILITIES.

SECTION 1792. 71.25 (10) (c) of the statutes is amended to read:

71.25 (10) (c) The net business income of railroads, sleeping car companies, car line companies, financial organizations and public utilities requiring apportionment shall be apportioned pursuant to rules of the department of revenue, but the income taxed is limited to the income derived from business transacted and property located within the state.

SECTION 1793. 71.26 (1) (a) of the statutes is amended to read:

71.26 (1) (a) *Certain corporations.* Income of ~~railroad corporations and sleeping car companies, of car line companies from operation of car line equipment as defined in s. 76.39, and corporations organized under ch. 185 or operating under subch. I of ch. 616 which are bona fide cooperatives operated without pecuniary profit to any shareholder or member, or operated on a cooperative plan pursuant to which they determine and distribute their proceeds in sub-~~

stantial compliance with s. 185.45, and the income, except the unrelated business taxable income as defined in section 512 of the internal revenue code, of all religious, scientific, educational, benevolent or other corporations or associations of individuals not organized or conducted for pecuniary profit. This paragraph does not apply to the income of mutual savings banks, mutual loan corporations or savings and loan associations. This paragraph applies to the income of credit unions except to the income of any credit union that is derived from public deposits for any taxable year in which the credit union is approved as a public depository under ch. 34 and acts as a depository of state or local funds under s. 186.113 (20). For purposes of this paragraph, the income of a credit union that is derived from public deposits is the product of the credit union's gross annual income for the taxable year multiplied by a fraction, the numerator of which is the average monthly balance of public deposits in the credit union during the taxable year, and the denominator of which is the average monthly balance of all deposits in the credit union during the taxable year.

SECTION 1793b. 71.26 (1) (e) of the statutes is amended to read:

71.26 (1) (e) *Menominee Indian tribe; distribution of assets.* No distribution of assets from the United States to the members of the Menominee Indian tribe as defined in s. 49.085 or their lawful distributees, or to any corporation, or organization, created by the tribe or at its direction pursuant to section 8 of P.L. 83-399, as amended, and no issuance of stocks, bonds, certificates of indebtedness, voting trust certificates or other securities by any such corporation or organization, or voting trust, to such members of the tribe or their lawful distributees shall be subject to income or franchise taxes under this chapter; provided that so much of any cash distribution made under said P.L. 83-399 as consists of a share of any interest earned on funds deposited in the treasury of the United States pursuant to the supplemental appropriation act, 1952, (65 Stat. 736, 754) shall not by virtue of this paragraph be exempt from the individual income tax of this state in the hands of the recipients for the year in which paid. For the purpose of ascertaining the gain or loss resulting from the sale or other disposition of such assets and stocks, bonds, certificates of indebtedness and other securities under this chapter, the fair market value of such property, on termination date as defined in s. 70.057 (1), 1967 stats., shall be the basis for determining the amount of such gain or loss.

SECTION 1793d. 71.26 (2) (b) 1 of the statutes is amended to read:

71.26 (2) (b) 1. For taxable year 1987, for a corporation, conduit or common law trust which qualifies as a regulated investment company, real estate mortgage investment conduit or real estate investment trust under the internal revenue code as amended to December 31, 1986, and as amended by P.L. 100-203,

P.L. 100-647, P.L. 101-140 ~~and~~, P.L. 101-239 ~~and~~ P.L. 101-508 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-140 ~~and~~, P.L. 101-239 ~~and~~ P.L. 101-508 as it applies to taxable year 1987, "net income" means the federal regulated investment company taxable income, federal real estate mortgage investment conduit taxable income or federal real estate investment trust taxable income of the corporation, conduit or trust as determined under the internal revenue code as amended to December 31, 1986, and as amended by P.L. 100-203, P.L. 100-647, P.L. 101-140 ~~and~~, P.L. 101-239 ~~and~~ P.L. 101-508 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-140 ~~and~~, P.L. 101-239 ~~and~~ P.L. 101-508 as it applies to taxable year 1987, without regard to sub. (3) and s. 71.22 (4), except that for taxable years that end after July 1, 1987, and before December 31, 1987, "internal revenue code" does not include changes to the federal internal revenue code made by sections 142, 801, 802 and 803 of P.L. 99-514 and except that property that, under s. 71.02 (1) (c) 8 to 11, 1985 stats., is required to be depreciated for taxable years 1983 to 1986 under the internal revenue code as amended to December 31, 1980, shall continue to be depreciated under the internal revenue code as amended to December 31, 1980. Amendments to the internal revenue code enacted after December 31, 1986, do not apply to this subdivision with respect to taxable year 1987, except that changes to the internal revenue code made by P.L. 100-203, P.L. 100-647, P.L. 101-140 ~~and~~, P.L. 101-239 ~~and~~ P.L. 101-508 and changes that indirectly affect provisions applicable to this subchapter made by P.L. 100-203, P.L. 100-647, P.L. 101-140 ~~and~~, P.L. 101-239 ~~and~~ P.L. 101-508 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1793f. 71.26 (2) (b) 2 of the statutes is amended to read:

71.26 (2) (b) 2. For taxable years that end after July 1, 1988, and before December 31, 1988, for a corporation, conduit or common law trust which qualifies as a regulated investment company, real estate mortgage investment conduit or real estate investment trust under the internal revenue code as amended to December 31, 1986, and as amended by P.L. 100-203, P.L. 100-647, P.L. 101-140 ~~and~~, P.L. 101-239 ~~and~~ P.L. 101-508, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140 ~~and~~, P.L. 101-239 ~~and~~ P.L. 101-508 "net income" means the federal regulated investment company taxable income, federal real estate mortgage investment conduit taxable income or federal real estate investment trust taxable income of the corporation, conduit or trust as determined under the internal revenue code as amended to December 31, 1986, and as amended by P.L. 100-203, P.L. 100-647, P.L. 101-140 ~~and~~, P.L.

101-239 ~~and~~ P.L. 101-508 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140 ~~and~~, P.L. 101-239 ~~and~~ P.L. 101-508, except that property that, under s. 71.02 (1) (c) 8 to 11, 1985 stats., is required to be depreciated for taxable years 1983 to 1986 under the internal revenue code as amended to December 31, 1980, shall continue to be depreciated under the internal revenue code as amended to December 31, 1980, and except that the appropriate amount shall be added or subtracted to reflect differences between the depreciation or adjusted basis for federal income tax purposes and the depreciation or adjusted basis under this chapter of any property disposed of during the taxable year. Amendments to the internal revenue code enacted after December 31, 1986, do not apply to this subdivision with respect to taxable years that begin on August 1, 1987, to December 1, 1987, except that changes to the federal internal revenue code made by P.L. 100-203, P.L. 100-647, P.L. 101-140 ~~and~~, P.L. 101-239 ~~and~~ P.L. 101-508 and changes that indirectly affect the provisions of the federal internal revenue code applicable to this subchapter made by P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140 ~~and~~, P.L. 101-239 ~~and~~ P.L. 101-508 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1793h. 71.26 (2) (b) 3 of the statutes is amended to read:

71.26 (2) (b) 3. For taxable years that begin after December 31, 1987, and before January 1, 1989, for a corporation, conduit or common law trust which qualifies as a regulated investment company, real estate mortgage investment conduit or real estate investment trust under the internal revenue code as amended to December 31, 1987, and as amended by P.L. 100-647, P.L. 101-73, P.L. 101-140 ~~and~~, P.L. 101-239 ~~and~~ P.L. 101-508 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140 ~~and~~, P.L. 101-239 ~~and~~ P.L. 101-508 "net income" means the federal regulated investment company taxable income, federal real estate mortgage investment conduit taxable income or federal real estate investment trust taxable income of the corporation, conduit or trust as determined under the internal revenue code as amended to December 31, 1987, and as amended by P.L. 100-647, P.L. 101-73, P.L. 101-140 ~~and~~, P.L. 101-239 ~~and~~ P.L. 101-508 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140 ~~and~~, P.L. 101-239 ~~and~~ P.L. 101-508 except that property that, under s. 71.02 (1) (c) 8 to 11, 1985 stats., is required to be depreciated for taxable years 1983 to 1986 under the internal revenue code as amended to December 31, 1980, shall continue to be depreciated under the internal revenue code as amended to December 31, 1980, and except that the appropriate amount shall be added or subtracted to reflect differ-

ences between the depreciation or adjusted basis for federal income tax purposes and the depreciation or adjusted basis under this chapter of any property disposed of during the taxable year. Amendments to the internal revenue code enacted after December 31, 1987, do not apply to this subdivision with respect to taxable years that begin after December 31, 1987, and before January 1, 1989, except that changes to the internal revenue code made by P.L. 100-647, P.L. 101-140 ~~and~~, P.L. 101-239 ~~and~~ P.L. 101-508 and changes that indirectly affect the provisions of the federal internal revenue code applicable to this subchapter made by P.L. 100-647, P.L. 101-73, P.L. 101-140 ~~and~~, P.L. 101-239 ~~and~~ P.L. 101-508 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1793j. 71.26 (2) (b) 4 of the statutes is amended to read:

71.26 (2) (b) 4. For taxable years that begin after December 31, 1988, and before January 1, 1990, for a corporation, conduit or common law trust which qualifies as a regulated investment company, real estate mortgage investment conduit or real estate investment trust under the internal revenue code as amended to December 31, 1988, and as amended by P.L. 101-73, P.L. 101-140 ~~and~~, P.L. 101-239 ~~and~~ P.L. 101-508 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179 ~~and~~, P.L. 101-239 ~~and~~ P.L. 101-508 "net income" means the federal regulated investment company taxable income, federal real estate mortgage investment conduit taxable income or federal real estate investment trust taxable income of the corporation, conduit or trust as determined under the internal revenue code as amended to December 31, 1988, and as amended by P.L. 101-73, P.L. 101-140 ~~and~~, P.L. 101-239 ~~and~~ P.L. 101-508 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179 ~~and~~, P.L. 101-239 ~~and~~ P.L. 101-508 except that property that, under s. 71.02 (1) (c) 8 to 11, 1985 stats., is required to be depreciated for taxable years 1983 to 1986 under the internal revenue code as amended to December 31, 1980, shall continue to be depreciated under the internal revenue code as amended to December 31, 1980, and except that the appropriate amount shall be added or subtracted to reflect differences between the depreciation or adjusted basis for federal income tax purposes and the depreciation or adjusted basis under this chapter of any property disposed of during the taxable year. Amendments to the internal revenue code enacted after December 31, 1988, do not apply to this subdivision with respect to taxable years that begin after December 31, 1988, and before January 1, 1990, except that changes to the internal revenue code made by P.L. 101-73, P.L. 101-140 ~~and~~, P.L. 101-239 ~~and~~ P.L. 101-508 and changes that indirectly affect the provisions of the federal internal revenue code applicable to this subchapter made by P.L. 101-73, P.L. 101-140, P.L. 101-179 ~~and~~,

P.L. 101-239 ~~and~~ P.L. 101-508 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1794m. 71.26 (2) (b) 5 of the statutes is amended to read:

71.26 (2) (b) 5. For taxable years that begin after December 31, 1989, ~~and before January 1, 1991~~, for a corporation, conduit or common law trust which qualifies as a regulated investment company, real estate mortgage investment conduit or real estate investment trust under the internal revenue code as amended to December 31, 1989, ~~and as amended by~~ P.L. 101-508 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179 ~~and~~, P.L. 101-239 ~~and~~ P.L. 101-508 "net income" means the federal regulated investment company taxable income, federal real estate mortgage investment conduit taxable income or federal real estate investment trust taxable income of the corporation, conduit or trust as determined under the internal revenue code as amended to December 31, 1989, ~~and as amended by~~ P.L. 101-508 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179 ~~and~~, P.L. 101-239 ~~and~~ P.L. 101-508 except that property that, under s. 71.02 (1) (c) 8 to 11, 1985 stats., is required to be depreciated for taxable years 1983 to 1986 under the internal revenue code as amended to December 31, 1980, shall continue to be depreciated under the internal revenue code as amended to December 31, 1980, and except that the appropriate amount shall be added or subtracted to reflect differences between the depreciation or adjusted basis for federal income tax purposes and the depreciation or adjusted basis under this chapter of any property disposed of during the taxable year. The internal revenue code as amended to December 31, 1989, ~~and as amended by~~ P.L. 101-508 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179 ~~and~~, P.L. 101-239 ~~and~~ P.L. 101-508, applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the internal revenue code enacted after December 31, 1989, do not apply to this subdivision with respect to taxable years that begin after December 31, 1989, ~~and before January 1, 1991~~, except that changes to the internal revenue code made by P.L. 101-508 ~~and changes that indirectly affect the provisions applicable to this subchapter made by~~ P.L. 101-508 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1795m. 71.26 (2) (b) 6 of the statutes is created to read:

71.26 (2) (b) 6. For taxable years that begin after December 31, 1990, for a corporation, conduit or common law trust which qualifies as a regulated investment company, real estate mortgage investment conduit or real estate investment trust under the internal revenue code as amended to December 31, 1990,

and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239 and P.L. 101-508 "net income" means the federal regulated investment company taxable income, federal real estate mortgage investment conduit taxable income or federal real estate investment trust taxable income of the corporation, conduit or trust as determined under the internal revenue code as amended to December 31, 1990, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239 and P.L. 101-508 except that property that, under s. 71.02 (1) (c) 8 to 11, 1985 stats., is required to be depreciated for taxable years 1983 to 1986 under the internal revenue code as amended to December 31, 1980, shall continue to be depreciated under the internal revenue code as amended to December 31, 1980, and except that the appropriate amount shall be added or subtracted to reflect differences between the depreciation or adjusted basis for federal income tax purposes and the depreciation or adjusted basis under this chapter of any property disposed of during the taxable year. The internal revenue code as amended to December 31, 1990, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239 and P.L. 101-508, applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the internal revenue code enacted after December 31, 1990, do not apply to this subdivision with respect to taxable years that begin after December 31, 1990.

SECTION 1796. 71.26 (3) (c) of the statutes is amended to read:

71.26 (3) (c) Section 108 (b) (relating to reduction of tax attributes) is modified so that the net operating loss under sub. (4), not the federal net operating loss, and Wisconsin credits, not federal credits, are applied, and the reduction rate for a credit carry-over is 7.9%, not 33 1/3%.

SECTION 1797. 71.26 (3) (h) of the statutes is amended to read:

71.26 (3) (h) Section 164 (a) (4) ~~(relating as it relates to a deduction for the windfall profits tax)~~ is excluded.

SECTION 1798. 71.26 (3) (hd) of the statutes is created to read:

71.26 (3) (hd) Section 164 (a) as it relates to a deduction for the environmental tax that is imposed under section 59A is excluded.

SECTION 1799. 71.26 (3) (y) of the statutes is amended to read:

71.26 (3) (y) A corporation may compute amortization and depreciation under either the federal internal revenue code as amended to December 31, ~~1989~~ 1990, or the federal internal revenue code in effect for the

taxable year for which the return is filed, except that property first placed in service by the taxpayer on or after January 1, 1983, but before January 1, 1987, that, under s. 71.04 (15) (b) and (br), 1985 stats., is required to be depreciated under the internal revenue code as amended to December 31, 1980, and property first placed in service in taxable year 1981 or thereafter but before January 1, 1987, that, under s. 71.04 (15) (bm), 1985 stats., is required to be depreciated under the internal revenue code as amended to December 31, 1980, shall continue to be depreciated under the internal revenue code as amended to December 31, 1980.

SECTION 1800. 71.26 (4) of the statutes is amended to read:

71.26 (4) NET BUSINESS LOSS CARRY-FORWARD. A corporation, except a tax-option corporation or an insurer to which s. 71.45 (4) applies, may offset against its Wisconsin net business income any Wisconsin net business loss sustained in any of the next 15 preceding taxable years, if the corporation was subject to taxation under this chapter in the taxable year in which the loss was sustained, to the extent not offset by other items of Wisconsin income in the loss year and by Wisconsin net business income of any year between the loss year and the taxable year for which an offset is claimed. For purposes of this subsection Wisconsin net business income or loss shall consist of all the income attributable to the operation of a trade or business in this state, less the business expenses allowed as deductions in computing net income. The Wisconsin net business income or loss of corporations engaged in business within and without the state shall be determined under s. 71.25 (6) and (10) to (12). Nonapportionable losses having a Wisconsin situs under s. 71.25 (5) (b) shall be included in Wisconsin net business loss; and nonapportionable income having a Wisconsin situs under s. 71.25 (5) (b), whether taxable or exempt, shall be included in other items of Wisconsin income and Wisconsin net business income for purposes of this subsection.

~~SECTION 1800bd. 71.27 (1) of the statutes is renumbered 71.27 (1) (a) and amended to read:~~

~~71.27 (1) (a) The For taxable years beginning before January 1, 1991, and after December 31, 1993, the taxes to be assessed, levied and collected upon Wisconsin net incomes of corporations shall be computed at the rate of 7.9%.~~

~~SECTION 1800be. 71.27 (1) (b) of the statutes is created to read:~~

~~71.27 (1) (b) For taxable years beginning after December 31, 1990, and before January 1, 1994, the taxes to be assessed, levied and collected upon Wisconsin net incomes of corporations shall be computed at the rate of 8.4%.~~

~~SECTION 1800bf. 71.27 (2) of the statutes is renumbered 71.27 (2) (a) and amended to read:~~

~~71.27 (2) (a) The For taxable years beginning before January 1, 1991, and after December 31, 1993,~~

Vetoed
in Part

Vetoed in Part the corporation franchise tax imposed under s. 71.23 (2) and measured by Wisconsin net income shall be computed at the rate of 7.9%.

SECTION 1800bg. 71.27 (2) (b) of the statutes is created to read:

71.27 (2) (b) For taxable years beginning after December 31, 1990, and before January 1, 1994, the corporation franchise tax imposed under s. 71.23 (2) and measured by Wisconsin net income shall be computed at the rate of 8.4%.

SECTION 1800e. 71.28 (1di) (b) of the statutes is renumbered 71.28 (1di) (b) 1 and amended to read:

71.28 (1di) (b) 1. The Except as provided in subd. 2, the credit, including any credits carried over, may be offset only against the amount of the tax otherwise due under this chapter attributable to income from the business operations of the claimant in the development zone and against the tax attributable to income from directly related business operations of the claimant.

3. Partnerships and tax-option corporations may not claim the credit under this subsection, but the eligibility for, and amount of, that credit shall be determined on the basis of their economic activity, not that of their shareholders or partners. The corporation or partnership shall compute the amount of the credit that may be claimed by each of its shareholders or partners and shall provide that information to each of its shareholders or partners. Partners and shareholders of tax-option corporations may claim the credit based on the partnership's or corporation's activities in proportion to their ownership interest and may offset it against the tax attributable to their income from the partnership's or corporation's business operations in the development zone and against the tax attributable to their income from the partnership's or corporation's directly related business operations.

SECTION 1800m. 71.28 (1di) (b) 2 of the statutes is created to read:

71.28 (1di) (b) 2. If the claimant is located on an Indian reservation, as defined in s. 560.86 (5), and is an American Indian, as defined in s. 560.86 (1), an Indian business, as defined in s. 560.86 (4), or a tribal enterprise, as defined in s. 71.07 (2di) (b) 2, and if the allowable amount of the credit under this subsection exceeds the taxes otherwise due under this chapter on or measured by the claimant's income, the amount of the credit not used as an offset against those taxes shall be certified to the department of administration for payment to the claimant by check, share draft or other draft.

SECTION 1800s. 71.28 (1di) (c) of the statutes is amended to read:

71.28 (1di) (c) The Except as provided in par. (b) 2, the carry-over provisions of sub. (4) (e) and (f) as they relate to the credit under that subsection relate to the credit under this subsection and apply as if the development zone continued to exist.

SECTION 1801. 71.28 (1dj) (am) 1 of the statutes is amended to read:

71.28 (1dj) (am) 1. Modify "member of a targeted group", as defined in section 51 (d) of the internal revenue code, to include persons unemployed as a result of a business action subject to s. 109.07 (1m) and persons specified under 29 USC ~~1652~~ 1651 (a) and to require a member of a targeted group to be a resident of this state.

SECTION 1801d. 71.28 (1dj) (am) 4c of the statutes is created to read:

71.28 (1dj) (am) 4c. Modify the rule for ineligible individuals under section 51 (i) (1) of the internal revenue code to allow credit for the wages of related individuals paid by an Indian business, as defined in s. 560.86 (4), or a tribal enterprise, as defined in s. 71.07 (2di) (b) 2, if the Indian business or tribal enterprise is located in a development zone designated under s. 560.71 (3) (c) 2.

SECTION 1801h. 71.28 (1dL) (c) of the statutes is renumbered 71.28 (1dL) (c) 1 and amended to read:

71.28 (1dL) (c) 1. The Except as provided in subd. 2, the credit under par. (a), including any credits carried over, may be offset only against the amount of the tax otherwise due under this chapter attributable to income from the business operations of the claimant in the development zone and against the tax attributable to income from directly related business operations.

SECTION 1801p. 71.28 (1dL) (c) 2 of the statutes is created to read:

71.28 (1dL) (c) 2. If the claimant is located on an Indian reservation, as defined in s. 560.86 (5), and is an American Indian, as defined in s. 560.86 (1), an Indian business, as defined in s. 560.86 (4), or a tribal enterprise, as defined in s. 71.07 (2di) (b) 2, and if the allowable amount of the credit under par. (a) exceeds the taxes otherwise due under this chapter on or measured by the claimant's income, the amount of the credit not used as an offset against those taxes shall be certified to the department of administration for payment to the claimant by check, share draft or other draft.

SECTION 1801t. 71.28 (1dL) (d) of the statutes is amended to read:

71.28 (1dL) (d) The Except as provided in par. (c) 2, the carry-over provisions of sub. (4) (e) and (f) as they relate to the credit under that subsection relate to the credit under this subsection and apply as if the development zone continued to exist.

SECTION 1801we. 71.28 (2m) (b) 1. a. of the statutes is amended to read:

71.28 (2m) (b) 1. a. Subject to the limitations provided in this subsection and s. 71.80 (3) and (3m), a claimant may claim as a credit against Wisconsin income or franchise taxes otherwise due, the amount derived under par. (c). If the allowable amount of claim exceeds the income or franchise taxes otherwise due on or measured by the claimant's income or if

there are no Wisconsin income or franchise taxes due on or measured by the claimant's income, the amount of the claim not used as an offset against income or franchise taxes shall be certified to the department of administration for payment to the claimant by check, share draft or other draft paid from the appropriation under s. 20.835 (2) ~~(a) (m)~~.

Vetoed
in Part

SECTION 1801wm. 71.28 (2m) (b) 2. a. of the statutes is amended to read:

71.28 (2m) (b) 2. a. Unless a claim is filed with the department ~~within 12 months following the close of the taxable year in which the property taxes accrued in conformity with the filing requirements in s. 71.24 (1), (1m) and (7).~~

SECTION 1801ws. 71.28 (2m) (b) 3 of the statutes is repealed.

SECTION 1808. 71.28 (4) (a) of the statutes is amended to read:

71.28 (4) (a) *Credit*. Any corporation may credit against taxes otherwise due under this chapter an amount equal to 5% of the amount obtained by subtracting from the corporation's qualified research expenses, as defined in section 41 of the internal revenue code, except that "qualified research expenses" includes only expenses incurred by the claimant, incurred for research conducted in this state for the taxable year and except that "qualified research expenses" does not include compensation used in computing the credit under sub. (1dj), the corporation's ~~base period research expenses amount~~, as defined in section 41 (c) of the internal revenue code ~~in effect on December 31, 1988, except that gross receipts used in calculating the base amount means gross receipts from sales attributable to Wisconsin under s. 71.25 (9) (b) 1 and 2 and (d).~~ Section 41 (4) (h) of the internal revenue code does not apply to the credit under this paragraph.

SECTION 1809. 71.28 (4) (am) of the statutes is amended to read:

71.28 (4) (am) *Development zone additional research credit*. In addition to the credit under par. (a), any corporation may credit against taxes otherwise due under this chapter an amount equal to 5% of the amount obtained by subtracting from the corporation's qualified research expenses, as defined in section 41 of the internal revenue code, except that "qualified research expenses" include only expenses incurred by the claimant in a development zone under subch. VI of ch. 560 and except that "qualified research expenses" do not include compensation used in computing the credit under sub. (1dj) nor research expenses incurred before the claimant is certified for tax benefits under s. 560.765 (3), the corporation's ~~base period research expenses amount~~, as defined in section 41 (c) of the internal revenue code ~~in effect on December 31, 1988, but including, in a development zone, except that gross receipts used in calculating the base amount means gross receipts from sales attribut-~~

~~able to Wisconsin under s. 71.25 (9) (b) 1 and 2 and (d) and research expenses used in calculating the base amount include research expenses incurred before the claimant is certified for tax benefits under s. 560.765 (3), in a development zone, if the claimant submits with the claimant's return a copy of the claimant's certification for tax benefits under s. 560.765 (3) and a statement from the department of development verifying the claimant's qualified research expenses for research conducted exclusively in a development zone. The rules under s. 73.03 (35) apply to the credit under this paragraph. The rules under sub. (1di) (f) and (g) as they apply to the credit under that subsection apply to claims under this paragraph. Section 41 (4) (h) of the internal revenue code does not apply to the credit under this paragraph.~~

SECTION 1810. 71.28 (7) of the statutes is repealed.

~~SECTION 1810m. 71.285 of the statutes is created to read:~~

~~71.285 Corporate minimum tax. (1) IMPOSITION. If the tax imposed on a corporation under s. 71.23 (1) or (2), not considering the credits under s. 71.28 (1di), (1dj), (1dL), (1ds) and (2m) and subch. IX is less than the tax under this section, there is imposed on a corporation, instead of the tax under s. 71.23 (1) or (2), an alternative minimum tax computed as follows:~~

~~(a) Adjust net apportionable income of a corporation subject to apportionment and net Wisconsin income of a business subject to separate accounting in the manner under section 56, except section 56 (a) (4), and section 58 of the internal revenue code.~~

~~(b) Add to the amount under par. (a) the preferences under section 57 of the internal revenue code to the extent that those preferences reduce net income for purposes of the tax imposed under s. 71.23 (1) or (2).~~

~~(c) Multiply the amount under par. (b) by the apportionment percentage under s. 71.25 applicable to the corporation for purposes of the tax imposed under s. 71.23 (1) or (2) if the corporation is subject to apportionment.~~

~~(d) Add nonapportionable income that has a situs in this state to the amount under par. (c).~~

~~(e) From the amount under par. (d), subtract Wisconsin minimum tax net business losses. The department of revenue shall promulgate rules defining net business losses for minimum tax purposes.~~

~~(f) Multiply the exemption amount under section 55 (d) (2) and (3) of the internal revenue code by the apportionment percentage under s. 71.25 applicable to the corporation for purposes of the tax imposed under s. 71.23 (1) or (2).~~

~~(g) Subtract the amount under par. (f) from the amount under par. (e).~~

~~(h) If the corporation is a tax-option corporation, subtract from the amount under par. (g) the portion of that amount equal to the ownership percentage of shareholders who are residents of this state and of~~

Vetoed
in Part

Vetoed
in Part

nonresident shareholders who file individual returns in this state for purposes of the tax imposed under s. 71.02 or 71.08.

(i) Multiply the amount under par. (h) by 4.7%.

(j) Subtract the credit under s. 71.28 (3) (b) from the amount under par. (i).

(2) ADMINISTRATION. The department of revenue may impose, enforce and collect the minimum tax provided in this section and may take any action, conduct any proceeding and in all respects proceed as it is authorized in respect to income or franchise taxes imposed in this chapter. The income and franchise tax provisions in this chapter relating to assessments, refunds, appeals, collection, interest and penalties shall apply to the minimum tax.

SECTION 1811. 71.29 (1) (a) of the statutes is amended to read:

71.29 (1) (a) If no return is filed, or a return is filed the tax computed on which is less than 75% of the tax properly due and the interest under s. 71.84 (2) (a) or (b) is \$300 or more, "return" means a return that would show the tax properly due. If a return is timely filed and if either the tax computed on it is at least 75% of the tax properly due or the interest under s. 71.84 (2) (a) or (b) is less than \$300, "return" means that timely return. If a return is filed late and if either the tax computed on it is at least 75% of the tax properly due or the interest under s. 71.84 (2) (a) or (b) is less than \$300, "return" means the first return filed after the due date or after the due date as extended.

Vetoed
in Part

SECTION 1814. 71.29 (1) (b) of the statutes is amended to read:

71.29 (1) (b) "Tax shown on the return" and "tax for the taxable year" mean the net taxes imposed under s. 71.23 (1) or (2) or 71.285 after reduction for credits against those taxes but before reduction for amounts paid as estimated tax under this section.

SECTION 1815. 71.29 (2) of the statutes is amended to read:

71.29 (2) WHO SHALL PAY. Every corporation subject to tax under s. 71.23 (1) or (2) or 71.285 and every virtually exempt entity subject to tax under s. 71.125 or 71.23 (1) or (2) or 71.285 shall pay an estimated tax to the department of revenue at its offices in Madison unless the department, by rule, prescribes another place of payment.

SECTION 1812. 71.29 (3m) of the statutes is amended to read:

71.29 (3m) REFUNDS. The department of revenue may refund estimated taxes after the completion of the taxable year to which the estimated taxes relate if the refund is at least 10% of the taxes estimated for that taxable year and is at least \$500. A refund under this subsection may be subject to s. 71.84 (2) (c).

SECTION 1813. 71.29 (7) (intro.) of the statutes is amended to read:

71.29 (7) EXCEPTION TO INTEREST. (intro.) No interest is required under s. 71.84 (2) (a) or (b) for a

corporation or virtually exempt entity if any of the following conditions apply:

SECTION 1813m. 71.29 (7) (b) of the statutes is amended to read:

71.29 (7) (b) The preceding taxable year was 12 months, the corporation or virtually exempt entity had no liability under s. 71.125 or 71.23 (1) or (2) or 71.285 for that year and the corporation or virtually exempt entity has a Wisconsin net income of less than \$250,800 for the current taxable year.

SECTION 1814. 71.29 (10) (c) of the statutes is amended to read:

71.29 (10) (c) If 22.5% for the first instalment, 45% for the 2nd instalment, 67.5% for the 3rd instalment and 90% for the 4th instalment of the tax for the taxable year computed by annualizing, under methods prescribed by the department of revenue, the corporation's income, or the virtually exempt entity's unrelated business taxable income, for the months in the taxable year ending before the instalment's due date is less than the instalment required under par. (a), the corporation or virtually exempt entity may pay the amount under this paragraph rather than the amount under par. (a). For purposes of computing annualized income under this paragraph, the apportionment percentage computed under s. 71.25 (6) and (10) to (12) from the return filed for the previous taxable year may be used if that return was is filed with the department of revenue on or before the due date of the instalment for which the income is being annualized and if the apportionment percentage on that previous year's return was is greater than zero or may be used if that return is filed with the department of revenue on or before the due date of the 3rd instalment, the apportionment percentage on that previous year's return is greater than zero and the apportionment percentage used in the computation of the first 2 instalments is not less than the apportionment percentage on that previous year's return. For purposes of computing annualized income of corporations that are subject to a tax under this chapter on unrelated business taxable income, as defined under section 512 of the internal revenue code, and virtually exempt entities, the taxpayer's income for the months in the taxable year ending before the date one month before the due date for the instalment shall be used. Any corporation or virtually exempt entity that pays an amount calculated under this paragraph shall increase the next instalment computed under par. (a) by an amount equal to the difference between the amount paid under this paragraph and the amount that would have been paid under par. (a).

SECTION 1815. 71.30 (3) (er) of the statutes is repealed.

SECTION 1815i. 71.30 (3) (g) of the statutes is created to read:

71.30 (3) (g) Corporate minimum tax under s. 71.285

Vetoed
in Part

Vetoed
in Part

SECTION 1815m. 71.30 (8) (b) of the statutes is amended to read:

71.30 (8) (b) For the purpose of this chapter, if a corporation which is required to file an income or franchise tax return is affiliated with or related to any other corporation through stock ownership by the same interests or as parent or subsidiary corporations or has income that is regulated through contract or other arrangement, the department of revenue may require such consolidated statements as in its opinion are necessary in order to determine the taxable income received by any one of the affiliated or related corporations.

SECTION 1817d. 71.34 (1g) (a) of the statutes is amended to read:

71.34 (1g) (a) "Internal revenue code" for tax-option corporations, for taxable year 1987, means the federal internal revenue code as amended to December 31, 1986, and as amended by P.L. 100-203, P.L. 100-647, P.L. 101-140 and, P.L. 101-239 and P.L. 101-508 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-140 and, P.L. 101-239 and P.L. 101-508 as it applies to taxable year 1987, except that for taxable years 1987 that end after July 1 and before December 31 "internal revenue code" does not include changes to the federal internal revenue code made by sections 142, 801, 802 and 803 of P.L. 99-514, except that section 1366 (f) (relating to pass-through of items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375. Amendments to the federal internal revenue code enacted after December 31, 1986, do not apply to this paragraph, except that changes to the internal revenue code made by P.L. 100-203, P.L. 100-647, P.L. 101-140 and, P.L. 101-239 and P.L. 101-508 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 100-203, P.L. 100-647 excluding section 1008 (g) (5) of P.L. 100-647, P.L. 101-140 and, P.L. 101-239 and P.L. 101-508 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1817f. 71.34 (1g) (b) of the statutes is amended to read:

71.34 (1g) (b) "Internal revenue code" for tax-option corporations, for taxable years that end after July 1, 1988, and before December 31, 1988, means the federal internal revenue code as amended to December 31, 1986, and as amended by P.L. 100-203, P.L. 100-647, P.L. 101-140 and, P.L. 101-239 and P.L. 101-508 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140 and, P.L. 101-239 and P.L.

101-508, except that section 1366 (f) (relating to pass-through of items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375. Amendments to the internal revenue code enacted after December 31, 1986, do not apply to this paragraph, except that changes to the internal revenue code made by P.L. 100-203, P.L. 100-647, P.L. 101-140 and, P.L. 101-239 and P.L. 101-508 and changes that indirectly affect the provisions applicable to this subchapter made by P.L. 100-203, P.L. 100-647 excluding section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140 and, P.L. 101-239 and P.L. 101-508 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1817h. 71.34 (1g) (c) of the statutes is amended to read:

71.34 (1g) (c) "Internal revenue code" for tax-option corporations, for taxable years that begin after December 31, 1987, and before January 1, 1989, means the federal internal revenue code as amended to December 31, 1987, and as amended by P.L. 100-647, P.L. 101-73, P.L. 101-140 and, P.L. 101-239 and P.L. 101-508 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140 and, P.L. 101-239 and P.L. 101-508, except that section 1366 (f) (relating to pass-through of items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375. Amendments to the federal internal revenue code enacted after December 31, 1987, do not apply to this paragraph with respect to taxable years beginning after December 31, 1987, and before January 1, 1989, except that changes to the internal revenue code made by P.L. 100-647, P.L. 101-73, P.L. 101-140 and, P.L. 101-239 and P.L. 101-508 and changes that indirectly affect provisions applicable to this subchapter made by P.L. 100-647 excluding section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140 and, P.L. 101-239 and P.L. 101-508 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1817j. 71.34 (1g) (d) of the statutes is amended to read:

71.34 (1g) (d) "Internal revenue code" for tax-option corporations, for taxable years that begin after December 31, 1988, and before January 1, 1990, means the federal internal revenue code as amended to December 31, 1988, and as amended by P.L. 101-73, P.L. 101-140 and, P.L. 101-239 and P.L. 101-508 and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179 and, P.L. 101-239 and P.L. 101-508, except that section 1366 (f) (relating to pass-

through of items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375. Amendments to the federal internal revenue code enacted after December 31, 1988, do not apply to this paragraph with respect to taxable years beginning after December 31, 1988, and before January 1, 1990, except that changes to the internal revenue code made by P.L. 101-73, P.L. 101-140 ~~and~~, P.L. 101-239 ~~and~~ P.L. 101-508 and changes that indirectly affect provisions applicable to this subchapter made by P.L. 101-73, P.L. 101-140, P.L. 101-179 ~~and~~, P.L. 101-239 ~~and~~ P.L. 101-508 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1818m. 71.34 (1g) (e) of the statutes is amended to read:

71.34 (1g) (e) "Internal revenue code" for tax-option corporations, for taxable years that begin after December 31, 1989, ~~and before January 1, 1991,~~ means the federal internal revenue code as amended to December 31, 1989, ~~and as amended by P.L. 101-508~~ and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179 ~~and~~, P.L. 101-239 ~~and~~ P.L. 101-508, except that section 1366 (f) (relating to pass-through of items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375. The internal revenue code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal internal revenue code enacted after December 31, 1989, do not apply to this paragraph with respect to taxable years beginning after December 31, 1989, ~~and before January 1, 1991,~~ except that changes to the internal revenue code made by P.L. 101-508 and changes that indirectly affect provisions applicable to this subchapter made by P.L. 101-508 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1819m. 71.34 (1g) (f) of the statutes is created to read:

71.34 (1g) (f) "Internal revenue code" for tax-option corporations, for taxable years that begin after December 31, 1990, means the federal internal revenue code as amended to December 31, 1990, and as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239 and P.L. 101-508, except that section 1366 (f) (relating to pass-through of items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375. The internal revenue code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal internal revenue code enacted after December 31, 1990, do not apply to

this paragraph with respect to taxable years beginning after December 31, 1990.

SECTION 1820. 71.365 (1m) of the statutes is amended to read:

71.365 (1m) TAX-OPTION CORPORATIONS; DEPRECIATION. A tax-option corporation may compute amortization and depreciation under either the federal internal revenue code as amended to December 31, ~~1989~~ 1990, or the federal internal revenue code in effect for the taxable year for which the return is filed, except that property first placed in service by the taxpayer on or after January 1, 1983, but before January 1, 1987, that, under s. 71.04 (15) (b) and (br), 1985 stats., is required to be depreciated under the internal revenue code as amended to December 31, 1980, and property first placed in service in taxable year 1981 or thereafter but before January 1, 1987, that, under s. 71.04 (15) (bm), 1985 stats., is required to be depreciated under the internal revenue code as amended to December 31, 1980, shall continue to be depreciated under the internal revenue code as amended to December 31, 1980. Any difference between the adjusted basis for federal income tax purposes and the adjusted basis under this chapter shall be taken into account in determining net income or loss in the year or years for which the gain or loss is reportable under this chapter. If that property was placed in service by the taxpayer during taxable year 1986 and thereafter but before the property is used in the production of income subject to taxation under this chapter, the property's adjusted basis and the depreciation or other deduction schedule are not required to be changed from the amount allowable on the owner's federal income tax returns for any year because the property is used in the production of income subject to taxation under this chapter. If that property was acquired in a transaction in taxable year 1986 or thereafter in which the adjusted basis of the property in the hands of the transferee is the same as the adjusted basis of the property in the hands of the transferor, the Wisconsin adjusted basis of that property on the date of transfer is the adjusted basis allowable under the internal revenue code as defined for Wisconsin purposes for the property in the hands of the transferor.

SECTION 1823b. 71.39 (1) (b) of the statutes is amended to read:

71.39 (1) (b) A deduction shall be allowed from such taxable income before the imposition of the special tax levied by this section, in an amount equivalent to 8% of the amount by which the cost of the property of such corporation used and useful in providing its urban mass transportation of passengers exceeds the cumulated amount of the depreciation accrued against such property as of the end of the fiscal year for which the income or franchise tax return is filed.

SECTION 1823c. 71.40 of the statutes is amended to read:

71.40 Filing of returns. The special income tax assessed under this subchapter shall be reported in an

income or franchise tax return filed in accordance with this chapter, except as modified by this subchapter. The tax so reported and assessed shall be payable to the department of revenue.

SECTION 1823d. 71.42 (2) (a) of the statutes is amended to read:

71.42 (2) (a) For taxable year 1987, "internal revenue code" means the federal internal revenue code as amended to December 31, 1986, and as amended by P.L. 100-203, P.L. 100-647, P.L. 101-140 and, P.L. 101-239 and P.L. 101-508 and as indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-140 and, P.L. 101-239 and P.L. 101-508 as it applies to taxable year 1987. Amendments to the internal revenue code enacted after December 31, 1986, do not apply to this paragraph with respect to taxable year 1987, except that changes to the internal revenue code made by P.L. 100-203, P.L. 100-647, P.L. 101-140 and, P.L. 101-239 and P.L. 101-508 and changes that indirectly affect the federal internal revenue code made by P.L. 100-203, P.L. 100-647, P.L. 101-140 and, P.L. 101-239 and P.L. 101-508 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1823f. 71.42 (2) (b) of the statutes is amended to read:

71.42 (2) (b) For taxable years that begin after December 31, 1987, and before January 1, 1989, "internal revenue code" means the federal internal revenue code as amended to December 31, 1987, and as amended by P.L. 100-647, P.L. 101-140 and, P.L. 101-239 and P.L. 101-508 and as indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140 and, P.L. 101-239 and P.L. 101-508, except that "internal revenue code" does not include section 847 of the federal internal revenue code. Amendments to the federal internal revenue code enacted after December 31, 1987, do not apply to this paragraph with respect to taxable years beginning after December 31, 1987, and before January 1, 1989, except that changes to the internal revenue code made by P.L. 100-647, P.L. 101-140 and, P.L. 101-239 and P.L. 101-508 and changes that indirectly affect the federal internal revenue code made by P.L. 100-647, P.L. 101-73, P.L. 101-140 and, P.L. 101-239 and P.L. 101-508 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1823h. 71.42 (2) (c) of the statutes is amended to read:

71.42 (2) (c) For taxable years that begin after December 31, 1988, and before January 1, 1990, "internal revenue code" means the federal internal revenue code as amended to December 31, 1988, and as amended by P.L. 101-73, P.L. 101-140 and, P.L. 101-239 and P.L. 101-508 and as indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179 and, P.L. 101-239 and P.L. 101-508, except that "internal revenue code" does not include section 847 of the federal internal revenue

code. Amendments to the federal internal revenue code enacted after December 31, 1988, do not apply to this paragraph with respect to taxable years beginning after December 31, 1988, and before January 1, 1990, except that changes to the internal revenue code made by P.L. 101-73, P.L. 101-140 and, P.L. 101-239 and P.L. 101-508 and changes that indirectly affect the federal internal revenue code made by P.L. 101-73, P.L. 101-140, P.L. 101-179 and, P.L. 101-239 and P.L. 101-508 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1824m. 71.42 (2) (d) of the statutes is amended to read:

71.42 (2) (d) For taxable years that begin after December 31, 1989, and before January 1, 1991, "internal revenue code" means the federal internal revenue code as amended to December 31, 1989, and as amended by P.L. 101-508 and as indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179 and, P.L. 101-239 and P.L. 101-508, except that "internal revenue code" does not include section 847 of the federal internal revenue code. The internal revenue code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal internal revenue code enacted after December 31, 1989, do not apply to this paragraph with respect to taxable years beginning after December 31, 1989, and before January 1, 1991, except that changes to the internal revenue code made by P.L. 101-508 and changes that indirectly affect the federal internal revenue code made by P.L. 101-508 apply for Wisconsin purposes at the same time as for federal purposes.

SECTION 1825c. 71.42 (2) (e) of the statutes is created to read:

71.42 (2) (e) For taxable years that begin after December 31, 1990, "internal revenue code" means the federal internal revenue code as amended to December 31, 1990, and as indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239 and P.L. 101-508, except that "internal revenue code" does not include section 847 of the federal internal revenue code. The internal revenue code applies for Wisconsin purposes at the same time as for federal purposes. Amendments to the federal internal revenue code enacted after December 31, 1990, do not apply to this paragraph with respect to taxable years beginning after December 31, 1990.

SECTION 1825g. 71.44 (1) (c) of the statutes is amended to read:

71.44 (1) (c) Whenever a corporation has been completely inactive for an entire taxable year, in lieu of filing the statements and information otherwise required by this section, it may file a declaration, on a form to be provided by the department, subscribed by its president, if a resident of this state, and, if not a resident, then by another officer residing in this state,

attesting to such inactivity. Such declaration must be filed prior to the otherwise due date for its Wisconsin return for such taxable year. Thereafter the corporation need not file such statements or information for any subsequent year unless specifically requested to do so by the department or unless in a subsequent year the corporation has been activated or reactivated. If a corporation files a false declaration of complete inactivity, or, after filing a declaration, becomes activated or reactivated and fails to file timely statements and information hereunder covering such year or years of activity or reactivity its officers at the time of such filing or failure shall be jointly and severally liable for a civil penalty of \$25 for such filing or each such failure, which penalty may be assessed and collected as income or franchise taxes are assessed and collected.

SECTION 1825j. 71.44 (2) (b) of the statutes is amended to read:

71.44 (2) (b) If a corporation changes its basis of reporting from a calendar year to a fiscal year a separate return shall be made for the period between the close of the last calendar year and the date designated as the close of the fiscal year. If the change is from a fiscal year to a calendar year, a separate return shall be made for the period between the close of the last fiscal year and the following December 31. If the change is from one fiscal year to another fiscal year a separate return shall be made for the period between the close of the former fiscal year and the date designated as the close of the new fiscal year. In no case shall a separate income or franchise tax return be made for a period of more than 12 months.

SECTION 1826. 71.44 (3) of the statutes is amended to read:

71.44 (3) EXTENSIONS. In the case of a corporation required to file a return, when sufficient reason is shown, the department of revenue may on written request allow such further time for making and delivering the return as is considered necessary, not to exceed 30 days ~~or in~~. In the case of a cooperative filing a return or a domestic international sales corporation, as defined in s. 71.30 (5), the department of revenue may allow an extension not to exceed 6 months. In the case of a foreign corporation that does not have an office or place of business in the United States the department of revenue may allow an extension not to exceed 3 months. Any extension of time granted by law or by the internal revenue service for the filing of corresponding federal returns shall extend the time for filing under this chapter if a copy of any extension requested of the internal revenue service is filed with the return. Termination of an automatic extension by the internal revenue service, or its refusal to grant such automatic extension, shall similarly require that any returns due under this chapter are due on or before the date for termination fixed by the internal revenue service. Except for payments of estimated taxes, income or franchise taxes payable upon the filing of the tax return shall not become delinquent during such exten-

sion period, but shall be subject to interest at the rate of 12% per year during such period.

SECTION 1826g. 71.44 (4) (c) of the statutes is amended to read:

71.44 (4) (c) The department of revenue shall accept in advance income or franchise taxes and surtaxes from taxpayers desirous of making such payments before the same shall become due and payable. Advance payment of taxes under this provision shall not relieve the taxpayer from additional taxes which may result from subsequent legislation or from additional taxable income disclosed or discovered subsequent to such payment.

SECTION 1826m. 71.45 (2) (a) 5m of the statutes is created to read:

71.45 (2) (a) 5m. By adding to federal taxable income the amount of the environmental tax that is imposed under section 59A of the internal revenue code and that is deducted in calculating federal taxable income.

SECTION 1827. 71.45 (2) (a) 10 of the statutes is amended to read:

71.45 (2) (a) 10. By adding to federal taxable income the amount of credit computed under s. 71.47 (1d) to (1ds) and not passed through by a partnership or tax-option corporation that has added that amount to the partnership's or tax-option corporation's income under s. 71.21 (4) or 71.34 (1) (g) and the amount of credit computed under s. 71.47 (1), ~~(2b), (3) and, (4) and (5).~~

SECTION 1828. 71.45 (2) (a) 13 of the statutes is amended to read:

71.45 (2) (a) 13. By adding or subtracting, as appropriate, the difference between the depreciation deduction under the federal internal revenue code as amended to December 31, ~~1989~~ 1990, and the depreciation deduction under the federal internal revenue code in effect for the taxable year for which the return is filed, so as to reflect the fact that the insurer may choose between these 2 deductions, except that property first placed in service by the taxpayer on or after January 1, 1983, but before January 1, 1987, that, under s. 71.04 (15) (b) and (br), 1985 stats., is required to be depreciated under the internal revenue code as amended to December 31, 1980, and property first placed in service in taxable year 1981 or thereafter but before January 1, 1987, that, under s. 71.04 (15) (bm), 1985 stats., is required to be depreciated under the internal revenue code as amended to December 31, 1980, shall continue to be depreciated under the internal revenue code as amended to December 31, 1980.

SECTION 1828g. 71.45 (2) (b) 2 of the statutes is amended to read:

71.45 (2) (b) 2. For purposes of the numerator, "net gain from operations on insurance, other than life insurance" includes net income, after dividends to policyholders, but before federal income taxes and foreign income or franchise taxes, from fire and casualty insurance; net gain from operations, after divi-

dends to policyholders and before federal income taxes, from accident and health insurance; and net realized capital gains or losses on investments from accident and health insurance operations, said net realized capital gains or losses to be apportioned among life and accident and health insurance lines in the same manner as net investment income is required to be apportioned by the commissioner of insurance. "Net gain from operations", "net income", "net realized capital gains or losses", and "net investment income" shall be calculated and reported as required under rules adopted by the commissioner of insurance.

SECTION 1828j. 71.45 (2) (b) 3 of the statutes is amended to read:

71.45 (2) (b) 3. For purposes of the denominator, "total net gain from operations" includes net income, after dividends to policyholders, but before federal income taxes and foreign income or franchise taxes, from fire and casualty insurance; net gain from operations after dividends to policyholders and before federal income taxes, from accident and health and life insurance; and net realized capital gains or losses on investments from accident and health and life insurance operations. "Net income", "net gain from operations", and "net realized capital gains or losses" shall be calculated and reported as required under rules adopted by the commissioner of insurance.

SECTION 1828Lc. 71.46 (1) of the statutes is renumbered 71.46 (1) (a) and amended to read:

Vetoed
in Part

71.46 (1) (a) ~~The For taxable years beginning before January 1, 1991, and after December 31, 1993, the taxes to be assessed, levied and collected upon Wisconsin net incomes of corporations shall be computed at the rate of 7.9%.~~

SECTION 1828Lf. 71.46 (1) (b) of the statutes is created to read:

71.46 (1) (b) For taxable years beginning after December 31, 1990, and before January 1, 1994, the taxes to be assessed, levied and collected upon Wisconsin net incomes of corporations shall be computed at the rate of 8.4%.

SECTION 1828Lg. 71.46 (2) of the statutes is renumbered 71.46 (2) (a) and amended to read:

71.46 (2) (a) ~~The For taxable years beginning before January 1, 1991, and after December 31, 1993, the corporation franchise tax imposed under s. 71.43 (2) and measured by Wisconsin net income shall be computed at the rate of 7.9%.~~

SECTION 1828Lh. 71.46 (2) (b) of the statutes is created to read:

71.46 (2) (b) For taxable years beginning after December 31, 1990, and before January 1, 1994, the corporation franchise tax imposed under s. 71.43 (2) and measured by Wisconsin net income shall be computed at the rate of 8.4%.

SECTION 1828m. 71.47 (1d) (b) of the statutes is renumbered 71.47 (1d) (b) 1 and amended to read:

71.47 (1d) (b) 1. ~~The~~ Except as provided in subd. 2, the credit, including any credits carried over, may be offset only against the amount of the tax otherwise due under this chapter attributable to income from the business operations of the claimant in the development zone and against the tax attributable to income from directly related business operations of the claimant.

3. Partnerships and tax-option corporations may not claim the credit under this subsection, but the eligibility for, and amount of, that credit shall be determined on the basis of their economic activity, not that of their shareholders or partners. The corporation or partnership shall compute the amount of the credit that may be claimed by each of its shareholders or partners and shall provide that information to each of its shareholders or partners. Partners and shareholders of tax-option corporations may claim the credit based on the partnership's or corporation's activities in proportion to their ownership interest and may offset it against the tax attributable to their income from the partnership's or corporation's business operations in the development zone and against the tax attributable to their income from the partnership's or corporation's directly related business operations.

SECTION 1828r. 71.47 (1d) (b) 2 of the statutes is created to read:

71.47 (1d) (b) 2. If the claimant is located on an Indian reservation, as defined in s. 560.86 (5), and is an American Indian, as defined in s. 560.86 (1), an Indian business, as defined in s. 560.075 (4), or a tribal enterprise, as defined in s. 71.07 (2d) (b) 2, and if the allowable amount of the credit under this subsection exceeds the taxes otherwise due under this chapter on or measured by the claimant's income, the amount of the credit not used as an offset against those taxes shall be certified to the department of administration for payment to the claimant by check, share draft or other draft.

SECTION 1829. 71.47 (1d) (c) of the statutes is amended to read:

71.47 (1d) (c) ~~The~~ Except as provided in par. (b) 2, the carry-over provisions of sub. (3) (4) (e) and (f) as they relate to the credit under that subsection relate to the credit under this subsection and apply as if the development zone continued to exist.

SECTION 1830. 71.47 (1d) (h) of the statutes is amended to read:

71.47 (1d) (h) Subsection (3) (4) (g) and (h) as it applies to the credit under that subsection applies to the credit under this subsection.

SECTION 1831. 71.47 (1d) (am) 1 of the statutes is amended to read:

71.47 (1d) (am) 1. Modify "member of a targeted group", as defined in section 51 (d) of the internal revenue code, to include persons unemployed as a result of a business action subject to s. 109.07 (1m) and persons specified under 29 USC 4652 1651 (a) and to

require a member of a targeted group to be a resident of this state.

SECTION 1831m. 71.47 (1dj) (am) 4c of the statutes is created to read:

71.47 (1dj) (am) 4c. Modify the rule for ineligible individuals under section 51 (i) (1) of the internal revenue code to allow credit for the wages of related individuals paid by an Indian business, as defined in s. 560.86 (4), or a tribal enterprise, as defined in s. 71.07 (2di) (b) 2, if the Indian business or tribal enterprise is located in a development zone designated under s. 560.71 (3) (c) 2.

SECTION 1832. 71.47 (1dj) (g) of the statutes is amended to read:

71.47 (1dj) (g) Subsection ~~(3)~~ (4) (g) and (h) as it applies to the credit under that subsection applies to the credit under this subsection.

SECTION 1832g. 71.47 (1dL) (c) of the statutes is renumbered 71.47 (1dL) (c) 1 and amended to read:

71.47 (1dL) (c) 1. The Except as provided in subd. 2, the credit under par. (a), including any credits carried over, may be offset only against the amount of the tax otherwise due under this chapter attributable to income from the business operations of the claimant in the development zone and against the tax attributable to income from directly related business operations.

SECTION 1832r. 71.47 (1dL) (c) 2 of the statutes is created to read:

71.47 (1dL) (c) 2. If the claimant is located on an Indian reservation, as defined in s. 560.86 (5), and is an American Indian, as defined in s. 560.86 (1), an Indian business, as defined in s. 560.86 (4), or a tribal enterprise, as defined in s. 71.07 (2di) (b) 2, and if the allowable amount of the credit under par. (a) exceeds the taxes otherwise due under this chapter on or measured by the claimant's income, the amount of the credit not used as an offset against those taxes shall be certified to the department of administration for payment to the claimant by check, share draft or other draft.

SECTION 1833. 71.47 (1dL) (d) of the statutes is amended to read:

71.47 (1dL) (d) The Except as provided in par. (c) 2, the carry-over provisions of sub. ~~(3)~~ (4) (e) and (f) as they relate to the credit under that subsection relate to the credit under this subsection and apply as if the development zone continued to exist.

SECTION 1834. 71.47 (1dL) (g) of the statutes is amended to read:

71.47 (1dL) (g) Subsection ~~(3)~~ (4) (g) and (h) as it applies to the credit under that subsection applies to the credit under this subsection.

SECTION 1835. 71.47 (1ds) (f) of the statutes is amended to read:

71.47 (1ds) (f) Subsection ~~(3)~~ (4) (g) and (h) as it applies to the credit under that subsection applies to the credit under this subsection.

SECTION 1836. 71.47 (1fd) (e) of the statutes is amended to read:

71.47 (1fd) (e) *Administration.* Subsection ~~(3)~~ (4) (g), as it applies to the credit under sub. ~~(3)~~ (4), applies to the credit under this subsection.

SECTION 1837b. 71.47 (2b) of the statutes is renumbered 71.47 (3).

SECTION 1840we. 71.47 (2m) (b) 1. a. of the statutes is amended to read:

71.47 (2m) (b) 1. a. Subject to the limitations provided in this subsection and s. 71.80 (3) and (3m), a claimant may claim as a credit against Wisconsin income or franchise taxes otherwise due, the amount derived under par. (c). If the allowable amount of claim exceeds the income or franchise taxes otherwise due on or measured by the claimant's income or if there are no Wisconsin income or franchise taxes due on or measured by the claimant's income, the amount of the claim not used as an offset against income or franchise taxes shall be certified to the department of administration for payment to the claimant by check, share draft or other draft paid from the appropriation under s. 20.835 (2) ~~(a) (iii)~~.

Vetoed
in Part

SECTION 1840wm. 71.47 (2m) (b) 2. a. of the statutes is amended to read:

71.47 (2m) (b) 2. a. Unless a claim is filed with the department within 12 months following the close of the taxable year in which the property taxes accrued in conformity with the filing requirements in s. 71.44 (1), (1m) and (3).

SECTION 1840ws. 71.47 (2m) (b) 3 of the statutes is repealed.

SECTION 1843. 71.47 (3) of the statutes is renumbered 71.47 (4), and 71.47 (4) (a) and (am), as renumbered, are amended to read:

71.47 (4) (a) *Credit.* Any corporation may credit against taxes otherwise due under this chapter an amount equal to 5% of the amount obtained by subtracting from the corporation's qualified research expenses, as defined in section 41 of the internal revenue code, except that "qualified research expenses" includes only expenses incurred by the claimant, incurred for research conducted in this state for the taxable year and except that "qualified research expenses" does not include compensation used in computing the credit under sub. (1dj), the corporation's base period research expenses amount, as defined in section 41 (c) of the internal revenue code in effect on December 31, 1988, except that gross receipts used in calculating the base amount means gross receipts from sales attributable to Wisconsin under s. 71.25 (9) (b) 1 and 2 and (d). Section 41 ~~(i)~~ (h) of the internal revenue code does not apply to the credit under this paragraph.

(am) *Development zone additional research credit.* In addition to the credit under par. (a), any corporation may credit against taxes otherwise due under this chapter an amount equal to 5% of the amount obtained by subtracting from the corporation's quali-

fied research expenses, as defined in section 41 of the internal revenue code, except that "qualified research expenses" include only expenses incurred by the claimant in a development zone under subch. VI of ch. 560 and except that "qualified research expenses" do not include compensation used in computing the credit under sub. (1dj) nor compensation paid research expenses incurred before the claimant is certified for tax benefits under s. 560.765 (3), the corporation's base period research expenses amount, as defined in section 41 (c) of the internal revenue code in effect on December 31, 1988, in a development zone, except that "qualified research expenses" do not include compensation used in computing the credit under sub. (1dj) gross receipts used in calculating the base amount means gross receipts from sales attributable to Wisconsin under s. 71.25 (9) (b) 1 and 2 and (d) and research expenses used in calculating the base amount include research expenses incurred before the claimant is certified for tax benefits under s. 560.765 (3), in a development zone, if the claimant submits with the claimant's return a copy of the claimant's certification for tax benefits under s. 560.765 (3) and a statement from the department of development verifying the claimant's qualified research expenses for research conducted exclusively in a development zone. The rules under s. 73.03 (35) apply to the credit under this paragraph. The rules under sub. (1di) (f) and (g) as they apply to the credit under that subsection apply to claims under this paragraph. Section 41 (4) (h) of the internal revenue code does not apply to the credit under this paragraph.

SECTION 1845. 71.47 (4) of the statutes is renumbered 71.47 (5), and 71.47 (5) (b), as renumbered, is amended to read:

71.47 (5) (b) *Calculation and administration.* Subsection (3) (4) (b) to (i) as it relates to the credit under that subsection applies to the credit under this subsection.

SECTION 1846. 71.47 (5) of the statutes is renumbered 71.47 (6), and 71.47 (6) (e), as renumbered, is amended to read:

71.47 (6) (e) The provisions of sub. (3) (4) (e), (f), (g) and (h), as they apply to the credit under that subsection, apply to the credit under this subsection.

SECTION 1847. 71.47 (6) of the statutes is repealed.

Vetoed in Part SECTION 1847m. 71.47s of the statutes is created to read:

71.47s Corporate minimum tax. (1) Imposition. If the tax imposed on a corporation under s. 71.43 (1) or (2), not considering the credits under s. 71.47 (1di), (1dj), (1dl), (1ds) and (2m) and subch. IX is less than the tax under this section, there is imposed on a corporation, instead of the tax under s. 71.43 (1) or (2), an alternative minimum tax computed as follows:

(a) Adjust net apportionable income of a corporation subject to apportionment and net Wisconsin

income of a business subject to separate accounting in the manner under section 56, except section 56 (a) (4), and section 58 of the internal revenue code

(b) Add to the amount under par. (a) the preferences under section 57 of the internal revenue code to the extent that those preferences reduce net income for purposes of the tax imposed under s. 71.43 (1) or (2).

(c) Multiply the amount under par. (b) by the apportionment percentage under s. 71.45 applicable to the corporation for purposes of the tax imposed under s. 71.43 (1) or (2) if the corporation is subject to apportionment.

(d) Add nonapportionable income that has a situs in this state to the amount under par. (c).

(e) From the amount under par. (d), subtract Wisconsin minimum tax net business losses. The department of revenue shall promulgate rules defining net business losses for minimum tax purposes.

(f) Multiply the exemption amount under section 55 (d) (2) and (3) of the internal revenue code by the apportionment percentage under s. 71.45 applicable to the corporation for purposes of the tax imposed under s. 71.43 (1) or (2).

(g) Subtract the amount under par. (f) from the amount under par. (e).

(h) If the corporation is a tax-option corporation, subtract from the amount under par. (g) the portion of that amount equal to the ownership percentage of shareholders who are residents of this state and of nonresident shareholders who file individual returns in this state for purposes of the tax imposed under s. 71.02 or 71.08.

(i) Multiply the amount under par. (h) by 4.7%.

(j) Subtract the credit under s. 71.47 (2b) (b) from the amount under par. (i).

(2) ADMINISTRATION. The department of revenue may impose, enforce and collect the minimum tax provided in this section and may take any action, conduct any proceeding and in all respects proceed as it is authorized in respect to income or franchise taxes imposed in this chapter. The income and franchise tax provisions in this chapter relating to assessments, refunds, appeals, collection, interest and penalties shall apply to the minimum tax.

SECTION 1848. 71.49 (1) (b) of the statutes is amended to read:

71.49 (1) (b) Credit for Manufacturing sales tax on fuel credit under s. 71.47 (2b) (3).

SECTION 1849. 71.49 (1) (c) of the statutes is amended to read:

71.49 (1) (c) Research credit under s. 71.47 (3) (4).

SECTION 1850. 71.49 (1) (d) of the statutes is amended to read:

71.49 (1) (d) Research property facilities credit under s. 71.47 (4) (5).

SECTION 1851. 71.49 (1) (er) of the statutes is renumbered 71.49 (1) (ep) and amended to read:

Vetoed in Part

71.49 (1) (ep) Supplement to federal historic rehabilitation credit under s. 71.47 ~~(5)~~ (6).

SECTION 1852. 71.49 (1) (et) of the statutes is repealed.

Vetoed
in Part

~~SECTION 1852h. 71.49 (1) (g) of the statutes is created to read:~~

~~71.49 (1) (g) Corporate minimum tax under s. 71.475.~~

SECTION 1853. 71.52 (6) of the statutes is amended to read:

71.52 (6) "Income" means the sum of Wisconsin adjusted gross income and the following amounts, to the extent not included in Wisconsin adjusted gross income: maintenance payments (except foster care maintenance and supplementary payments excludable under section 131 of the internal revenue code), support money, cash public assistance and general relief (not including credit granted under this subchapter and amounts under s. 46.27), 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, nontaxable interest received on state or municipal bonds, worker's compensation, unemployment compensation, the gross amount of "loss of time" insurance, compensation and other cash benefits received from the United States for past or present service in the armed forces, scholarship and fellowship gifts or income, capital gains, gain on the sale of a personal residence excluded under section 121 of the internal revenue code, dividends, income of a nonresident or part-year resident who is married to a full-year resident, housing allowances provided to members of the clergy, the amount by which a resident manager's rent is reduced, nontaxable income of an American Indian, nontaxable income from sources outside this state and nontaxable deferred compensation. Intangible drilling costs, depletion allowances and depreciation, including first-year depreciation allowances under section 179 of the internal revenue code, amortization, contributions to individual retirement accounts under section 219 of the internal revenue code, contributions to Keogh plans, net operating loss carry-forwards and capital loss carry-forwards deducted in determining Wisconsin adjusted gross income shall be added to "income". "Income" does not include gifts from natural persons, cash reimbursement payments made under title XX of the federal social security act, surplus food or other relief in kind supplied by a governmental agency, the gain on the sale of a personal residence deferred under section 1034 of the internal revenue code or nonrecognized gain from involuntary conversions under section 1033 of the internal revenue code. Amounts not included in adjusted gross income but added to "income" under this subsection in a previous year and repaid may be subtracted from income for the year during which they are repaid. A marital

property agreement or unilateral statement under ch. 766 has no effect in computing "income" for a person whose homestead is not the same as the homestead of that person's spouse.

SECTION 1854. 71.53 (2) (a) of the statutes is amended to read:

71.53 (2) (a) Such claim is not filed with the department of revenue ~~after December 31 of the year following the year for which the claim is filed in conformity with the filing requirements in s. 71.03 (6) and (7).~~

SECTION 1855. 71.53 (3) of the statutes is repealed.

SECTION 1856. 71.55 (6m) of the statutes is created to read:

71.55 (6m) ADMINISTRATION. The income tax provisions in this chapter relating to assessments, refunds, appeals and collection apply to the credit under this subchapter.

SECTION 1856g. 71.57 of the statutes is amended to read:

71.57 Purpose. The purpose of this subchapter is to provide credit to owners of farmland which is subject to agricultural use restrictions, through a system of income or franchise tax credits and refunds and appropriations from the general fund.

SECTION 1856j. 71.59 (1) (a) of the statutes is amended to read:

71.59 (1) (a) Subject to the limitations provided in this subchapter and s. 71.80 (3) and (3m), a claimant may claim as a credit against Wisconsin income or franchise taxes otherwise due, the amount derived under s. 71.60. If the allowable amount of claim exceeds the income or franchise taxes otherwise due on or measured by the claimant's income or if there are no Wisconsin income or franchise taxes due on or measured by the claimant's income, the amount of the claim not used as an offset against income or franchise taxes shall be certified to the department of administration for payment to the claimant by check, share draft or other draft drawn on the general fund.

SECTION 1856m. 71.59 (1m) of the statutes is created to read:

71.59 (1m) PERMITTED USES. The designation by the department of natural resources of any farmland in this state, for which a claim under this section may be filed, as part of the ice age trail, under s. 23.17, is a permitted use under a farmland preservation agreement, or a certificate of a zoning authority, under sub. (1) (b).

SECTION 1857. 71.59 (2) (a) of the statutes is amended to read:

71.59 (2) (a) Unless a claim ~~therefor~~ is filed with the department ~~within 12 months following the close of the taxable year in which the property taxes accrued in conformity with the filing requirements in s. 71.03 (6) and (7) for a claimant filing under subch. I, in conformity with the filing requirements in s. 71.24 (1), (1m) and (7) for a claimant filing under subch. IV and~~

in conformity with the filing requirements in s. 71.44 (1), (1m) and (3) for a claimant filing under subch. VII.

SECTION 1858. 71.59 (3) of the statutes is repealed.

SECTION 1858m. 71.60 (1) (c) 6 of the statutes is amended to read:

71.60 (1) (c) 6. If the farmland is located in an agricultural district under a certified county agricultural preservation plan under subch. IV of ch. 91 at the close of the year for which credit is claimed, and is located in an area zoned for exclusive agricultural use under a certified town ordinance under subch. V of ch. 91 at the close of such year, the amount of the claim shall be limited to ~~90%~~ 95% of that specified in par. (b).

SECTION 1859. 71.61 (3m) of the statutes is created to read:

71.61 (3m) ADMINISTRATION. The income tax provisions in this chapter relating to assessments, refunds, appeals and collection apply to the credit under this subchapter.

SECTION 1860. 71.65 (2) (a) of the statutes is amended to read:

71.65 (2) (a) Every person required to deduct and withhold from an employee under this subchapter shall furnish to the department of revenue at its offices in Madison, in respect to remuneration paid by such person to such employee during the calendar year, on or before January 31 of the succeeding year, one ~~legible~~ copy of the ~~written~~ statement under sub. (1).

SECTION 1861. 71.65 (2) (b) of the statutes is amended to read:

71.65 (2) (b) Every resident of this state and every nonresident carrying on activities within this state, whether taxable or not under this chapter, who pays in any calendar year for services performed within this state by an individual remuneration which is excluded from the definition of wages, in the amount of \$600 or more, shall, on or before January 31 of the succeeding year, furnish the department of revenue at its offices in Madison a ~~written~~ statement in such form as required by the department, disclosing the name of the payor, the name and address of the recipient and the total amount paid in such year to such recipient. In any case in which an individual receives wages and also remuneration for services which remuneration is excluded from such definition, both from the same payor, the wages and the excluded remuneration shall both be reported in the report required under this subsection in a manner satisfactory to the department, regardless of the amount of the excluded remuneration.

SECTION 1862. 71.65 (5) of the statutes is amended to read:

71.65 (5) TIME EXTENSION. For good cause shown upon application by an employer, the department may grant an extension of time not exceeding 30 days in

which to furnish employees the written statements required by sub. (1) or to file the copies of ~~such written~~ the statements as required by sub. (2) (a) or (b), or in which to file a withholding report as required by sub. (3) (a) or (b), but no such extension shall extend the time for deposit with the public depository or payment to the department of amounts required to be deducted and withheld pursuant to this subchapter.

SECTION 1863. 71.66 (1) (f) of the statutes is amended to read:

71.66 (1) (f) Whenever the internal revenue code or regulations or rulings of the internal revenue service require an employer to submit copies of, or information taken from, an employee's withholding allowance certificate to the internal revenue service, the employer shall also furnish copies of, or information taken from, the certificate to the department within 15 days after the employer is required to file the certificate or information with the internal revenue service.

SECTION 1864. 71.67 (5) (b) of the statutes is amended to read:

71.67 (5) (b) *Deposits.* The licensee under s. 562.05 (3) or (4) shall deposit the amounts withheld under this subsection, ~~on a monthly basis,~~ as would an employer depositing under s. 71.65 (3) (a).

SECTION 1865. 71.70 of the statutes is amended to read:

71.70 Rents or royalties. (1) PERSONS OTHER THAN CORPORATIONS. Persons other than corporations deducting rent or royalties in determining taxable income shall inform the department of the amounts and of the name and address of all natural persons who are residents of this state and to whom royalties of \$600 or more were paid during the taxable year; and of the amounts and of the name and address of all natural persons to whom rent of \$600 or more is paid during the taxable year for property having a situs in this state. Such information ~~shall be submitted on forms prescribed by the department and~~ shall be filed at the time of filing the income tax return on which such payments are deducted or at such other time as the department prescribes.

(2) CORPORATIONS. All corporations doing business in this state shall file with the department, on or before March 15 of each year ~~on forms prescribed by the department,~~ any information relative to payments made within the preceding calendar year of rents and royalties to all natural persons taxable thereon under this chapter in amounts and in the manner and form prescribed by the department.

SECTION 1866. 71.71 (2) of the statutes is amended to read:

71.71 (2) STATEMENT EMPLOYER MUST FURNISH TO DEPARTMENT. Every person required to deduct and withhold from an employee under subch. X shall furnish to the department of revenue at its offices in Madison, in respect to remuneration paid by such person to such employee during the calendar year, on or

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before January 31 of the succeeding year, one legible copy of the ~~written~~ statement referred to in sub. (1).

SECTION 1867. 71.72 of the statutes is amended to read:

71.72 Statement of nonwage payments. Every resident of this state and every nonresident carrying on activities within this state, whether taxable or not under this chapter, who pays in any calendar year for services performed within this state by an individual remuneration which is excluded from the definition of wages in s. 71.63 (6), in the amount of \$600 or more, shall, on or before January 31 of the succeeding year furnish the department of revenue at its offices in Madison, a ~~written~~ statement in such form as required by the department, disclosing the name of the payor, the name and address of the recipient and the total amount paid in such year to such recipient. In any case in which an individual receives wages, as defined in s. 71.63 (6), and also remuneration for services which remuneration is excluded from such definition, both from the same payor, the wages and the excluded remuneration shall both be reported in the statement required by s. 71.71 (2) in a manner satisfactory to the department, regardless of the amount of the excluded remuneration.

SECTION 1868. 71.73 (2) of the statutes is amended to read:

71.73 (2) TIME EXTENSION. For good cause shown upon application by an employer, the department may grant an extension of time not exceeding 30 days in which to furnish employees the written statements required by s. 71.71 (1) or to file the copies of ~~such written~~ the statements as required by s. 71.71 (2) or 71.72.

SECTION 1868g. 71.74 (6) of the statutes is amended to read:

71.74 (6) CONSOLIDATED STATEMENTS. For the purpose of this chapter, whenever a corporation which is required to file an income or franchise tax return is affiliated with or related to any other corporation through stock ownership by the same interests or as parent or subsidiary corporations, or whose income is regulated through contract or other arrangement, the department of revenue may require such consolidated statements as in its opinion are necessary in order to determine the taxable income received by any one of the affiliated or related corporations.

SECTION 1868m. 71.74 (8) (a) of the statutes is amended to read:

71.74 (8) (a) ~~Whenever~~ If an audit of ~~any~~ a claim ~~filed for a credit~~ under s. 71.07 ~~(3m) or (6)~~, 71.28 or 71.47 or subch. VIII or IX indicates that an incorrect claim was filed, the department of revenue shall make a determination of the correct amount and notify the claimant of the determination and the reasons therefor under sub. (11) within 4 years of the last day prescribed by law for filing the claim. If the claim has been paid, or credited against income or franchise 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 or franchise taxes are assessed.

SECTION 1869. 71.74 (8) (b) of the statutes is amended to read:

71.74 (8) (b) ~~In any case in which it is determined that~~ If a claim for a credit under s. 71.07 (1), (2), ~~(3m) or (5) to (8)~~, 71.28 (1), ~~(2m), (4) or (5)~~ or 71.47 (1), ~~(2m), (3) or (4)~~ or subch. VIII or IX is false or 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 or franchise taxes otherwise payable, the credit shall be canceled and the amount paid may be recovered by assessment as income or franchise taxes are assessed.

SECTION 1870. 71.74 (8) (c) of the statutes is amended to read:

71.74 (8) (c) ~~In any case in which it is determined that~~ If a claim for a credit under s. 71.07 (1), (2), ~~(3m) or (5) to (8)~~, 71.28 (1), ~~(2m), (4) or (5)~~ or 71.47 (1), ~~(2m), (3) or (4)~~ or subch. VIII or IX is excessive and was negligently prepared, 10% of the corrected claim shall be disallowed and, if the claim has been paid or credited against income or franchise 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 or franchise taxes are assessed.

SECTION 1871am. 71.74 (8) (d) (intro.) and 1 of the statutes are consolidated, renumbered 71.74 (8) (d) and amended to read:

71.74 (8) (d) If a claim for a state historic rehabilitation credit under s. 71.07 (9r), ~~71.28 (7) or 71.47 (6)~~ is false or excessive, the department of revenue shall disallow the claim in full. If a credit has been allowed against income or franchise taxes otherwise payable, the credit shall be canceled and the amount may be recovered by assessment as income taxes are assessed. Notwithstanding par. (a) and s. 71.77, the department shall notify the claimant of the determination and shall give reasons for the disallowance under sub. (11) within 4 years after the date that the state historical society notifies the department ~~of any of the following~~: ~~1. That that~~ the preservation or rehabilitation is not in compliance with s. 71.07 (9r) (b) 3. b. or 4, ~~71.28 (7) (b) 3. b. or 4 or 71.47 (6) (b) 3. b. or 4~~, but that notification must be made within 6 years after the date that the physical work of construction, or destruction in preparation for construction, begins.

SECTION 1871bm. 71.74 (8) (d) 2 of the statutes is repealed."

SECTION 1871d. 71.74 (12) of the statutes is amended to read:

71.74 (12) TAXES DELINQUENT AFTER DUE DATE. Additional income or franchise taxes assessed under subs. (1) to (5), (7) and (8) shall become delinquent if not paid on or before the due date stated in the notice to the taxpayer.

SECTION 1871f. 71.74 (13) (a) of the statutes is amended to read:

71.74 (13) (a) If the tax is increased the department shall proceed to collect the additional tax in the same manner as other income or franchise taxes are collected. If the income or franchise taxes are decreased upon direction of the department the state treasurer shall refund to the taxpayer such part of the overpayment as was actually paid in cash, and the certification of the overpayment by the department shall be sufficient authorization to the treasurer for the refunding of the overpayment. No refund of income or franchise tax shall be made by the treasurer unless the refund is so certified. The part of the overpayment paid to the county and the local taxation district shall be deducted by the state treasurer in the treasurer's next settlement with the county and local treasurer.

SECTION 1871h. 71.74 (14) of the statutes is amended to read:

71.74 (14) **ADDITIONAL REMEDY TO COLLECT TAX.** The department of revenue may also proceed under s. 71.91 (5) for the collection of any additional assessment of income or franchise taxes or surtaxes, after notice thereof has been given under sub. (11) and before the same shall have become delinquent, when it has reasonable grounds to believe that the collection of such additional assessment will be jeopardized by delay. In such cases notice of the intention to so proceed shall be given by registered mail to the taxpayer, and the warrant of the department of revenue shall not issue if the taxpayer within 10 days after such notice furnishes a bond in such amount, not exceeding double the amount of the tax, and with such sureties as the department of revenue shall approve, conditioned upon the payment of so much of the additional taxes as shall finally be determined to be due, together with interest thereon as provided by s. 71.82 (1) (a). Nothing in this subsection shall affect the review of additional assessments provided by ss. 71.88 (1) (a) and (2) (a), 71.89 (2), 73.01 and 73.015, and any amounts collected under this subsection shall be deposited with the state treasurer and disbursed after final determination of the taxes as are amounts deposited under s. 71.90 (2).

SECTION 1872. 71.75 (2) of the statutes is amended to read:

71.75 (2) With respect to income taxes and franchise taxes, except as otherwise provided in subs. (5) and (9) and ss. 71.30 (4) and 71.77 (5) and (7) (b), refunds may be made if the claim therefor is filed within 4 years of the unextended date under this section on which the tax return was due.

SECTION 1873. 71.75 (4) of the statutes is amended to read:

71.75 (4) Except as provided in subs. (5) and (5m), no refund shall be made and no credit shall be allowed for any year, ~~the income of which was assessed as a result of that has been the subject of a field audit, and~~

~~which if the audit resulted in a refund or no change to the tax owed or in an assessment has become that is final under s. 71.88 (1) (a) or (2) (a), 71.89 (2), 73.01 or 73.015, and no~~ and if the department of revenue notifies the taxpayer that unless the taxpayer appeals the result of the field audit under subch. XIV, the field audit is final. No refund shall be made and no credit shall be allowed on any item of income or deduction, assessed as a result of an office audit, the assessment of which ~~shall have become~~ is final under s. 71.88 (1) (a) or (2) (a), 71.89 (2), 73.01 or 73.015.

SECTION 1874. 71.75 (5) of the statutes is amended to read:

71.75 (5) A claim for refund may be made within 2 years after the assessment of a tax or an assessment to recover all or part of any tax credit, including penalties and interest, under this chapter, assessed by office audit or field audit and paid if the assessment was not protested by the filing of a petition for redetermination. No claim may be allowed under this subsection for any tax, interest or penalty paid with respect to any item of income, credit or deduction self-assessed or determined by the taxpayer or assessed as the result of any assessment made by the department with respect to which all the conditions specified in this subsection are not met. If a claim is filed under this subsection, the department of revenue may make an additional assessment in respect to any item of income or deduction that was a subject of the prior assessment. This subsection does not extend the time to file under s. 71.53 (2) or 71.59 (2), and it does not extend the time period during which the department of revenue may assess, or the taxpayer may claim a refund, in respect to any item of income or deduction that was not a subject of the prior assessment.

SECTION 1875. 71.75 (7) of the statutes is amended to read:

71.75 (7) The department of revenue is directed to act on any claim for refund or credit within one year after receipt and failure to act shall have the effect of allowing the claim and the department shall certify the refund or credit unless the taxpayer has consented in writing to an extension of the one-year time period prior to its expiration.

SECTION 1876. 71.76 of the statutes is amended to read:

71.76 Internal revenue service and other state adjustments. If for any year the amount of taxable federal net income for any year tax payable, of a credit claimed or carried forward, of a net operating loss carried forward or of a capital loss carried forward of any taxpayer as reported to the internal revenue service is changed or corrected by the internal revenue service or other officer of the United States, such taxpayer shall report such changes or corrected income corrections to the department within 90 days after its final determination and shall concede the accuracy of such determination or state how the determination is erro-

neous. Such changes or corrections need not be reported unless they affect the amount of ~~income reportable or net tax payable under this chapter, of a credit calculated under this chapter, of a Wisconsin net operating loss carried forward, of a Wisconsin net business loss carried forward or of a capital loss carried forward under this chapter.~~ Any taxpayer filing an amended return with the internal revenue service, or with another state if there has been allowed a credit against Wisconsin taxes for taxes paid to that state, shall also file, within 90 days of such filing date, an amended return with the department if any information contained on the amended return affects the amount of ~~income reportable or net tax payable under this chapter of a credit calculated under this chapter, of a Wisconsin net operating loss carried forward, of a Wisconsin net business loss carried forward or of a capital loss carried forward under this chapter.~~

SECTION 1877. 71.77 (5) of the statutes is amended to read:

71.77 (5) The limitation periods provided in this section 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, and the taxpayer may file a claim for a refund, relating to the year which the extension covers. Subsection (4) shall not apply to any assessment made in any such extended period.

Vetoed
in Part

~~SECTION 1877b. 71.78 (9m) of the statutes is created to read:~~

~~71.78 (9m) DISCLOSURE OF INFORMATION ON PROPERTY TAXED IN PART. The department of revenue may supply the information under s. 71.03 (41).~~

SECTION 1877d. 71.80 (1) (e) of the statutes is amended to read:

71.80 (1) (e) Representatives of the department of revenue directed by it to accept payment of income or franchise taxes shall file bonds with the state treasurer in such amount and with such sureties as the state treasurer shall direct and approve. In collecting income or franchise taxes as provided in this chapter, the department of revenue shall be deemed to act as agents of the state, counties and towns, cities or villages entitled to receive the taxes collected.

SECTION 1877f. 71.80 (2) of the statutes is amended to read:

71.80 (2) NOTICE TO TAXPAYER BY DEPARTMENT. The department of revenue shall notify each taxpayer by mail of the amount of income or franchise taxes assessed against ~~him or her~~ the taxpayer and of the date when the taxes become delinquent.

SECTION 1877m. 71.80 (3m) (c) of the statutes is amended to read:

71.80 (3m) (c) If the department of revenue determines that a spouse is otherwise entitled to a state tax refund or homestead or farmland credit, it shall notify

the spouses under s. 71.74 (11) that the state intends to reduce any state tax refund or ~~homestead or farmland preservation~~ a refundable credit due the spouses by the amount credited against any liability under par. (a) or (b) or both.

SECTION 1877n. 71.80 (3m) (d) of the statutes is amended to read:

71.80 (3m) (d) If a spouse does not receive notice under par. (c) and if the department of revenue incorrectly credits the state tax overpayment, refund or ~~homestead or farmland preservation~~ a refundable credit of a spouse or spouses against a liability under par. (a) or (b) or both, a claim for refund of the incorrectly credited amount may be filed under s. 71.75 (5) within 2 years after the notice under par. (c).

SECTION 1877p. 71.80 (8) of the statutes is amended to read:

71.80 (8) RECEIPT FOR PAYMENT OF TAXES. The department of revenue shall accept payments of income or franchise taxes in accordance with this chapter, and upon request shall give a printed or written receipt therefor.

SECTION 1877q. 71.80 (9) of the statutes is amended to read:

71.80 (9) RECORDS MAY BE REQUIRED OF TAXPAYER. Whenever the department deems it necessary that a person subject to an income or franchise tax should keep records to show whether or not the person is liable to tax, the department may serve notice upon the person and require such records to be kept as will include the entire net income of the person and will enable the department to compute the taxable income.

SECTION 1878. 71.80 (14) (a) of the statutes is amended to read:

71.80 (14) (a) Except as otherwise provided by par. (b), sub. (20) and ss. 71.03 (2) (b) and (c), 71.13 (1), 71.20 (1), 71.21 (1) and 71.24 (4), any return, statement or other document required to be made under this chapter shall be signed in accordance with rules promulgated by the department.

SECTION 1879. 71.80 (15) (b) of the statutes is amended to read:

71.80 (15) (b) All entertainers, except entertainers who work for an entertainment corporation, and entertainment corporations not otherwise employed or regularly engaged in business in this state shall file a surety bond with the department of revenue at least 2 ~~7~~ days before a performance. That bond shall be payable to the department to guarantee payment of income, franchise, sales and use taxes, income taxes withheld under subch. X, penalties and interest. The amount of the bond shall be 6% of either the total contract price on all contracts that exceed \$3,200 or, if the total contract price is not readily determinable and the department's estimate of the total remuneration to be received by the entertainer or entertainment corporation exceeds \$3,200, 6% of the department's estimate. Amounts previously earned in this state by an entertainer or entertainment corporation during the

same calendar year for which no bond or cash deposit has been filed under this paragraph or for which no amounts have been withheld under s. 71.64 (5) shall be added together to determine the total contract price. The department shall approve the form and content of the bond. The bond shall remain in force until the liability under the bond is released by the department.

SECTION 1879d. 71.80 (16) (a) of the statutes is amended to read:

71.80 (16) (a) All nonresident persons, whether incorporated or not, engaging in construction contracting in this state as contractor or subcontractor and not otherwise regularly engaged in business in this state, shall file a surety bond with the department, payable to the department of revenue, to guarantee the payment of income or franchise taxes, required unemployment compensation contributions, sales and use taxes and income taxes withheld from wages of employees, together with any penalties and interest thereon. The department shall approve the form and contents of such bond. The amount of the bond shall be 3% of the contract or subcontract price on all contracts of \$50,000 or more or 3% of contractor's or subcontractor's estimated cost-and-profit under a cost-plus contract of \$50,000 or more. When the aggregate of 2 or more contracts in one calendar year is \$50,000 or more the amount of the bond or bonds shall be 3% of the aggregate amount of such contracts. Such surety bond must be filed within 60 days after construction is begun in this state by any such contractor or subcontractor on any contract the price of which is \$50,000 or more (or the estimated cost-and-profit of which is \$50,000 or more), or within 60 days after construction is begun in this state on any contract for less than \$50,000, when the amount of such contract, when aggregated with any other contracts, construction on which was begun in this state in the same calendar year, equals or exceeds \$50,000. If the department concludes that no bond is necessary to protect the tax revenues of the state, including contributions under ch. 108, the requirements under this subsection may be waived by the secretary of revenue or the secretary's designated departmental representative. The bond shall remain in force until the liability thereunder is released by the secretary or the secretary's designated departmental representative.

SECTION 1879f. 71.80 (16) (b) of the statutes is amended to read:

71.80 (16) (b) A construction contractor required to file a surety bond under par. (a) may, in lieu of such requirement, but subject to approval by the department, deposit with the state treasurer an amount of cash equal to the face of the bond that would otherwise be required. If an offer to deposit is made the department shall issue a certificate to the state treasurer authorizing said treasurer to accept payment of such moneys and to give his or her receipt therefor. A copy of such certificate shall be mailed to the contractor who shall, within the time fixed by the department,

pay such amount to said treasurer. A copy of the receipt of the state treasurer shall be filed with the department. Upon final determination by the department of such contractor's liability for state income or franchise taxes, required unemployment compensation contributions, sales and use taxes and income taxes withheld from wages of employees, interest and penalties, by reason of such contract or contracts, the department shall certify to the state treasurer the amount of taxes, penalties and interest as finally determined, shall instruct the treasurer as to the proper distribution of such amount, and shall state the amount, if any, to be refunded to such contractor. The state treasurer shall make the payments directed by such certificate within 30 days after receipt thereof. Amounts refunded to the contractor shall be without interest.

SECTION 1879h. 71.80 (17) of the statutes is amended to read:

71.80 (17) TAX RECEIPTS TRANSMITTED TO STATE TREASURER. Within 15 days after receipt of any income or franchise tax payments the department of revenue shall transmit the same to the state treasurer.

SECTION 1880. 71.80 (20) of the statutes is created to read:

71.80 (20) MAGNETIC MEDIA FILING. If the internal revenue service requires a person to file information returns or wage statements on magnetic media or in other machine-readable form for federal income tax purposes, the person shall also file the comparable state information returns or wage statements on magnetic media or in other machine-readable form with the department of revenue for income or franchise tax purposes.

SECTION 1880p. 71.82 (1) (c) of the statutes is amended to read:

71.82 (1) (c) Any assessment made as a result of the adjustment or disallowance of a claim for credit under s. 71.07 ~~(3m) or (6)~~, 71.28 ~~(1) or (2m)~~ or 71.47 ~~(1) or (2m)~~ or subch. VIII or IX, except as provided in sub. (2) (c), shall bear interest at 12% per year from the due date of the claim.

SECTION 1880s. 71.82 (2) (c) of the statutes is amended to read:

71.82 (2) (c) *Adjustment to credits.* Any assessment made as a result of the disallowance of a claim for credit made under s. 71.07 ~~(3m) or (6)~~, 71.28 ~~(1) or (2m)~~ or 71.47 ~~(1) or (2m)~~ or subch. VIII or IX with fraudulent intent, or of a portion of a claim made under said subchapters or sections that was excessive and was negligently prepared, shall bear interest from the due date of the claim, until refunded or paid, at the rate of 1.5% per month.

SECTION 1880t. 71.83 (1) (a) 3 of the statutes is amended to read:

71.83 (1) (a) 3. Incomplete or incorrect deposit or withholding report. If any person required under subch. X to file a deposit report or withholding report

files an incomplete or incorrect report, or fails to properly withhold or fails to properly deposit or pay over withheld funds, unless it can be shown that the filing or failure was due to good cause and not due to neglect, there shall be added to the tax 25% of the amount not reported or not withheld, deposited or paid over. The amount so added 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 in this subchapter. "Person", in this subdivision, includes an officer or employee of a corporation or other responsible person or a member or employee of a partnership or other responsible person who, as such officer, employee, member or other responsible person, is under a duty to perform the act in respect to which the violation occurs.

SECTION 1881. 71.83 (1) (a) 6 of the statutes is amended to read:

71.83 (1) (a) 6. Retirement plans. Any natural person who is liable for a penalty for federal income tax purposes under section 72 (m) (5), (q) and, (t) and (v), 4973, 4974, 4975 or 4980A of the internal revenue code is liable for 33% of the federal penalty unless the income received is exempt from taxation under s. 71.05 (1) (a). The penalties provided under this subdivision shall be assessed, levied and collected in the same manner as income or franchise taxes.

SECTION 1881m. 71.83 (1) (a) 7 of the statutes is amended to read:

71.83 (1) (a) 7. Failure to keep records required by the department. Any taxes assessed upon information not contained in records required by the department under s. 71.80 (9) to be kept by any person subject to an income or franchise tax shall carry a penalty of 25% of the amount of the tax. The penalty shall be in addition to all other penalties provided in this chapter.

SECTION 1882. 71.83 (1) (b) 1 of the statutes is amended to read:

71.83 (1) (b) 1. Income and franchise; all persons. With respect to calendar year 1985 or corresponding fiscal year and subsequent calendar or fiscal years, any person making an incorrect, or failing to make a, report, including a separate return filed by a spouse with respect to a taxable year for which a joint return is filed under s. 71.03 (2) (g) to (L) after the filing of that separate return, and including a joint return filed by the spouses with respect to a taxable year for which a separate return is filed under s. 71.03 (2) (m) after the filing of that joint return, with intent, in either case, to defeat or evade the income or franchise tax assessment required by law, shall have added to the tax an amount equal to 100% of the tax on the entire underpayment. No amount paid under this subdivision may be deducted from gross income and assessments hereunder may be made with respect to decedents. Amounts added to the tax under this subdivision shall be treated as additional taxes for all purposes of assessment and collection. Repeated late

filing of an income or franchise tax return evinces an intent to defeat or evade the income or franchise tax assessment required by law.

SECTION 1883. 71.83 (1) (b) 2 of the statutes is amended to read:

71.83 (1) (b) 2. Withholding. The penalties provided by this subdivision shall be paid upon notice and demand of the secretary of revenue or the secretary's delegates and shall be assessed and collected in the same manner as income or franchise taxes. Any person required to withhold, account for or pay over any tax imposed by this chapter, whether exempt under s. 71.05 (1) to (3), 71.26 (1) or 71.45 or not, who intentionally fails to withhold such tax, or account for or pay over such tax, shall be liable to a penalty equal to the total amount of the tax, plus interest and penalties on that tax, that is not withheld, collected, accounted for or paid over. "Person", in this subdivision, includes an officer or employee of a corporation or other responsible person or a member or employee of a partnership or other responsible person who, as such officer, employee, member or other responsible person, is under a duty to perform the act in respect to which the violation occurs.

SECTION 1883g. 71.83 (1) (b) 6 of the statutes is amended to read:

71.83 (1) (b) 6. Corporations. If a corporation files a false declaration of complete inactivity, or, after filing a declaration, becomes activated or reactivated and fails to file timely statements and information under this chapter covering such year or years of activity or reactivity its officers at the time of such filing or failure shall be jointly and severally liable for a civil penalty of \$25 for such filing or each such failure, which penalty may be assessed and collected as income or franchise taxes are assessed and collected.

SECTION 1883m. 71.83 (2) (b) 4 of the statutes is amended to read:

71.83 (2) (b) 4. Fraudulent claim for credit. The claimant who filed a claim for credit under s. 71.07 ~~(3m) or (6), 71.28 (1) or (2m) or 71.47 (1) or (2m)~~ or subch. VIII or IX that is false or excessive and was filed with fraudulent intent and any person who assisted in the preparation or filing of the false or excessive claim or supplied information upon which the false or excessive claim was prepared, with fraudulent intent, may be fined not to exceed \$10,000 or imprisoned for not to exceed 5 years or both, together with the cost of prosecution.

SECTION 1883r. 71.83 (3) of the statutes is amended to read:

71.83 (3) LATE FILING FEES. If any person required under this chapter to file an income or franchise tax return fails to file a return within the time prescribed by law, or as extended under s. 71.03 (7), 71.24 (7) or 71.44 (3), the department shall add to the tax of the person \$10 in the case of corporations and in the case of persons other than corporations \$2 when the total normal income tax of the person is less than \$10, \$3

when the tax is \$10 or more but less than \$20, \$5 when the tax is \$20 or more, except that \$20 shall be added to the tax if the return is 60 or more days late. If no tax is assessed against any such person the amount of this fee shall be collected as income or franchise taxes are collected, and no person shall be allowed in any action or proceeding to contest the imposition of such fee.

SECTION 1884. 71.84 (2) (c) of the statutes is created to read:

71.84 (2) (c) If a refund under s. 71.29 (3m) results in an income or franchise tax liability that is greater than the amount of estimated taxes paid in reduced by the amount of the refund, the taxpayer shall add to the aggregate tax for the taxable year interest at an annual rate of 12% on the amount of the unpaid tax liability for the period beginning on the date the refund is issued and ending on the 15th day of the 3rd month beginning after the end of the taxable year, or the date the tax liability is paid, whichever is earlier.

SECTION 1884j. 71.88 (1) (b) of the statutes is amended to read:

71.88 (1) (b) *Contested adjustments to credits.* Any person feeling aggrieved by the determination made by the department to adjust ~~the~~ a credit claimed under s. 71.07 ~~(3m) or (6)~~, 71.28 ~~(1) or (2m)~~ or 71.47 ~~(1) or (2m)~~ or subch. VIII or IX may, within 60 days after receipt, 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 under s. 71.74 (11). If no timely petition for redetermination is filed with the department, its determination shall be final and conclusive.

SECTION 1884n. 71.88 (2) (b) of the statutes is amended to read:

71.88 (2) (b) *Appeal of department's redetermination of credits.* Any person aggrieved by the department of revenue's redetermination of a credit under s. 71.07 ~~(3m) or (6)~~, 71.28 ~~(1) or (2m)~~ or 71.47 ~~(1) or (2m)~~ or subch. VIII or IX, except when the denial is based upon late filing of claim for credit or is based upon a redetermination under s. 71.55 (8) of rent constituting property taxes accrued as at arm's length, may appeal the redetermination to the tax appeals commission by filing a petition with the commission within 60 days after the redetermination, as provided under s. 73.01 (5) with respect to income or franchise tax cases, and review of the commission's decision may be had under s. 73.015. For appeals brought under this paragraph, the filing fee required under s. 73.01 (5) (a) does not apply.

SECTION 1884p. 71.89 (2) of the statutes is amended to read:

71.89 (2) No person against whom an assessment of income or franchise tax has been made shall be allowed in any action either as plaintiff or defendant or in any other proceeding to question such assessment unless the requirements of ss. 71.88 and 71.90 (1)

shall first have been complied with, and unless such person shall have made full disclosure under oath at the hearing before the tax appeals commission of any and all income ~~that the person received by him or her~~. The requirement of full disclosure under this subsection may be waived by the department of revenue.

SECTION 1884q. 71.89 (5) of the statutes is amended to read:

71.89 (5) After final decision or other disposition, the record shall be returned to the department of revenue, and the department shall proceed to collect the taxes in the same manner as other income or franchise taxes are collected.

SECTION 1884r. 71.91 (5) (c) of the statutes is amended to read:

71.91 (5) (c) A like warrant may be issued to any agent of the department authorized to collect income or franchise taxes, and in the execution thereof and collection of said taxes such agent shall have the powers of a sheriff, but shall not be entitled to collect from the taxpayer any fee or charge for the execution of such warrant in excess of actual expenses paid in the performance of his or her duty. When a warrant is issued to such agent he or she may proceed upon the same in any county of the state designated in the warrant, in the same manner as provided in this subchapter with respect to sheriffs of such counties.

SECTION 1885. 71.91 (5) (f) of the statutes is amended to read:

71.91 (5) (f) When the taxes set forth in a warrant together with penalties and interest to date of payment and all costs due the department have been paid to it or when such warrant has not been paid or discharged, but the taxes for which such warrant was issued have been canceled or credited, the department shall issue a satisfaction of the warrant and file it with the clerk and said warrant shall be immediately satisfied of record by such clerk. The department shall send a copy of such satisfaction to the taxpayer at the taxpayer's request. When such warrant has not been paid or discharged but the enforcement of same would, in the opinion of the department, result in depriving the taxpayer of a substantial right, the department may issue a release of said warrant and file same with the clerk who shall immediately make an entry of same of record, and it shall be held conclusive of the extinguishment of the warrant and all liens and rights created thereby, but shall not constitute a release or satisfaction of the taxes for which such warrant was issued.

SECTION 1885e. 71.91 (5) (j) of the statutes is amended to read:

71.91 (5) (j) The provisions of this subchapter shall be in addition to all other methods for the collection of income or franchise taxes, and the department of revenue may exercise the powers vested in it by virtue of ss. 73.03 (20) and 73.04 or any of the powers vested

Vetoed
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in it by virtue of any other statute for the purpose of enforcing collection of income or franchise taxes.

SECTION 1885h. 71.91 (5m) (a) of the statutes is amended to read:

71.91 (5m) (a) All laws not in conflict with this chapter relating to the assessment, collection and payment of taxes on personal property, the correction of errors in assessment and tax rolls, and the collection of delinquent personal property taxes except the provisions for the compromise or cancellation of illegal taxes and the refunds of moneys paid thereon, as shown by the 1985 statutes, shall be applicable to the income or franchise tax provided in this chapter.

SECTION 1886. 71.91 (6) (d) 1 of the statutes is amended to read:

71.91 (6) (d) 1. Any person, including an officer or employe, who fails to surrender property that is subject to levy upon demand of the department is liable to the department for a sum equal to the value of the property not surrendered, but not exceeding the amount of taxes for the collection of which that levy was made, together with costs and interest at the rate of 18% per year from the date of that levy. Any amount, other than costs, recovered under this paragraph shall be credited against the tax liability for the collection of which that levy was made. The liability under this paragraph ~~shall~~ may be assessed, levied and collected as are additional income or franchise taxes or may be recovered by the department in a civil action.

SECTION 1887. 71.91 (6) (d) 2 of the statutes is amended to read:

71.91 (6) (d) 2. In addition to the liability imposed under subd. 1, if any person required to surrender property fails or refuses to surrender that property without reasonable cause, that person is liable for a penalty equal to 50% of the amount recoverable under subd. 1. No part of the penalty under this subdivision may be credited against the tax liability for the collection of which that levy was made. The penalty under this subdivision ~~shall~~ may be assessed, levied and collected as are additional income or franchise taxes or may be recovered by the department in a civil action.

SECTION 1887d. 71.91 (7) (d) of the statutes is amended to read:

71.91 (7) (d) The employer shall, on or before the last day of the next month after every calendar quarter, remit to the department the amount withheld during the calendar quarter. Any amount withheld from an employe by an employer shall immediately be a trust fund for this state. Should any employer, after notice, wilfully fail to withhold in accordance with the notice and this subsection, or wilfully fail to remit any amount withheld, as required by this subsection, such employer shall be liable for the total amount set forth in the notice together with delinquent interest as though the amount shown by the notice was due by such employer as a direct obligation to the state for

delinquent taxes, and may be collected by any means provided by law including the means provided for the collection of delinquent income or franchise taxes. However, no amount required to be paid by an employer by reason of his or her failure to remit under this subsection may be deducted from the gross income of such employer. Any amount collected from the employer for failure to withhold or for failure to remit under this subsection shall be credited as tax, costs, penalties and interest paid by the employe.

SECTION 1887f. 71.92 (2) of the statutes is amended to read:

71.92 (2) Any taxpayer who is unable to pay the full amount of his or her delinquent income or franchise taxes, costs, penalties and interest may apply to the department of revenue to pay such taxes, costs, penalties and interest in instalments. Such application shall contain a statement of the reasons such taxes, costs, penalties and interest cannot be paid in full and shall set forth the plan of instalment payments proposed by the taxpayer. Upon approval of such plan by the department and the payment of instalments in accordance therewith collection proceedings with respect to such taxes, costs, penalties and interest shall be withheld; but on failure of the taxpayer to make any instalment payment, the department shall proceed to collect the unpaid portion of such taxes, costs, penalties and interest in the manner provided by law.

SECTION 1887h. 71.92 (3) of the statutes is amended to read:

71.92 (3) Any taxpayer may petition the department of revenue to compromise his or her delinquent income or franchise taxes including the costs, penalties and interest. Such petition shall set forth a sworn statement of the taxpayer and shall be in such form as the department shall prescribe and the department may examine the petitioner under oath concerning the matter. If the department finds that the taxpayer is unable to pay the taxes, costs, penalties and interest in full it shall determine the amount the taxpayer is able to pay and shall enter an order reducing such taxes, costs, penalties and interest in accordance with such determination. Such order shall provide that such compromise shall be effective only if paid within 10 days. The department or its collection agents upon receipt of such order shall accept payment in accordance with the order. Upon payment the department shall credit the unpaid portion of the principal amount of such taxes and make appropriate record of the unpaid amount of penalties, costs, and interest accrued to the date of such order. If within 3 years of the date of such compromise order the department shall ascertain that the taxpayer has an income or property sufficient to enable the taxpayer to pay the remainder of the tax including costs, penalty and interest the department shall reopen said matter and order the payment in full of such taxes, costs, penalties and interest. Before the entry of such order a notice shall be given to the taxpayer in writing advising of the intention of the department of revenue to reopen such

matter and fixing a time and place for the appearance of the taxpayer if ~~he or she~~ the taxpayer desires a hearing. Upon entry of such order the department of revenue shall make an appropriate record of the principal amount of such taxes, penalties, costs and interest ordered to be paid and such taxes shall be immediately due and payable and shall thereafter be subject to the interest provided by s. 71.82 (2), and the department shall immediately proceed to collect the same together with the unpaid portion of penalty, costs, and interest accrued to the date of the compromise order.

SECTION 1887j. 71.92 (4) of the statutes is amended to read:

71.92 (4) Delinquent income or franchise taxes, interest and penalties, resulting from assessments pursuant to s. 71.74 (3), 71.82 (2) (d) or 71.83 (1) (a) 3 or 4 or (b) 2 or 3 or from assessments by virtue of disallowance of claimed deductions for failure to file information reports relating thereto, as required by this chapter, may be compromised by the department when such action is fair and equitable under the circumstances.

SECTION 1887m. 71.92 (6) of the statutes is amended to read:

71.92 (6) If any delinquent income or franchise tax has been referred by the department to the attorney general for collection and after having fully investigated the matter the attorney general determines that it would be in the best interest of the state to compromise the tax, a written recommendation shall be made to the department stating the terms upon which the tax should be compromised and the reasons therefor. The department shall approve or disapprove the recommendation and notify the department of justice. If approved the department of justice may enter into a stipulation with the taxpayer providing for the compromise of the tax on the terms set forth in the recommendation and upon compliance by the taxpayer the tax shall be fully discharged. The department of justice shall furnish the department with a copy of such stipulation, and the department or its agents charged with the collection of income or franchise taxes may accept payment of such tax in accordance with the terms of such stipulation and upon payment being made shall credit the unpaid portion of the tax. This subsection shall be in addition to all other powers of the department of justice and the department of revenue with respect to compromise or settlement of income or franchise taxes.

SECTION 1888. 72.01 (17) of the statutes is amended 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 amended to December 31, ~~1989~~ 1990. Amendments to the internal revenue code enacted after December 31, ~~1989~~ 1990, do not apply to this subsection.

SECTION 1889. 72.045 of the statutes is created to read:

72.045 Timely filing. Documents and payments required or permitted by this chapter are furnished, reported, filed or made on time if they are mailed in a properly addressed envelope, if the postage is paid, if the envelope is postmarked before midnight of the due date and if the department receives them no later than 5 days after the due date.

SECTION 1890. 72.12 (4) (c) 1 of the statutes is amended to read:

72.12 (4) (c) 1. Benefits paid to a beneficiary under an employee benefit plan are taxable under this subchapter except to the extent that the proportionate share resulting from the employer's contribution would be excludable from the gross estate of the decedent under section 2039 of the internal revenue code as amended to December 31, ~~1989~~ 1990. Amendments to the internal revenue code enacted after December 31, ~~1989~~ 1990, do not apply to this subdivision. This subsection applies whether or not there is a requirement for filing a federal estate tax return.

SECTION 1891. 72.22 (4) (a) of the statutes is amended to read:

72.22 (4) (a) Whether or not there is a federal estate tax liability, in lieu of full payment, payment may be made according to an equal payment schedule over a period not to exceed 15 years from the decedent's date of death, if the estate would be authorized to pay federal estate taxes under section 6166 of the internal revenue code as amended to December 31, ~~1989~~ 1990. Amendments to the internal revenue code enacted after December 31, ~~1989~~ 1990, do not apply to this paragraph. If an election is made under this subsection, the election shall apply only to the portion of the tax payable by a distributee which is determined by dividing the value of property received by a distributee which qualifies an estate for the election under the internal revenue code by the value of all property received by the distributee. A distributee electing to pay under this subsection may subsequently pay part or all of the remaining tax plus interest at the time any scheduled payment is due under this subsection. Interest on instalment payments under this subsection shall be computed under s. 72.23 at 12% per year.

SECTION 1892. 72.235 of the statutes is created to read:

72.235 Failure to file. Any person who fails to file a return by the date under s. 72.30 (1) is subject to a penalty of 5% of the tax due under s. 72.02 but not less than \$25 nor more than \$500.

SECTION 1893. 72.30 (1) of the statutes, as affected by 1987 Wisconsin Act 27, is amended to read:

72.30 (1) **FILING REQUIREMENTS.** If a federal estate tax return is required, the personal representative, special administrator, trustee, distributee or other person interested shall prepare the estate tax return for the

tax under this chapter, compute the tax, ~~if any, due under this chapter and on or before the due date, as extended, of the federal estate tax return file the original with the department the return for the tax under this chapter, a copy of the federal estate tax return and a copy of all documents submitted with the federal estate tax return.~~

SECTION 1894. 72.33 (1) of the statutes, as affected by 1987 Wisconsin Act 27, is repealed.

SECTION 1895. 72.76 (4) of the statutes is amended to read:

72.76 (4) An employer transfers to a former employee's distributee or estate amounts that qualify as an employee death benefit taxable as income under the internal revenue code as amended to December 31, ~~1989~~ 1990, or excludable from gross income under section 101 (b) of the internal revenue code as amended to December 31, ~~1989~~ 1990.

SECTION 1895f. 72.86 (4) of the statutes is amended to read:

72.86 (4) APPLICABLE INCOME TAX PROVISIONS. All provisions of income or franchise tax statutes not in conflict with this subchapter on the following subjects apply to the administration of this subchapter: assessment, hearing and appeal procedures including ss. 73.01 and 73.015, preparation of assessment and tax rolls, certification of taxes due and corrections thereof, collection, including s. 71.91 (7), and refund procedures, except that a claim for refund with respect to the settlement of a right actionable under s. 766.53 or the satisfaction of a judgment providing for the recovery of marital property or compensation from the donee equal in value to the marital property at the time of recovery that was a gift under s. 766.53 may be filed within one year after entry of judgment or receipt of the recovery.

SECTION 1895m. 72.87 (2) of the statutes is amended to read:

72.87 (2) CONSTRUCTION. Nothing in this subchapter shall in any way be construed to conflict with, limit or modify provisions of subch. II or III or the income or franchise tax statutes.

SECTION 1896. 73.01 (4) (a) of the statutes is amended to read:

73.01 (4) (a) Subject to the provisions for judicial review contained in s. 73.015, the commission shall be the final authority for the hearing and determination of all questions of law and fact arising under sub. (5) and ss. 70.11 (21), 70.38 (4) (a), 70.64, 70.995 (8), 72.86 (4), 76.38 (12) (a), 76.39 (4) (c), 76.48 (6), 77.26 (3), 77.59 (6) (b), ~~78.01, 78.22, 78.40, 78.555, 139.02, 139.03 (4), 139.06, 139.31, 139.315, 139.33, 139.76~~ and 139.78, subch. XIV of ch. 71 and subch. VII of ch. 77. Whenever with respect to a pending appeal there is filed with the commission a stipulation signed by the department of revenue and the adverse party, under s. 73.03 (25), agreeing to an affirmance, modification or reversal of the department's position with respect to some or all of the issues raised in the appeal, the com-

mission shall enter an order affirming or modifying in whole or in part, or canceling the assessment appealed from, or allowing in whole or in part or denying the petitioner's refund claim, as the case may be, pursuant to and in accordance with the stipulation filed. No responsibility shall devolve upon the commission, respecting the signing of an order of dismissal as to any pending appeal settled by the department without the approval of the commission.

SECTION 1897. 73.01 (4) (a) of the statutes, as affected by 1987 Wisconsin Acts 27, 312 and 399 and 1989 Wisconsin Act 335, is repealed and recreated to read:

73.01 (4) (a) Subject to the provisions for judicial review contained in s. 73.015, the commission shall be the final authority for the hearing and determination of all questions of law and fact arising under sub. (5) and ss. 70.11 (21), 70.38 (4) (a), 70.64, 70.995 (8), 72.86 (4), 1985 stats., 76.38 (12) (a), 76.39 (4) (c), 76.48 (6), 77.26 (3), 77.59 (6) (b), 78.01, 78.22, 78.40, 78.555, 139.02, 139.03, 139.06, 139.31, 139.315, 139.33, 139.76 and 139.78, subch. XIV of ch. 71 and subch. VII of ch. 77. Whenever with respect to a pending appeal there is filed with the commission a stipulation signed by the department of revenue and the adverse party, under s. 73.03 (25), agreeing to an affirmance, modification or reversal of the department's position with respect to some or all of the issues raised in the appeal, the commission shall enter an order affirming or modifying in whole or in part, or canceling the assessment appealed from, or allowing in whole or in part or denying the petitioner's refund claim, as the case may be, pursuant to and in accordance with the stipulation filed. No responsibility shall devolve upon the commission, respecting the signing of an order of dismissal as to any pending appeal settled by the department without the approval of the commission.

SECTION 1897m. 73.01 (5) (a) of the statutes is amended to read:

73.01 (5) (a) Any person who is aggrieved by a determination of the state board of assessors under s. 70.995 (8) or by the department of revenue under s. 70.11 (21) or who has filed a petition for redetermination with the department of revenue and who is aggrieved by the redetermination of the department may, within 60 days of the determination of the state board of assessors or of the department or, in all other cases, within 60 days after the redetermination but not thereafter, file with the clerk of the commission a petition for review of the action of the department and the number of copies of the petition required by rule adopted by the commission. If a municipality appeals, its appeal shall set forth that the appeal has been authorized by an order or resolution of its governing body and the appeal shall be verified by a member of that governing body as pleadings in courts of record are verified. The clerk of the commission shall transmit one copy to the department of revenue and to each party. In the case of appeals from manufacturing property assessments, the person assessed shall be a

party to a proceeding initiated by a municipality. At the time of filing the petition, the petitioner shall pay to the commission a \$5 filing fee, which the commission shall deposit in the general fund. Within 30 days after such transmission the department, except for petitions objecting to manufacturing property assessments, shall file with the clerk of the commission an original and the number of copies of an answer to the petition required by rule adopted by the commission and shall serve one copy on the petitioner or the petitioner's attorney or agent. Within 30 days after service of the answer, the petitioner may file and serve a reply in the same manner as the petition is filed. Any person entitled to be heard by the commission under s. 76.38 (12) (a), 76.39 (4) (c) or 76.48 may file a petition with the commission within the time and in the manner provided for the filing of petitions in income or franchise tax cases. Such papers may be served as a circuit court summons is served or by certified mail. For the purposes of this subsection, a petition for review is considered timely filed if mailed by certified mail in a properly addressed envelope, with postage duly prepaid, which envelope is postmarked before midnight of the last day for filing.

SECTION 1897t. 73.03 (2a) of the statutes is amended to read:

73.03 (2a) To prepare, have published and distribute to each county having a county assessor system under s. 70.99 and to each town, city and village in the state for the use of assessors, assessment personnel and the public detailed assessment manuals, except that if an assessor is hired by more than one county, town, city or village the department shall provide that assessor with only one cost component of the manual rather than providing the cost component of the manual to each county, town, city or village that hires that assessor. The manual shall discuss and illustrate accepted assessment methods, techniques and practices with a view to more nearly uniform and more consistent assessments of property at the local level. The manual shall be amended by the department from time to time to reflect advances in the science of assessment, court decisions concerning assessment practices, costs, and statistical and other information deemed valuable to local assessors by the department. The manual shall incorporate standards for the assessment of all types of renewable energy resource systems used in this state as soon as such systems are used in sufficient numbers and sufficient data exists to allow the formulation of valid guidelines. The manual shall incorporate standards, which the department of revenue and the state historical society of Wisconsin shall develop, for the assessment of nonhistoric property in historic districts and for the assessment of historic property, including but not limited to property that is being preserved or restored; property that is subject to a protective easement, covenant or other restriction for historic preservation purposes; property that is listed in the national register of historic places in Wis-

consin or in this state's register of historic places and property that is designated as a historic landmark and is subject to restrictions imposed by a municipality or by a landmarks commission. The manual shall incorporate general guidelines about ways to determine whether property is taxable in part under s. 70.11 (8) and examples of the ways that s. 70.11 (8) applies in specific situations. The manual shall state that assessors are required to comply with s. 70.32 (1g) and shall suggest procedures for doing so. The cost of the development, preparation, publication and distribution of the manual and of revisions and amendments to it shall be borne by the assessment districts and requesters at an individual volume cost or a subscription cost as determined by the department. All receipts shall be credited to the appropriation under s. 20.566 (2) (hi). The department shall, on the 4th Monday in August, certify past-due accounts and include them in the next apportionment of state special charges to counties and municipalities under s. 70.60. If the department provides an assessment manual to an assessor who is hired by more than one unit of government, those units of government shall each pay an equal share of the cost of that manual. The department may provide free assessment manuals to other state agencies or exchange them at no cost with agencies of other states or of the federal government for similar information or publications.

~~SECTION 1897w. 73.03 (5m) of the statutes is created to read:~~

~~73.03 (5m) To remit to the appropriate county treasurers amounts received by the department of revenue under s. 565.30 (5) for the payment of delinquent property taxes.~~

SECTION 1897x. 73.03 (20) of the statutes is amended to read:

73.03 (20) To investigate all delinquent personal property, and income or franchise taxes and surtaxes in the state and the possibility of the collection of them and to require taxing officials, including town treasurers, county treasurers, sheriffs and district attorneys, to institute proceedings, actions and prosecutions for the collection of delinquent taxes so that the amount of delinquent taxes shall be reduced to the minimum. In carrying out this subsection the department of revenue may examine or cause to be examined by any agent, employee or representative designated by it for that purpose any books, papers, records or memoranda of any corporation, copartnership or individual bearing upon the collection of any delinquent taxes and may require the attendance of the officials of any corporation or of any other person having knowledge in the premises and may take testimony and require proof material for their information upon any matter that they deem of value for the purpose of enforcing the payment of delinquent taxes. The department of revenue may also perform other duties and adopt other procedures that may be necessary to carry out this subsection and direct that proceedings, actions

Vetoed
in Part

and prosecutions be instituted to enforce the laws relating to the collection of delinquent taxes of every kind. To this end, the department of justice shall, upon the request of the department of revenue, conduct such actions, proceedings or prosecutions or assist the local town, city, village or county officials in them or assist the district attorneys.

SECTION 1897y. 73.03 (20) of the statutes, as affected by 1987 Wisconsin Act 27, 1989 Wisconsin Act 31, section 2112, and 1991 Wisconsin Act (this act), is repealed and recreated to read:

73.03 (20) To investigate all delinquent personal property, death and income or franchise taxes and surtaxes in the state and the possibility of the collection of them and to require taxing officials, including town treasurers, county treasurers, sheriffs and district attorneys, to institute proceedings, actions and prosecutions for the collection of delinquent taxes so that the amount of delinquent taxes shall be reduced to the minimum. In carrying out this subsection the department of revenue may examine or cause to be examined by any agent, employee or representative designated by it for that purpose, any books, papers, records or memoranda of any corporation, copartnership or individual bearing upon the collection of any delinquent taxes and may require the attendance of the officials of any corporation or of any other person having knowledge in the premises and may take testimony and require proof material for their information upon any matter that they deem of value for the purpose of enforcing the payment of delinquent taxes. The department of revenue may also perform other duties and adopt other procedures that may be necessary to carry out this subsection and direct that proceedings, actions and prosecutions be instituted to enforce the laws relating to the collection of delinquent taxes of every kind. To this end, the department of justice shall, upon the request of the department of revenue, conduct such actions, proceedings or prosecutions or assist the local town, city, village or county officials in them or assist the district attorneys.

SECTION 1897ym. 73.03 (27) (intro.) of the statutes is amended to read:

73.03 (27) (intro.) To write off from the records of the department income, franchise, sales, use, withholding, motor fuel, gift, beverage and cigarette tax and recycling fee surcharge liabilities, following a determination by the secretary of revenue that they are not collectible, as hereinafter provided:

SECTION 1898. 73.03 (33) of the statutes is repealed.

SECTION 1899d. 73.03 (33m) of the statutes is created to read:

73.03 (33m) To collect, as taxes under ch. 71 are collected, from each person who owes to the department of revenue delinquent taxes, fees, interest or penalties, a fee for each delinquent account equal to \$25 or 4.5% of the taxes, fees, interest and penalties owed; as of the due date specified in the assessment, notice of

amount due or notice of redetermination; on that account, whichever is greater.

SECTION 1900. 73.03 (35) of the statutes is amended to read:

73.03 (35) To deny a portion of a credit claimed under s. 71.07 (2di), (2dj), (2dL) or (2ds), 71.28 (1di), (1dj), (1dL), (1ds) or (4) (am) or 71.47 (1di), (1dj), (1dL), (1ds) or ~~(3) (4)~~ (am) if granting the full amount claimed would violate the requirement under s. 560.75 (9) or would bring the total of the credits granted to that claimant under that subsection, or the total of the credits granted to that claimant under all of those subsections, over the limit for that claimant under s. 560.768.

SECTION 1900ag. 73.03 (36) of the statutes is amended to read:

73.03 (36) To estimate revenues under s. ~~77.93~~ subch. VII of ch. 77 and submit to the governor, the joint committee on finance and the chief clerk of each house of the legislature for distribution under s. 13.172 (2), not later than November 20 of each even-numbered year, a report of its estimate of those revenues for the current biennium and the following biennium.

SECTION 1901j. 73.03 (40m) of the statutes is created to read:

73.03 (40m) To include on the form on which a homestead credit is claimed information about the property tax deferral program.

~~SECTION 1901m. 73.03 (41) of the statutes is created to read:~~

~~73.03 (41) To compile, at least annually, and to furnish to the clerks of all taxation districts in the state a list of all corporations, associations and other entities that have filed a return reporting unrelated business income tax liability under s. 71.26 (1) (a) within a designated 12-month period. The list shall include the name and address of the corporation, association or other entity.~~

Vetoed
in Part

~~SECTION 1901r. 73.03 (41m) of the statutes is created to read:~~

~~73.03 (41m) To report to the joint committee on finance the estimate, provided to the department by the city of Milwaukee under s. 232.10, of the full value of the property that is exempt under s. 70.11 (31).~~

Vetoed
in Part

~~SECTION 1901w. 73.03 (44) of the statutes is created to read:~~

~~73.03 (44) To define, by rule, the categories of services under s. 79.03 (3g) (a) 1.~~

Vetoed
in Part

SECTION 1901x. 73.03 (45) of the statutes is created to read:

73.03 (45) To 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 1901y. 73.03 (46) of the statutes is created to read:

Vetoed
in Part

73.03 (46) ~~Annually beginning~~ in the 1992-93 school year, to determine and certify to the state superintendent of public instruction the rate of adjustment for the primary ceiling cost per member under s. 121.07 (6) (b) 2. The rate of adjustment for any school year is the average percentage change in the consumer price index for all urban consumers, U.S. city average, for the calendar year ending on the 2nd preceding December 31, as computed by the federal department of labor.

SECTION 1902. 73.031 of the statutes is created to read:

73.031 Arrest powers. A special agent of the department of revenue who has been certified as a law enforcement officer by the law enforcement standards board and who is on duty may arrest a person if the special agent believes, on reasonable grounds, that a warrant for the person's arrest has been issued in this state or that a felony warrant has been issued in another state or if a crime has been committed in the presence of the special agent. The special agent shall cause the person arrested and the documents and reports pertaining to the arrest to be delivered to the chief of police or sheriff in the jurisdiction where the arrest is made. The special agent shall be available as a witness for the state. A special agent acting under this section is an employe of the department and is subject to its direction, benefits and legal protection.

SECTION 1903. 73.08 (3) of the statutes is renumbered 73.08 and amended to read:

73.08 Educational program. From the amounts provided under s. 20.566 (2) (c), beginning in ~~1993~~ 1994, the department of revenue shall implement an educational program for local assessment staff members in taxation districts that do not meet the requirements of s. 70.05 (5) (f).

SECTION 1904. 73.09 (4) (a) of the statutes is amended to read:

73.09 (4) (a) All certifications issued prior to January 1, 1981, ~~shall be~~ are valid for 10 years from the date of issuance. All certifications issued on or after January 1, 1981, ~~shall~~ but before the effective date of this paragraph [revisor inserts date], expire on the 6th June 1 following the date of issuance. All certifications issued on or after the effective date of this paragraph [revisor inserts date], expire 5 years after the date on which they are issued.

SECTION 1905. 73.09 (4) (c) of the statutes is amended to read:

73.09 (4) (c) Recertification is contingent upon submission of a notarized application for renewal ~~by March 31 of the year of renewal, at least 60 days before the expiration date of the current certificate,~~ attesting to the completion of the requirements specified in par. (b). Persons applying for renewal on the basis of attendance at the meetings called by the department under s. 73.06 (1) and by meeting continu-

ing education requirements shall submit a \$20 recertification fee with their applications.

~~SECTION 1905m. 73.10 (2) (c) of the statutes is created to read:~~

~~73.10 (2) (c) Notwithstanding any rule promulgated under par. (b), every county shall submit the information required to be collected by the department under par. (a) as financial statements, notes to the financial statements and supporting schedules. The statements, notes and schedules shall conform to generally accepted accounting principles promulgated by the governmental accounting standards board or its successor bodies and shall be audited in accordance with generally accepted auditing standards.~~

SECTION 1906. 73.10 (3) of the statutes is amended to read:

73.10 (3) The department may inspect and examine or cause an inspection and examination of the records of any town, city, village, county or other public officer whenever such officer fails or neglects to return properly the information required by sub. (2) within the time specified under s. 86.303 (5) (c) ~~or~~, (d) ~~or~~ (g).

~~SECTION 1906g. 74.09 (3) (b) 2g of the statutes is created to read:~~

~~74.09 (3) (b) 2g. On 1991 property tax bills for property that is classified as improved residential or improved agricultural on the assessment roll under s. 70.32 (2), the amount of property tax allocable to the property after application of the lottery school property tax credit.~~

SECTION 1906k. 74.09 (3) (b) 2r of the statutes is created to read:

74.09 (3) (b) 2r. On property tax bills ~~in 1992 and thereafter~~, for property that is classified as improved residential or improved agricultural on the assessment roll under s. 70.32 (2), the amount of property tax allocable to the property after application of the total amount of the state school property tax credit and the lottery school property tax credit.

~~SECTION 1906m. 74.09 (3) (i) of the statutes is created to read:~~

~~74.09 (3) (i) State the total amount spent by the municipality for solid waste collection and disposal during the year in which the bill is sent, including the estimated cost for the part of the year beginning on the day when the bill is prepared.~~

SECTION 1908. 74.10 of the statutes is created to read:

74.10 Agreements on payments. A county and a taxation district in that county may contract under s. 66.30 for the county to receive all payments of property taxes for which the taxation district has sent bills under s. 74.09. A contract under this section may provide for reimbursement to the county of its expenses and shall provide for prompt deposit of the amounts collected into an account of the taxation district and for possession by the taxation district of the interest credited to that account.

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SECTION 1909. 74.11 (1) of the statutes is amended to read:

74.11 (1) **APPLICABILITY.** General property taxes, special assessments, special charges and special taxes collectible under this chapter are payable as provided in this section, except as provided in ss. 74.12, ~~74.85~~ and 74.87.

SECTION 1910. 74.11 (3) of the statutes is amended to read:

74.11 (3) **SPECIAL ASSESSMENTS, SPECIAL CHARGES AND OTHER TAXES.** All special assessments, special charges and special taxes that are placed in the tax roll shall be paid in full on or before January 31, except that the governing body of a taxation district may, by ordinance, on or before August 15 of the year before the ordinance is effective, authorize the payment of special assessments in instalments. That ordinance shall specify that special assessments are due on the same dates and in the same percentages as instalments of real property taxes and that if the total special assessment is less than \$100, it shall be paid in full on or before January 31.

SECTION 1911. 74.11 (8) of the statutes is amended to read:

74.11 (8) **DELINQUENT 2ND INSTALMENT.** If the 2nd instalment of taxes on real property is not paid on or before July 31, the entire amount of the taxes remaining unpaid is delinquent as of August 1 and interest and penalties are due under sub. (11).

SECTION 1912. 74.11 (12) (a) (intro.) of the statutes is amended to read:

74.11 (12) (a) (intro.) If Except as provided in pars. (c) and (d), if a taxation district treasurer or county treasurer receives a payment from a taxpayer which is not sufficient to pay all ~~general property taxes, special charges, special assessments and special taxes~~ amounts due, the treasurer shall apply the payment to the amounts due, including interest and penalties, in the following order:

SECTION 1913. 74.11 (12) (a) 1 of the statutes is renumbered 74.11 (12) (a) 1r.

SECTION 1914. 74.11 (12) (a) 1g of the statutes is created to read:

74.11 (12) (a) 1g. Personal property taxes.

SECTION 1915. 74.11 (12) (a) 1m of the statutes is created to read:

74.11 (12) (a) 1m. Delinquent utility charges.

SECTION 1916. 74.11 (12) (a) 4 of the statutes is amended to read:

74.11 (12) (a) 4. ~~General~~ Real property taxes.

SECTION 1917. 74.11 (12) (b) of the statutes is amended to read:

74.11 (12) (b) The allocation under par. (a) ~~1~~ 1g to 4 is conclusive for purposes of settlement under ss. 74.23 to 74.29 and for determining delinquencies under this section.

SECTION 1918. 74.11 (12) (d) of the statutes is created to read:

74.11 (12) (d) A treasurer, upon receipt of a written request by a taxpayer to do so, shall apply any remaining portion of the payment to personal property taxes after satisfying all other amounts due.

SECTION 1919. 74.12 (1) (a) of the statutes is amended to read:

74.12 (1) (a) The governing body of any taxation district, except a taxation district ~~in a county with a population of 500,000 or more under s. 74.87,~~ may, by ordinance, authorize the payment of real property taxes or special assessments or both in 3 or more instalments. An ordinance enacted under this paragraph, or any repeal of, or amendment to, such an ordinance applies to the collections of a calendar year only if it is enacted on or before August 15 of the preceding calendar year.

SECTION 1920. 74.12 (2) (d) of the statutes is created to read:

74.12 (2) (d) Instalments of special assessments are due on the same dates and in the same percentages as instalments of real property taxes and if the total special assessment is less than \$100, it shall be paid in full on or before January 31.

SECTION 1921. 74.12 (6m) of the statutes is created to read:

74.12 (6m) **WHEN NO INSTALMENTS.** If the total real property tax is less than \$100, it shall be paid in full on or before January 31.

SECTION 1922. 74.12 (8) of the statutes is amended to read:

74.12 (8) **DELINQUENT 2ND OR SUBSEQUENT INSTALMENT.** If the 2nd or any subsequent instalment payment of real property taxes or special assessments to which an instalment option pertains is not paid by the due date specified in the ordinance, the entire amount of the remaining unpaid taxes or special assessments to which an instalment option pertains on that parcel is delinquent as of the first day of the month after the payment is due and interest and penalties are due under sub. (10).

SECTION 1923. 74.12 (11) (a) (intro.) of the statutes is amended to read:

74.12 (11) (a) (intro.) If Except as provided in pars. (c) and (d), if a taxation district treasurer or county treasurer receives a payment from a taxpayer which is not sufficient to pay all ~~general property taxes, special charges, special assessments and special taxes~~ amounts due, the treasurer shall apply the payment to the amounts due, including interest and penalties, in the following order:

SECTION 1924. 74.12 (11) (a) 1 of the statutes is renumbered 74.12 (11) (a) 1r.

SECTION 1925. 74.12 (11) (a) 1g of the statutes is created to read:

74.12 (11) (a) 1g. Personal property taxes.

SECTION 1926. 74.12 (11) (a) 1m of the statutes is created to read:

74.12 (11) (a) 1m. Delinquent utility charges.

SECTION 1927. 74.12 (11) (a) 4 of the statutes is amended to read:

74.12 (11) (a) 4. **General Real** property taxes.

SECTION 1928. 74.12 (11) (b) of the statutes is amended to read:

74.12 (11) (b) The allocation under par. (a) ~~1~~ lg to 4 is conclusive for purposes of settlement under ss. 74.29 and 74.30 and for determining delinquencies under this section.

SECTION 1929. 74.12 (11) (d) of the statutes is created to read:

74.12 (11) (d) A treasurer, upon receipt of a written request by a taxpayer to do so, shall apply any remaining portion of the payment to personal property taxes after satisfying all other amounts due.

SECTION 1931. 74.23 (1) (b) of the statutes is amended to read:

74.23 (1) (b) *General property taxes.* After making the distribution under par. (a), the taxation district treasurer shall pay to each taxing jurisdiction within the district its proportionate share of general property taxes ~~and, as, except that the treasurer shall pay the state's proportionate share to the county.~~ As part of that distribution, the taxation district treasurer shall retain for the taxation district and for each tax incremental district within the taxation district its proportionate share of general property taxes.

SECTION 1932. 74.25 (1) (intro.) of the statutes is amended to read:

74.25 (1) SETTLEMENT. (intro.) On or before February ~~15~~ 20, the taxation district treasurer, except the treasurer of a city authorized to proceed under s. 74.87 or the treasurer of a taxation district that has adopted an ordinance under s. 74.12 ~~or 74.85~~, shall settle for all collections received through the last day of the preceding month and all amounts timely paid under s. 74.69 (1) which were not settled for under s. 74.23 as follows:

SECTION 1935. 74.25 (1) (a) 7 of the statutes is amended to read:

74.25 (1) (a) 7. Retain for the taxation district all collections of occupational taxes on grain storage, ~~scrap iron and steel~~ and petroleum and petroleum products and 70% of collections of occupational taxes on iron ore concentrates and coal docks.

SECTION 1936. 74.25 (1) (b) 1 of the statutes is amended to read:

74.25 (1) (b) 1. Pay in full to each taxing jurisdiction within the district all personal property taxes included in the tax roll which have not previously been paid to, or retained by, that taxing jurisdiction ~~and, as, except that the treasurer shall pay the state's proportionate share to the county.~~ As part of that distribution, the taxation district treasurer shall allocate to each tax incremental district within the taxation district its proportionate share of personal property taxes.

SECTION 1937. 74.25 (1) (b) 2 of the statutes is amended to read:

74.25 (1) (b) 2. Pay to each taxing jurisdiction within the district its proportionate share of real property taxes ~~and, as, except that the treasurer shall pay the state's proportionate share to the county.~~ As part of that distribution, the taxation district treasurer shall retain for the taxation district and for each tax incremental district within the taxation district its proportionate share of real property taxes.

SECTION 1938. 74.27 of the statutes is created to read:

74.27 March settlement between counties and the state. On or before March 15, the county treasurer shall send to the state treasurer the state's proportionate shares of taxes under ss. 74.23 (1) (b) and 74.25 (1) (b) 1 and 2.

SECTION 1939. 74.29 of the statutes is amended to read:

74.29 August settlement. On or before August ~~15~~ 20, the county treasurer shall pay in full to the proper treasurer all real property taxes and special taxes included in the tax roll which have not previously been paid to, or retained by, the proper treasurer. A county may, by resolution adopted by the county board, direct the county treasurer to pay in full to the proper treasurer all special assessments and special charges included in the tax roll which have not previously been paid to, or retained by, the proper treasurer.

SECTION 1942. 74.30 (1) (g) of the statutes is amended to read:

74.30 (1) (g) Retain for the taxation district all collections of occupational taxes on grain storage, ~~scrap iron and steel~~ and petroleum and petroleum products and 70% of collections of occupational taxes on iron ore concentrates and coal docks.

SECTION 1943. 74.30 (1) (i) of the statutes is amended to read:

74.30 (1) (i) Pay in full to each taxing jurisdiction within the district all personal property taxes included in the tax roll which have not previously been paid to, or retained by, each taxing jurisdiction ~~and, as, except that the treasurer shall pay the state's proportionate share to the county.~~ As part of that distribution, the taxation district treasurer shall allocate to each tax incremental district within the taxation district its proportionate share of personal property taxes.

SECTION 1944. 74.30 (1) (j) of the statutes is amended to read:

74.30 (1) (j) Pay to each taxing jurisdiction within the district its proportionate share of real property taxes ~~and, as, except that the treasurer shall pay the state's proportionate share to the county.~~ As part of that distribution, the taxation district treasurer shall retain for the taxation district and for each tax incremental district within the taxation district its proportionate share of real property taxes.

SECTION 1945. 74.30 (1m) of the statutes is created to read:

74.30 (1m) MARCH SETTLEMENT BETWEEN COUNTIES AND THE STATE. On or before March 15, the county treasurer shall send to the state treasurer the state's proportionate shares of taxes under sub. (1) (i) and (j).

SECTION 1946. 74.305 of the statutes is repealed.

SECTION 1947. 74.31 (intro.) of the statutes is amended to read:

74.31 Failure to settle timely. (intro.) If the taxation district treasurer or county treasurer does not settle as required under ss. 74.23 to 74.30 ~~or 74.305~~:

SECTION 1948. 74.31 (1) of the statutes is amended to read:

74.31 (1) INTEREST CHARGE. The taxation district or county which has not settled shall pay 12% annual interest on the amount not timely paid to the ~~governmental unit~~ taxing jurisdiction, including this state, to which money is due, calculated from the date settlement was required.

SECTION 1949. 74.31 (2) of the statutes is amended to read:

74.31 (2) PENALTY. The ~~governmental unit~~ taxing jurisdiction, including this state, to which money is due may demand, in writing, payment from the taxation district or county which has not settled. If, within 3 days after receipt of a written demand, settlement is not made, the taxation district or county shall pay the ~~governmental unit~~ taxing jurisdiction, including this state, making the demand a 5% penalty on the amount remaining unpaid.

SECTION 1950. 74.33 (title) of the statutes is amended to read:

74.33 (title) Sharing and charging back of taxes due to palpable errors.

SECTION 1951. 74.33 (2) of the statutes is amended to read:

74.33 (2) (title) EXCEPTIONS. The governing body of a taxation district may not refund or rescind any tax under this section if the alleged error may be appealed under s. 70.995 (8) (c) or if the alleged error is solely that the assessor placed a valuation on the property that is excessive or that the property is exempt from taxation under s. 70.11 (21) (a) or (27).

SECTION 1952. 74.33 (3) of the statutes is amended to read:

74.33 (3) (title) CHARGING BACK AND SHARING TAXES. If ~~taxes are refunded or rescinded~~ an error under sub. (1) has been discovered, the governing body of the taxation district ~~may~~ shall proceed under s. 74.41.

SECTION 1953. 74.33 (4) of the statutes is repealed.

SECTION 1954. 74.35 (2) (title) of the statutes is amended to read:

74.35 (2) (title) CLAIM AGAINST TAXATION DISTRICT.

SECTION 1955. 74.35 (5) (b) and (c) of the statutes are amended to read:

74.35 (5) (b) A claim under this section for recovery of taxes paid to the wrong taxation district shall be

filed within 2 years after the last date specified for timely payment of the tax under s. 74.11, 74.12, ~~74.85~~ or 74.87.

(c) No claim may be filed or maintained under this section unless the tax for which the claim is filed, or any authorized instalment payment of the tax, is timely paid under s. 74.11, 74.12, ~~74.85~~ or 74.87.

SECTION 1956. 74.41 (title) of the statutes is amended to read:

74.41 (title) Charging back refunded or rescinded taxes; sharing certain collected taxes.

SECTION 1957. 74.41 (1) (bm) of the statutes is created to read:

74.41 (1) (bm) Have been refunded or collected under s. 70.43.

SECTION 1958. 74.41 (1) (bn) of the statutes is created to read:

74.41 (1) (bn) Have been rescinded or refunded to taxpayers under s. 70.74.

SECTION 1959. 74.41 (2) of the statutes is amended to read:

74.41 (2) AMOUNT REQUIRED FOR SUBMISSION. A ~~refunded or rescinded~~ tax may be included on a form submitted under sub. (1) only if one of the following applies:

(a) The ~~refunded or rescinded tax together with tax and all other refunded or rescinded taxes under sub. (1)~~ which are levied for the same year and which are listed on the same form ~~totals~~ total at least \$5,000.

(b) The ~~refunded or rescinded tax under sub. (1)~~ for any single description of property in the tax roll for any one year is \$500 or more.

SECTION 1960. 74.41 (3) of the statutes is amended to read:

74.41 (3) EFFECT ON EQUALIZED VALUE DETERMINED. The department of revenue shall, by the November 15 following submission of the form under sub. (1), determine the amount of the ~~reduction change~~, if any, in the equalized valuation of the taxation district resulting from a consideration of the valuation represented by the ~~refunded or rescinded taxes under sub. (1).~~ The determination of the department of revenue under this subsection is reviewable only under s. 227.53.

SECTION 1961. 74.41 (4) (intro.) of the statutes is amended to read:

74.41 (4) (title) AMOUNT DETERMINED. (intro.) If the department of revenue determines under sub. (3) that the equalized value of the taxation district is ~~reduced~~ changed as a result of consideration of the valuation represented by the ~~refunded or rescinded taxes under sub. (1),~~ the department of revenue shall do one of the following:

SECTION 1962. 74.41 (4) (b) of the statutes is amended to read:

74.41 (4) (b) Determine the amount of rescinded or refunded taxes to be charged back to, and collected from, each taxing jurisdiction for which taxes were

collected by the taxation district, and determine the amount of taxes collected under s. 74.33 to be shared with each taxing jurisdiction for which taxes were collected by the taxation district. The amount determined may not include any charge for interest.

SECTION 1963. 74.41 (5) (b) of the statutes is amended to read:

74.41 (5) (b) Each taxing jurisdiction ~~for to~~ which an amount is ~~determined~~ charged back under sub. (4) (b) shall pay the amount certified under par. (a) to the taxation district treasurer by February 15 of the year following the determination under sub. (3). By February 15 of the year following the determination under sub. (3), the taxation district treasurer shall pay the amounts to be shared with other taxing jurisdictions.

SECTION 1964. 74.42 (1) of the statutes is amended to read:

74.42 (1) CHARGE BACK. ~~As part of the February settlement required by ss. 74.25, 74.30 and 74.305, the No earlier than February 2 and no later than February 14, the taxation district treasurer shall may~~ charge back to each taxing jurisdiction within the taxation district, except this state, its proportionate share of those personal property taxes for which the taxation district settled in full the previous February, which were delinquent at the time of settlement, which have not been collected in the intervening year and which remain delinquent. At the same time, if there are charge-backs, the taxation district treasurer shall charge back to the county the state's proportionate share of those taxes. Within 30 days after receipt of a notice of a charge-back, the taxing jurisdiction shall pay to the taxation district treasurer the amount due, and the state shall pay to the proper county treasurer the amount due.

SECTION 1965. 74.42 (2) of the statutes is amended to read:

74.42 (2) SUBSEQUENT DISTRIBUTIONS. ~~Any An~~ amount equal to any delinquent personal property taxes charged back under sub. (1) which are subsequently collected by the taxation district, minus the cost of collecting those taxes, shall be proportionately distributed to each taxing jurisdiction to which the delinquent taxes were charged back under sub. (1). Distributions under this subsection shall be made on May 15, August 15, November 15 and February 15.

SECTION 1966. 74.43 (1) (intro.) of the statutes is amended to read:

74.43 (1) DELIVERY OF TAX ROLL. (intro.) Except as provided in s. 74.12, on or before February 15 ~~20~~, the taxation district treasurer, except ~~the treasurer of a taxation district with an ordinance under s. 74.85 or~~ the treasurer of a city authorized to act under s. 74.87, shall transfer the tax roll to the county treasurer. The tax roll transferred to the county treasurer shall meet all of the following conditions:

SECTION 1967. 74.45 of the statutes is amended to read:

74.45 Certificate of delinquent taxes; endorsement of treasurer's bond. (1) CERTIFICATE OF DELINQUENT TAXES BY COUNTY TREASURER. After the taxation district treasurer transfers the tax roll under s. 74.12, 74.305 or 74.43, the county treasurer shall prepare a certificate of the amount that is delinquent on real property and the amount that is not delinquent but payable in subsequent instalments on real property and the amount of delinquent special assessments, special charges and special taxes.

(2) ENDORSEMENT OF TAXATION DISTRICT TREASURER'S BOND. After the taxation district treasurer has fulfilled the requirements for settlement with the county under s. 74.25, ~~or 74.30 or 74.305~~, the county treasurer if requested to do so, shall endorse the bond of the taxation district treasurer executed under s. 70.67 (1) as satisfied and paid. The endorsement fully discharges the taxation district treasurer and his or her sureties from the obligations of the bond, unless the return of the taxation district treasurer under s. 74.43 is false. If the return is false, the bond continues in force and the taxation district treasurer and his or her sureties are subject to action upon the bond for all deficiencies and damages resulting from the false return.

SECTION 1968. 74.47 (3) (d) of the statutes is amended to read:

74.47 (3) (d) All interest and penalties on delinquent general property taxes, special assessments, special charges and special taxes collected on or before July 31 by the treasurer of a taxation district which has enacted an ordinance under s. 74.12 ~~or 74.85~~ shall be retained by the taxation district treasurer for the taxation district.

SECTION 1969. 74.49 of the statutes is amended to read:

74.49 Payment of delinquent taxes in instalments.

(1) INSTALMENTS ALLOWED. ~~Real Delinquent~~ property taxes ~~returned to the treasurer as delinquent under s. 74.43, and,~~ special assessments, special charges and special taxes ~~returned to the treasurer of a city authorized to proceed under s. 74.87 or to the treasurer of a county having a population of 500,000 or more,~~ may be paid to the appropriate treasurer in partial payments of not less than \$20, unless the treasurer agrees to accept a lower amount.

(2) PRINCIPAL AND INTEREST. (a) The treasurer shall determine that portion of a partial payment to be applied as principal by dividing the amount of the partial payment by a figure which is the sum of one plus a figure which is the product of the number of months of delinquency, as determined under s. 74.11 ~~or~~, 74.12 ~~or 74.87~~:

1. Times 0.01, if ~~the county has not imposed a no~~ penalty under s. 74.47 (2) applies; or

2. Times a decimal which reflects the applicable percentage, if ~~the county has imposed a~~ penalty under s. 74.47 (2) applies.

(b) The amount of the payment that is in excess of the amount of principal determined under par. (a) is the interest and penalty accrued from the date of the delinquency on the amount of the partial payment which is principal. After any partial payment is made, subsequent determinations of interest and penalty shall be computed only on the unpaid balance of the principal, from the date of the delinquency as determined under s. 74.11 ~~or~~, 74.12 or 74.87.

SECTION 1970. 74.57 (1) of the statutes is amended to read:

74.57 (1) ISSUANCE. Annually, on ~~August 15~~ September 1, the county treasurer shall issue to the county a tax certificate which includes all parcels of real property included in the tax roll for which real property taxes, special charges, special taxes or special assessments remain unpaid at the close of business on August 31.

SECTION 1971. 74.59 (1) (a) 3 of the statutes is amended to read:

74.59 (1) (a) 3. That, on the previous ~~August 15~~ September 1, a tax certificate was issued to the county for all property for which real property taxes, special assessments, special charges or special taxes remained unpaid ~~as of that date~~ at the close of business on August 31.

SECTION 1972. 74.71 of the statutes is amended to read:

74.71 Treasurer's receipts. When a taxation district treasurer pays money to a county treasurer under this chapter, the county treasurer shall give the taxation district treasurer a receipt prescribed by the department of revenue for the amount paid. The receipt shall specify the amount paid, the date of the payment and the account upon which the payment is made.

SECTION 1973. Subchapter IX (title) of chapter 74 of the statutes is amended to read:

CHAPTER 74
SUBCHAPTER IX
EXCEPTIONS FOR 1ST CLASS CITIES
~~AND POPULOUS COUNTIES~~
(precedes s. 74.81)

SECTION 1974. 74.85 of the statutes is repealed.

SECTION 1974g. 74.87 (6) (b) of the statutes is amended to read:

74.87 (6) (b) If a 2nd instalment under sub. (3) is not paid on the due date, the city treasurer shall declare the unpaid balance delinquent and the general property taxes, special assessments and special charges shall be collected by the city treasurer together with interest and penalty as provided under s. 74.47 from the preceding ~~January~~ February 1.

SECTION 1974r. 74.87 (6) (d) of the statutes is amended to read:

74.87 (6) (d) If the final instalment is not paid by the end of the month following the due date, the delinquent unpaid balance shall be collected, with interest

and penalty as provided under s. 74.47, from the preceding ~~January~~ February 1.

SECTION 1975. 75.05 (intro.) of the statutes is amended to read:

75.05 Disposition of redemption money. (intro.) The county treasurer shall distribute and retain funds paid to redeem land subject to a tax certificate as follows:

SECTION 1976. 75.05 (5) of the statutes is amended to read:

75.05 (5) Payments of delinquent special assessments or special charges for which the county did not settle for under s. 74.29, plus any interest ~~and penalties~~, shall be paid within 15 days after the last day of the month in which the payments were received by the county treasurer to the taxing jurisdiction which levied the special assessment or special charge. Penalties on special assessments and special charges for which the county did not settle for under s. 74.29 shall be retained by the county.

SECTION 1976g. 75.521 (3) (am) 2 of the statutes is amended to read:

75.521 (3) (am) 2. The name or names of the last owner or owners, and mortgagee or mortgagees of such parcel as such ownership or mortgage interest appears of record in the office of the register of deeds of the county wherein such parcel is situated, and the state of Wisconsin where it has a determined but unpaid inheritance tax lien, a filed, nonoutlawed income or franchise tax warrant or a docketed judgment, all in the county where such parcel is situated.

SECTION 1976j. 75.521 (3) (am) 2 of the statutes, as affected by 1987 Wisconsin Act 27 and 1991 Wisconsin Act (this act), is repealed and recreated to read:

75.521 (3) (am) 2. The name or names of the last owner or owners and mortgagee or mortgagees of the parcel as the ownership or mortgage interest appears of record in the office of the register of deeds of the county in which the parcel is situated, and the state of Wisconsin if it has a determined but unpaid death tax lien, a filed, nonoutlawed income or franchise tax warrant or a docketed judgment, all in the county where the parcel is situated.

~~SECTION 1976p. 75.521 (12) (b) of the statutes is amended to read:~~

~~75.521 (12) (b) This section shall apply to and be valid and effective with respect to all defendants even though one or more be infants, incompetents, absentees or nonresidents of the state of Wisconsin, provided that a guardian ad litem shall be appointed to serve for all persons known or unknown who have or may have an interest in the lands described in any list and who are or may be minors or incompetents at the date of filing such list. Such guardian ad litem may be appointed by the court without notice, and the fee for his services as fixed by the court shall be allowed reasonable compensation, at the rate set by SCR 81.02 (1), to be paid by the county.~~

Vetoed
in Part

SECTION 1977. 76.001 of the statutes is created to read:

76.001 Initial applicability, telephone companies. This subchapter first applies to telephone companies in regard to taxes due on May 10, 1997.

SECTION 1978. 76.01 of the statutes is amended to read:

76.01 Railroads and utilities, assessment. The department of revenue shall make an annual assessment of the property of all railroad companies, of all conservation and regulation companies, of all sleeping car companies, of all air carriers, of all telephone companies and of all pipeline companies, within this state, for the purpose of levying and collecting taxes thereon, as provided in this subchapter.

SECTION 1979. 76.02 (9) of the statutes is amended to read:

76.02 (9) "Company", without other designation or qualification, includes any railroad company, any conservation and regulation company, any express company, any air carrier company, any pipeline company, any telephone company and any sleeping car company, as defined in this section, to which "company" is applied.

SECTION 1980. 76.02 (9r) of the statutes is created to read:

76.02 (9r) "Telecommunications facility" means telephone line, telegraph line, microwave, satellite, cellular radio, fiber optics, coaxial cable and any other transmission facility or switching device used in the provision of telecommunications services.

SECTION 1981. 76.02 (9t) of the statutes is created to read:

76.02 (9t) "Telecommunications services" means the transmission of voice, video, facsimile or data messages, including telegraph messages, except that "telecommunications services" does not include cable television, radio, one-way radio paging or transmitting messages incidental to transient occupancy in hotels, as defined in s. 50.50 (3).

SECTION 1982. 76.02 (9u) of the statutes is created to read:

76.02 (9u) "Telephone company" means any person that provides to another person telecommunications services, including the resale of services provided by another telephone company, that originate in one local access and transport area, as defined in s. 76.38 (1) (bd), and terminate in a different local access and transport area, as defined in s. 76.38 (1) (bd). "Telephone company" does not include a person who operates a private shared telecommunications system, as defined in s. 196.201 (1), and who is not otherwise a telephone company. "Telephone company" does not include a person who is a cellular mobile radio telecommunications utility, as defined in s. 196.202 (1).

SECTION 1983. 76.04 (1) of the statutes is amended to read:

76.04 (1) Every company defined in s. 76.02 shall, annually, file a true and accurate statement in such manner and form and setting forth such facts as the department shall deem necessary to enforce ss. 76.01 to 76.26. The annual reports for railroad companies, sleeping car companies and express companies shall be filed on or before April 15 and for conservation and regulation companies, air carriers, telephone companies and pipeline companies on or before May 1. For sufficient reason shown the department may upon written request allow such further time for making and filing the report as it may deem necessary, but not to exceed 30 days. If any company fails to file such report within the time prescribed or as extended under this subsection, the department shall add to the taxes due from such company the amount of \$25, and no company shall be allowed in any action or proceeding to contest the imposition of such penalty.

SECTION 1984. 76.04 (1) of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

76.04 (1) Every company defined in s. 76.02 shall, annually, file a true and accurate statement in such manner and form and setting forth such facts as the department shall deem necessary to enforce ss. 76.01 to 76.26. The annual reports for railroad companies, sleeping car companies and express companies shall be filed on or before April 15 and for conservation and regulation companies, air carriers, telephone companies and pipeline companies on or before May 1. For sufficient reason shown the department may upon written request allow such further time for making and filing the report as it may deem necessary, but not to exceed 30 days. If any company fails to file such report within the time prescribed or as extended under this subsection, the department shall add to the taxes due from such company \$250 if the report is not filed within 15 days after the due date or extended due date and an additional \$250 for each month or part of a month thereafter during which the report is not filed, except that the total penalty may not exceed \$2,500. No company may in any action or proceeding contest the imposition of such penalty.

SECTION 1985. 76.07 (1) of the statutes is amended to read:

76.07 (1) DUTY OF DEPARTMENT. The department on or before August 1 in each year in the case of railroad companies and sleeping car companies, and on or before September 15 in the case of air carrier companies, telephone companies, conservation and regulation companies and pipeline companies, shall, according to its best knowledge and judgment, ascertain and determine the full market value of the property of each company within the state.

SECTION 1986. 76.07 (2) of the statutes is amended to read:

76.07 (2) RELATION TO STATE VALUATION; DESCRIPTION. The value of the property of each of said com-

panies for assessment shall be made on the same basis and for the same period of time, as near as may be, as the value of the general property of the state is ascertained and determined. The department shall prepare an assessment roll and place thereon after the name of each of said companies assessed, the following general description of the property of such company, to wit: "Real estate, right of way, tracks, stations, terminals, appurtenances, rolling stock, equipment, franchises and all other real estate and personal property of said company," in the case of railroads, and "Real estate, right of way, poles, wires, conduits, cables, devices, appliances, instruments, franchises and all other real and personal property of said company," in the case of conservation and regulation companies, and "Real estate, appurtenances, rolling stock, equipment, franchises, and all other real estate and personal property of said company," in the case of sleeping car and air carrier companies, and "Land and land rights, structures, improvements, mains, pumping and regulation equipment, services, appliances, instruments, franchises and all other real and personal property of said company," in the case of pipeline companies, and "All property of the company used in the operation of the company's telephone business" in the case of telephone companies, which description shall be deemed and held to include the entire property and franchises of the company specified and all title and interest therein.

SECTION 1987. 76.07 (4g) (intro.) of the statutes is amended to read:

76.07 (4g) DETERMINING THE PROPERTY IN THIS STATE. (intro.) The department shall determine the property in this state of railroad companies, air carrier companies ~~and~~ pipeline companies and telephone companies in the following manner:

SECTION 1988. 76.07 (4g) (a) 10 of the statutes is amended to read:

76.07 (4g) (a) 10. Determine the depreciated cost of road property owned or rented by the company and used in the operation of the company's business in this state.

SECTION 1989. 76.07 (4g) (a) 11 of the statutes is amended to read:

76.07 (4g) (a) 11. Determine the depreciated cost of migratory road property owned or rented by the company and used in the operation of the company's business.

SECTION 1991. 76.07 (4g) (b) 2 of the statutes is amended to read:

76.07 (4g) (b) 2. Determine the depreciated original cost of the company's migratory tangible personal property owned or rented by the company and used in the operation of the company's business.

SECTION 1991b. 76.07 (4g) (b) 3 of the statutes is amended to read:

76.07 (4g) (b) 3. Multiply the amount under subd. 2 by a fraction the numerator of which is the total of flight ~~and ground~~ hours in this state and the denomi-

nator of which is the flight ~~and ground~~ hours everywhere.

SECTION 1991g. 76.07 (4g) (b) 6 of the statutes is amended to read:

76.07 (4g) (b) 6. Divide the fraction under subd. 5 by ~~2~~ 3.0.

SECTION 1991m. 76.07 (4g) (b) 10 of the statutes is amended to read:

76.07 (4g) (b) 10. Divide the fraction under subd. 9 by ~~4~~ 3.0.

SECTION 1991r. 76.07 (4g) (b) 14 of the statutes is amended to read:

76.07 (4g) (b) 14. Divide the fraction under subd. 13 by ~~4~~ 3.0.

SECTION 1993. 76.07 (4g) (c) 1 of the statutes is amended to read:

76.07 (4g) (c) 1. Determine the gross cost of gas plant in service in this state, except motor vehicles exempt from the property tax under s. 70.112 (5), and of all other property owned or rented by the company and used in the operation of the company's business in this state ~~and~~ included in the base for purposes of rate regulation by the federal energy regulatory commission.

SECTION 1994. 76.07 (4g) (c) 2 of the statutes is amended to read:

76.07 (4g) (c) 2. Determine the gross cost of gas plant in service everywhere, except motor vehicles specified under s. 70.112 (5), and of all other property owned or rented by the company and used in the operation of the company's business everywhere ~~and~~ included in the base for purposes of rate regulation by the federal energy regulatory commission.

SECTION 1996. 76.07 (4g) (d) 1 of the statutes is amended to read:

76.07 (4g) (d) 1. Determine the gross cost of line of pipe owned or rented by the company and used in the operation of the company's business in this state.

SECTION 1997. 76.07 (4g) (d) 2 of the statutes is amended to read:

76.07 (4g) (d) 2. Determine the gross cost of line of pipe owned or rented by the company and used in the operation of the company's business everywhere.

SECTION 1998. 76.07 (4g) (d) 15 of the statutes is amended to read:

76.07 (4g) (d) 15. Determine the gross cost of all property owned or rented by the company and used in the company's business everywhere.

SECTION 1999. 76.07 (4g) (d) 18 of the statutes is amended to read:

76.07 (4g) (d) 18. Determine the gross cost of property owned or rented by the company and used in the operation of the company's business other than pipe in this state.

SECTION 2000. 76.07 (4g) (d) 19 of the statutes is amended to read:

76.07 (4g) (d) 19. Determine the gross cost of all property owned or rented by the company and used in the operation of the company's business everywhere.

SECTION 2002. 76.07 (4g) (e) of the statutes is created to read:

76.07 (4g) (e) *Telephone companies.* For telephone companies:

1. Determine the gross original cost of the tangible property in this state owned or leased by the company and used in the operation of the company's telephone business. In this subdivision, the gross original cost of leased property is 8 times the annual rent paid by the company for that property.

2. Determine the gross original cost of the company's property everywhere owned or leased by the company and used in the operation of the company's telephone business. In this subdivision, the gross original cost of leased property is 8 times the annual rent paid by the company for that property.

3. Divide the amount under subd. 1 by the amount under subd. 2.

4. Determine the revenues derived from the operation of the company's telephone business that originated from customer premises equipment in this state, regardless of the location to which the billing is sent.

5. Determine the total revenues derived from the operation of the company's telephone business everywhere.

6. Divide the amount under subd. 4 by the amount under subd. 5.

7. Add the fractions under subds. 3 and 6.

8. Divide the fraction under subd. 7 by 2.

9. Multiply the fraction under subd. 8 by the full market value of the telephone company's property everywhere.

SECTION 2003. 76.13 (1) of the statutes is amended to read:

76.13 (1) The department shall compute and levy a tax upon the property of each company defined in s. 76.02, as assessed in the manner specified in ss. 76.07 and 76.08, at the average net rate of taxation determined under s. 76.126. The amount of tax to be paid by each such company shall be extended upon a tax roll opposite the description of the property of the respective companies. The tax rolls for all companies required to be assessed on or before August 1 in each year under s. 76.07 (1) shall be completed on or before August 10, and for all companies required to be assessed on or before September 15 in each year under s. 76.07 (1) shall be completed on or before October 1; and the department shall thereupon attach to each such roll a certificate signed by the secretary of revenue, which shall be as follows:

"I do hereby certify that the foregoing tax roll includes the property of all railroad companies, sleeping car companies, air carrier companies, conserva-

tion and regulation companies, telephone companies or pipeline companies, as the case may be, defined in s. 76.02, liable to taxation in this state; that the valuation of the property of each company as set down in said tax roll is the full market value thereof as assessed by the department of revenue, except as changed by court judgment, and that the taxes thereon charged in said tax roll have been assessed and levied at the average net rate of taxation in this state, as required by law".

SECTION 2004. 76.30 of the statutes is created to read:

76.30 Confidentiality provisions. (1) **DIVULGING INFORMATION.** Except as provided in sub. (2), no person may divulge or circulate or offer to obtain, divulge or circulate any information provided by a company taxed under this subchapter, except a company taxed under s. 76.28, to the department, including information which may be furnished by the department as provided in this section. This subsection does not prohibit publication by any newspaper of information lawfully derived from that information for purposes of argument or prohibit any public speaker from referring to such information in any address. This subsection does not prohibit the department from publishing statistics classified so as not to disclose the identity of particular taxpayers. This subsection does not prohibit employees or agents of the department from offering or submitting any return, claim, schedule, exhibit, writing or audit report or a copy of, and any information derived from, any of those documents as evidence into the record of any contested matter involving the department in proceedings or litigation on state tax matters if that evidence has reasonable probative value.

(2) **PERSONS QUALIFIED TO EXAMINE RETURNS FOR SPECIFIED PURPOSES.** Subject to sub. (3) and to rules of the department, any information under sub. (1) is open to examination by only the following persons and the contents thereof may be divulged or used only as follows:

(a) The secretary of revenue or any officer, agent or employee of the department.

(b) The attorney general and department of justice employees.

(c) Members of any legislative committee on organization or its authorized agents provided the examination is approved by a majority vote of a quorum of its members and the tax return or claim information is disclosed only in a meeting closed to the public. The committee may disclose information to the senate or assembly or to other legislative committees if the information does not disclose the identity of particular returns, claims or reports and the items thereof. The department shall provide assistance to the committees or their authorized agents in order to identify returns and claims deemed necessary by them to accomplish the review and analysis of tax policy.

(d) Public officers of the federal government or other state governments or the authorized agents of such officers, where necessary in the administration of the tax laws of such governments, to the extent that such government accords similar rights of examination or information to officials of this state.

(e) The person who filed or submitted the information, or to whom the information relates or by the person's authorized agent or attorney.

(f) Any person examining information pursuant to a court order duly obtained upon a showing to the court that the information 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 or claims to produce information in open court in a court action pending before the judge.

(g) Employees of the legislative fiscal bureau to the extent that the department considers the examination necessary for those employees to perform their duties under contracts or agreements between the department and the bureau relating to the review and analysis of tax policy and the analysis of state revenue collections.

(h) Employees and members of the public service commission, and employees of the department of transportation, to the extent that the department of revenue considers the examination necessary for those members and employees to perform their duties.

(3) **RESTRICTION ON USE OF INFORMATION.** The use of information obtained under sub. (2) 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 sub. (2) (f).

(4) **CHARGE FOR COSTS.** The department may charge for the reasonable cost of divulging information under this section.

(5) **DISTRICT ATTORNEYS.** District attorneys may examine information under sub. (1) as follows:

(a) Such information may be examined for use in preparation for any judicial proceeding or any investigation which may result in a judicial proceeding involving the taxes under this subchapter if any of the following applies:

1. The taxpayer is or may be a party to such proceeding.

2. The treatment of an item reflected in such information is or may be related to the resolution of an issue in the proceeding or investigation.

3. The 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.

(b) When the department allows examination of information under par. (a):

1. If the department has referred the case to a district attorney, the department may make disclosure on its own motion.

2. If a district attorney requests examination of 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 information so requested and the information may be examined and used solely for the proceeding or investigation for which it was requested.

(c) Such 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 information may be used solely for the proceeding or investigation for which it is requested.

(d) The department may allow an examination of information under par. (c) only if 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 all of the following:

1. There is reasonable cause to believe, based on information believed to be reliable, that a specific criminal act has been committed.

2. There is reason to believe that such information is probative evidence of a matter in issue related to the commission of the criminal act.

3. 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 information constitutes the most probative evidence of a matter in issue relating to the commission of such criminal act.

(e) If the department determines that examination of information ordered under par. (d) 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 2005. Subchapter II (title) of chapter 76 of the statutes is amended to read:

CHAPTER 76

SUBCHAPTER II

TELEPHONE COMPANIES LICENSE FEES;

CAR LINE COMPANIES; ELECTRIC

COOPERATIVE ASSOCIATIONS

(to precede s. 76.38)

SECTION 2005m. 76.38 (1) (c) of the statutes is amended to read:

76.38 (1) (c) "Telephone company" means any person operating a telecommunications facility or providing telecommunications services to another person, including the resale of those services provided by another telephone company. "Telephone company" does not include any person who operates a private shared telecommunications system as defined in s.

196.201 (1) and who is not otherwise a telephone company. Beginning with the assessment on May 1, 1998, "telephone company" does not include a person described in s. 76.02 (9u).

SECTION 2010. 76.38 (3) of the statutes is amended to read:

76.38 (3) On or before May 1 the department shall compute and assess the license fees imposed by subs. (4), ~~(5)~~, (5m) and (6), with respect to gross revenues of the preceding calendar year and on or before May 1 shall notify each person that was carrying on business as a telephone company on the preceding January 1 of the amount of the license fee assessed. Any person who pays the May 1 assessment in full has a license to carry on business as a telephone company in this state for the 12-month period beginning on the preceding January 1. The fees assessed by the department shall become delinquent if not paid when due, and when delinquent shall be subject to interest at the rate of 1.5% per month until paid. The department shall transmit all funds received under this section to the state treasurer within 15 days after receipt. The payment dates provided for in sub. (3a) shall apply.

SECTION 2011. 76.38 (3) of the statutes, as affected by 1989 Wisconsin Act 336 and 1991 Wisconsin Act (this act), section 2010, is repealed and recreated to read:

76.38 (3) On or before May 1 the department shall compute and assess the license fees imposed by subs. (4), (5m) and (6), with respect to gross revenues of the preceding calendar year and on or before May 1 shall notify each person that was carrying on business as a telephone company on the preceding January 1 of the amount of the license fee assessed. Any person who pays the May 1 assessment in full has a license to carry on business as a telephone company in this state for the 12-month period beginning on the preceding January 1. The fees assessed by the department shall become delinquent if not paid when due, and when delinquent shall be subject to interest at the rate of 1.5% per month until paid. The department shall transmit all funds received under this section to the state treasurer within 15 days after receipt. The payment dates provided for in sub. (3a) shall apply.

SECTION 2012. 76.38 (3) of the statutes, as affected by 1989 Wisconsin Act 336 and 1991 Wisconsin Act (this act), is repealed and recreated to read:

76.38 (3) On or before May 1 the department shall compute and assess the license fees imposed by subs. (4) and (6), with respect to gross revenues of the preceding calendar year and on or before May 1 shall notify each person that was carrying on business as a telephone company on the preceding January 1 of the amount of the license fee assessed. Any person who pays the May 1 assessment in full has a license to carry on business as a telephone company in this state for the 12-month period beginning on the preceding January 1. The fees assessed by the department shall

become delinquent if not paid when due, and when delinquent shall be subject to interest at the rate of 1.5% per month until paid. The department shall transmit all funds received under this section to the state treasurer within 15 days after receipt. The payment dates provided for in sub. (3a) shall apply.

SECTION 2012m. 76.38 (3a) of the statutes is amended to read:

76.38 (3a) The license fees prescribed by this section shall be paid to the department on an estimated basis. 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 license fee assessment by the department under sub. (3), each telephone company shall on each May 10 pay or be credited an amount which is equal to the difference between the May 1 assessment by the department 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. If any telephone company that has a liability for the current year fails to make semiannual payments of ~~at least 55%~~ 60% of the liability assessed by the department for the current calendar year ~~or 50% of the liability assessed by the department for the subsequent calendar year~~, any amounts not paid when due shall become delinquent and shall be subject to interest under sub. (3). If any company that has no liability for the current year fails to make semiannual payments of at least 50% of the liability assessed by the department for the subsequent calendar year or 100% of the liability in respect to revenue earned through April of the current year, any amounts not paid when due shall become delinquent and shall be subject to interest under sub. (3). Companies with a liability assessed by the department 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 2013. 76.38 (4) of the statutes, as affected by 1989 Wisconsin Act 336 and 1991 Wisconsin Act (this act), is repealed and recreated to read:

76.38 (4) (a) Except as provided in sub. (6), every telephone company operating one or more telephone exchanges shall pay an annual license fee equal to the following percentages of its total gross revenues in this state for local and rural exchange service:

1. For fees assessed on May 1, 1994, 5.80%.
2. For fees assessed on May 1, 1995, 5.75%.
3. For fees assessed on May 1, 1996, 5.70%.
4. For fees assessed on May 1, 1997, and on each May 1 thereafter, 5.40%.

(b) Except as provided in sub. (6), every telephone company operating a toll line or toll lines or furnish-

ing toll service shall pay an annual license fee equal to the following percentages of its total gross revenues in this state for toll business:

1. For fees assessed on May 1, 1994, 6.60%.
2. For fees assessed on May 1, 1995, 5.80%.
3. For fees assessed on May 1, 1996, 5.70%.
4. For fees assessed on May 1, 1997, and on each May 1 thereafter, 5.40%.

SECTION 2014. 76.38 (4) (intro.) of the statutes, as affected by 1989 Wisconsin Act 336, is repealed and recreated to read:

76.38 (4) (intro.) Every telephone company operating one or more telephone exchanges shall pay an annual license fee equal to the following percentages of the total gross revenues in this state from each exchange for local and rural exchange service:

SECTION 2015. 76.38 (5) of the statutes, as affected by 1989 Wisconsin Act 336, is repealed.

SECTION 2016. 76.38 (5m) of the statutes, as affected by 1989 Wisconsin Act 336 and 1991 Wisconsin Act (this act), is repealed.

SECTION 2017. 76.38 (5m) (intro.) of the statutes is amended to read:

76.38 (5m) (intro.) Every telephone company operating a toll line or toll lines or furnishing toll service ~~that is not subject to the rates under sub. (5)~~ shall pay an annual license fee to be computed upon toll business gross revenues as follows:

SECTION 2018. 76.38 (5m) (intro.) of the statutes, as affected by 1989 Wisconsin Act 336 and 1991 Wisconsin Act (this act), is repealed and recreated to read:

76.38 (5m) (intro.) Every telephone company operating a toll line or toll lines or furnishing toll service shall pay an annual license fee to be computed upon toll business gross revenues as follows:

SECTION 2019. 76.38 (5r) of the statutes, as created by 1989 Wisconsin Act 336, is repealed.

SECTION 2020. 76.38 (6) of the statutes, as affected by 1989 Wisconsin Act 336, is repealed and recreated to read:

76.38 (6) When the total gross revenue of any telephone company from exchange and toll service is less than \$300, such company shall pay a minimum license fee of \$5.

SECTION 2022. 76.38 (7m) of the statutes is amended to read:

76.38 (7m) The legislature intends that telecommunications companies pass on to their customers, in the form of rate reductions and surcharge reductions, the tax reductions created by the treatment of sub. (4) under 1989 Wisconsin Act 31, section 2138, ~~and of sub. (5m) under 1989 Wisconsin Act 31, section 2139r~~ and by the changes in the taxation of telecommunications companies made by 1991 Wisconsin Act (this act).

SECTION 2022m. 76.38 (12) (a) of the statutes is amended to read:

76.38 (12) (a) If after filing the reports specified in sub. (2) and after the department's computation and assessment of license fees under sub. (3) it is subsequently determined that the amount of gross revenues reported is in error, the department shall compute the additional license fee to be paid or the amount of the overpayment of license fee to be refunded, as the case may be. If an additional license fee is due, the department shall give notice to the telephone company against whom the license fee is to be levied. All such additional assessments and claims for refunds for excess license fees paid are subject to the same procedure for review and final determination as additional income or franchise tax assessments and claims for refunds under ch. 71 as far as the same may be applicable, except that appeals of denials of claims for refunds shall be made directly to the tax appeals commission and except that the additional license fees shall become delinquent 60 days after notice provided in this subsection or, if review proceedings are held, 60 days following final determination of the review proceedings. All additional license fees shall bear interest at the rate of 12% per year from the time they should have been paid to the date on which the additional fees shall become delinquent if unpaid.

SECTION 2023. 76.38 (12) (b) of the statutes is amended to read:

76.38 (12) (b) In the case of overpayments of license fees by any telephone company under par. (a), the department shall certify the overpayments to the department of administration, which shall audit the amount of the overpayments and the state treasurer shall pay the amounts audited. ~~The amount of the overpayment previously paid into the municipal and county shared revenue account, plus interest on the overpayment, shall, upon refund of the overpayment and interest, be deducted from the amount in the municipal and county shared revenue account determined by means of the audit.~~ All refunds of license fees under this subsection shall bear interest at the annual rate of 9% from the date of the original payment to the date when the refund is made. The time for making additional levies of license fees or claims for refunds of excess license fees paid, in respect to any year, shall be limited to 4 years after the time the report for such year was filed.

SECTION 2023d. 76.39 (4) (c) of the statutes is amended to read:

76.39 (4) (c) All additional assessments and claims for refund shall be subject to the same procedure for review and final determination as is provided with respect to additional assessments and refunds of income or franchise taxes in chs. 71 and 73, except that appeals of denials of claims for refunds shall be made directly to the tax appeals commission and except as the same may conflict with this section. Delinquent taxes shall be subject to interest at the rate of 1.5% per month until paid.

SECTION 2023f. 76.39 (5) of the statutes is amended to read:

76.39 (5) Delinquent taxes, penalties, interest and late filing fees shall be a lien upon the property of any railroad company or car line company prior to all other liens, claims and demands, which lien may be enforced in any action in the name of the state in any court of competent jurisdiction. All provisions of law for enforcing payment of delinquent income or franchise taxes under ch. 71 or enforcing payment of delinquent taxes based on the value of property under this chapter shall be available to collection of taxes on gross receipts in this state levied under this section.

SECTION 2023h. 76.48 (1r) of the statutes is amended to read:

76.48 (1r) Every electric cooperative shall pay, in lieu of other general property and income or franchise taxes, an annual license fee equal to its apportionment factor multiplied by its gross revenues multiplied by 3.19%. Real estate and personal property not used primarily for the purpose of generating, transmitting or distributing electric energy are subject to general property taxes. If a general structure is used in part to generate, transmit or distribute electric energy and in part for nonoperating purposes, the license fee imposed by this section is in place of the percentage of all other general property taxes that fairly measures and represents the extent of the use in generating, transmitting or distributing electric energy, and the balance is subject to local assessment and taxation, except that the entire general structure is subject to special assessments for local improvements.

SECTION 2023j. 76.48 (6) of the statutes is amended to read:

76.48 (6) All additional assessments and claims for refund shall be subject to the same procedure for review and final determination as is provided with respect to additional assessments and refunds of income or franchise taxes under chs. 71 and 73, except that appeals of denials of claims for refunds shall be made directly to the tax appeals commission and except as such procedure conflicts with this section.

SECTION 2023m. Chapter 77 (title) of the statutes is amended to read:

CHAPTER 77
TAXATION OF FOREST CROPLANDS;
REAL ESTATE TRANSFER FEES;
SALES AND USE TAXES; PROPERTY
TAX DEFERRAL; COUNTY SALES AND
USE TAXES; MANAGED FOREST LAND;
TEMPORARY RECYCLING FEES
SURCHARGE

SECTION 2024. 77.05 (1) of the statutes is repealed.

SECTION 2025. 77.05 (2) (title) of the statutes is repealed.

SECTION 2026. 77.05 (2) of the statutes is renumbered 77.05 and amended to read:

77.05 State contribution. As soon after receipt of the certification of the county treasurer as feasible, the

The department of natural resources shall pay before June 30 annually to each the town treasurer on each description as certified under sub. (1), from the appropriation under s. 20.370 (4) (ar), the sum of 20 cents per for each acre of land in the town that is described as forest croplands under this subchapter.

SECTION 2026q. 77.10 (2) (c) of the statutes is created to read:

77.10 (2) (c) Land subject to a contract under s. 77.03 that is withdrawn and the ownership of which is transferred to the federal government, the state or a local governmental unit, as defined in s. 66.299 (1) (a), is not subject to the tax payment calculated under par. (a) if the land will be used for a public road, railroad, utility right-of-way, park, recreational trail, wildlife or fish habitat area or a public forest.

SECTION 2026r. 77.16 (11m) of the statutes is created to read:

77.16 (11m) The owner shall not be liable for payment of a penalty if declassification is a result of the transfer of the land to the federal government, the state or a local governmental unit, as defined in s. 66.299 (1) (a), for a public road, railroad, utility right-of-way, park, recreational trail, wildlife or fish habitat area or a public forest.

SECTION 2027. 77.21 (1e) of the statutes is created to read:

77.21 (1e) "Mergers of corporations" means the combination of 2 or more corporations under a plan of merger or a plan of consolidation.

SECTION 2028. 77.21 (1k) of the statutes is created to read:

77.21 (1k) "Partition" means the division among several persons of real property, including noncontiguous real property, that belongs to them as coowners.

~~SECTION 2029. 77.22 (1) (a) of the statutes is amended to read:~~

~~77.22 (1) (a) There is imposed on the grantor of real estate a real estate transfer fee at the rate of 30 50 cents for each \$100 of value or fraction thereof on every conveyance not exempted or excluded under this subchapter. This fee shall be collected by the register at the time the instrument of conveyance is submitted for recording. Except as provided in s. 77.255, at the time of submission the grantee or his or her duly authorized agent or other person acquiring an ownership interest under the instrument, or the clerk of court in the case of a foreclosure under s. 846.16 (1), shall execute a return, signed by both grantor and grantee, on the form prescribed under par. (b). The register shall enter the fee paid on the face of the deed or other instrument of conveyance before recording, and, except as provided in s. 77.255, submission of a completed real estate transfer return and collection by the register of the fee shall be prerequisites to acceptance of the conveyance for recording. The register shall have no duty to determine either the correct value of~~

Vetoed
in Part

Vetoed
in Part

the real estate transferred or the validity of any exemption or exclusion claimed. If the transfer is not subject to a fee as provided in this subchapter, the reason for exemption shall be stated on the face of the conveyance to be recorded by reference to the proper subsection under s. 77.25. All returns related to conveyances exempt from the fee need not report the value of the ownership transferred except conveyances exempt under sub. (2) (a) and s. 77.25 (8).

SECTION 2029g. 77.22 (1) (a) of the statutes, as affected by 1991 Wisconsin Act ... (this act), is repealed and recreated to read:

77.22 (1) (a) There is imposed on the grantor of real estate a real estate transfer fee at the rate of 50 cents for each \$100 of value or fraction thereof on every conveyance not exempted or excluded under this subchapter. This fee shall be collected by the register at the time the instrument of conveyance is submitted for recording. Except as provided in s. 77.255, at the time of submission the grantee or his or her duly authorized agent or other person acquiring an ownership interest under the instrument, or the clerk of court in the case of a foreclosure under s. 846.16 (1), shall execute a return, signed by both grantor and grantee, on the form prescribed under par. (b). The register shall enter the fee paid on the face of the deed or other instrument of conveyance before recording, and, except as provided in s. 77.255, submission of a completed real estate transfer return and collection by the register of the fee shall be prerequisites to acceptance of the conveyance for recording. The register shall have no duty to determine either the correct value of the real estate transferred or the validity of any exemption or exclusion claimed. If the transfer is not subject to a fee as provided in this subchapter, the reason for exemption shall be stated on the face of the conveyance to be recorded by reference to the proper subsection under s. 77.25.

SECTION 2029r. 77.24 of the statutes is amended to read:

77.24 Division of fee. Twenty Two percent of all fees collected under this subchapter shall be retained by the county and the balance shall be transmitted to the state. Remittances shall be made monthly by the county treasurers to the department of revenue by the 15th day of the month following the close of the month in which the fee was collected. The remittance to the department shall be accompanied by the return executed under s. 77.22.

SECTION 2030. 77.25 (2g) of the statutes is created to read:

77.25 (2g) By gift, to the United States or to this state or to any instrumentality, agency or subdivision of either.

SECTION 2031. 77.25 (2r) of the statutes is created to read:

77.25 (2r) Under s. 236.29 (1) or (2) or 236.34 (1) (e) or for the purpose of a road, street or highway, to the

United States or to this state or to any instrumentality, agency or subdivision of either.

SECTION 2032. 77.255 of the statutes is amended to read:

77.255 Exemptions from return. No return is required with respect to conveyances exempt under s. 77.25 (1), (2r), (4) or (11) from the fee imposed under s. 77.22. No return is required with respect to conveyances exempt under s. 77.25 (2) unless the transferor is also a lender for the transaction.

SECTION 2033. 77.26 (3) of the statutes is amended to read:

77.26 (3) All additional assessments and claims for refund are subject to the applicable notice provisions and procedures for review, final determination and, collection, interest and penalties provided for additional income or franchise tax assessments and claims for refund under ch. 71.

SECTION 2033m. 77.51 (2) of the statutes is amended to read:

77.51 (2) "Contractors" and "subcontractors" are the consumers of tangible personal property used by them in real property construction activities and the sales and use tax applies to the sale of tangible personal property to them. In this subsection, "real property construction activities" include the fabrication of modular units designed and fabricated for a specific prefabricated building to be affixed to land at a particular location designated by the purchaser before the fabrication of the modules if the modular units will have a realty function and will become a permanent accession to the realty. A contractor engaged primarily in real property construction activities may use resale certificates only with respect to purchases of property which he has sound reason to believe he will sell to customers for whom he will not perform real property construction activities involving the use of such property.

SECTION 2034. 77.51 (4) (a) 4 of the statutes is amended to read:

77.51 (4) (a) 4. Any tax included in or added to the purchase price, including the taxes imposed by ss. 78.01, 78.40, 139.02, 139.03 and 139.31, the federal motor fuel tax and any manufacturers' or importers' excise tax; but not including any tax imposed by the United States, any other tax imposed by this state or any tax imposed by any municipality of this state upon or with respect to retail sales whether imposed upon the retailer or the consumer if that federal, state or municipal tax is measured by a stated percentage of sales price or gross receipts or the federal communications tax imposed upon the services set forth in s. 77.52 (2) (a) 5. For purposes of the sales tax, if a retailer establishes to the satisfaction of the department that the sales tax imposed by this subchapter has been added to the total amount of the sales price and has not been absorbed by the retailer, the total amount of the sales price shall be the amount received exclusive of the sales tax imposed. For the purpose of

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this subdivision, a tax shall be deemed "imposed upon or with respect to retail sales" only if the retailer is the person who is required to make the payment of the tax to the governmental unit levying the tax.

SECTION 2034m. 77.51 (4) (b) 4 of the statutes is amended to read:

77.51 (4) (b) 4. In the case of accounts which are found to be worthless and charged off for income or franchise tax purposes, a retailer is relieved from liability for sales tax. A retailer who has previously paid the sales tax on such accounts may take as a deduction from the measure of the tax the amount found to be worthless and this deduction must be taken from the measure of the tax in the period in which said account is found to be worthless or within a reasonable time thereafter.

SECTION 2035. 77.51 (4) (b) 6 of the statutes is amended to read:

77.51 (4) (b) 6. Thirty-five percent of the ~~total amount for which sale price of a new mobile home that is a primary housing unit under s. 340.01 (29) is sold or of a new mobile home that is transported in 2 unattached sections if the total size of the combined sections, not including additions and attachments, is at least 984 square feet measured when the sections are ready for transportation.~~ No credit may be allowed for trade-ins under subd. 3 or sub. (15) (b) 4. This subdivision does not apply to lease or rental.

Vetoed in Part SECTION 2036. 77.51 (11m) of the statutes is created to read:

77.51 (11m). "Private line service" means a dedicated, nontraffic sensitive service for a single customer that entitles that customer to exclusive or priority use of a communications channel from a specified location to another specified location.

SECTION 2037. 77.51 (13) (p) of the statutes is repealed.

SECTION 2038. 77.51 (14) (m) of the statutes is repealed.

SECTION 2039. 77.51 (15) (a) 4 of the statutes is amended to read:

77.51 (15) (a) 4. Any tax included in or added to the purchase price including the taxes imposed by ss. 78.01, 78.40, 139.02, 139.03 and 139.31 and the federal motor fuel tax and including also any manufacturers' or importers' excise tax; but not including any tax imposed by the United States, any other tax imposed by this state, or any tax imposed by any municipality of this state upon or with respect to retail sales whether imposed on the retailer or consumer, if that federal, state or municipal tax is measured by a stated percentage of sales price or gross receipts, and not including the federal communications tax imposed upon the services set forth in s. 77.52 (2) (a) 5. For the purpose of this subdivision, a tax shall be deemed "imposed upon or with respect to retail sales" only if the retailer is the person who is required to make the

payment of the tax to the governmental unit levying the tax.

SECTION 2040. 77.51 (17m) of the statutes is created to read:

77.51 (17m) "Service address" means the location of the telecommunications equipment from which telecommunications services are originated or at which telecommunications services are received by a buyer. If this is not a defined location; as in the case of mobile phones, paging systems, maritime systems, air-to-ground systems and the like; "service address" means the location where a buyer makes primary use of the telecommunications equipment as defined by telephone number, authorization code or location where bills are sent.

SECTION 2041. 77.51 (18) of the statutes is amended to read:

77.51 (18) "Storage" includes any keeping or retention in this state for any purpose except sales in the regular course of business ~~or subsequent use solely outside this state~~ of tangible personal property purchased from a retailer.

SECTION 2042. 77.51 (19) of the statutes is repealed.

SECTION 2043. 77.51 (21m) of the statutes is created to read:

77.51 (21m) "Telecommunications services" means sending messages and information transmitted through the use of local, toll and wide-area telephone service; ~~private line services;~~ channel services; telegraph services; teletypewriter; computer exchange services; cellular mobile telecommunications service; specialized mobile radio; stationary two-way radio; paging service; or any other form of mobile and portable one-way or two-way communications; or any other transmission of messages or information by electronic or similar means between or among points by wire, cable, fiber optics, laser, microwave, radio, satellite or similar facilities. "Telecommunications services" does not include sending collect telecommunications that are received outside of the state.

SECTION 2044. 77.52 (2) (a) 5 of the statutes is repealed and recreated to read:

77.52 (2) (a) 5. The sale of telecommunications services, not including services paid for by the insertion of coins in a coin-operated telephone, that originate ~~or terminate or both~~ in this state and are charged to a service address in this state, regardless of the location where that charge is billed or paid.

Vetoed in Part SECTION 2044bb. 77.52 (2) (a) 6 of the statutes is amended to read:

77.52 (2) (a) 6. Laundry, dry cleaning, pressing and dyeing services, except when performed on raw materials or goods in process destined for sale, except when performed on cloth diapers by a diaper service and except when the service is performed by the customer through the use of coin-operated self-service machines.

Vetoed in Part

Vetoed in Part

Vetoed in Part

SECTION 2044w. 77.52 (6) of the statutes is amended to read:

77.52 (6) A retailer is relieved from liability for sales tax insofar as the measure of the tax is represented by accounts which have been found to be worthless and charged off for income or franchise tax purposes. If the retailer has previously paid the tax, he may, under rules prescribed by the department, take as a deduction from the measure of the tax the amount found worthless and charged off for income or franchise tax purposes. If any such accounts are thereafter collected in whole or in part by the retailer, the amount as collected shall be included in the first return filed after such collection and the tax paid with the return.

Vetoed
in Part

~~SECTION 2045. 77.52 (6m) of the statutes is created to read:~~

~~77.52 (6m) The department shall credit against the tax under sub. (2) (a) 5 the amount of sales tax, use tax or excise tax that was imposed by, and paid to, another state for the same telecommunications services.~~

SECTION 2045s. 77.53 (4) of the statutes is amended to read:

77.53 (4) A retailer is relieved from liability to collect use tax insofar as the measure of the tax is represented by accounts which have been found to be worthless and charged off for income or franchise tax purposes. If the retailer has previously paid the amount of the tax, he may, under rules prescribed by the department, take as a deduction from the measure of the tax the amount found worthless and charged off for income or franchise tax purposes. If any such accounts are thereafter in whole or in part collected by the retailer, the amount so collected shall be included in the first return filed after such collection and the amount of the tax thereon paid with the return.

SECTION 2046. 77.54 (3) (a) of the statutes is amended to read:

77.54 (3) (a) The gross receipts from the sales of and the storage, use or other consumption of tractors and machines, including accessories, attachments, fuel and parts therefor, used exclusively and directly in the business of farming, including dairy farming, agriculture, horticulture, floriculture and custom farming services, but excluding automobiles, trucks, and other motor vehicles for highway use; excluding personal property that is attached to, fastened to, connected to or built into real property or that becomes an addition to, component of or capital improvement of real property and excluding tangible personal property used or consumed in the erection of buildings or in the alteration, repair or improvement of real property, regardless of any contribution that that personal property makes to the production process in that building or real property and regardless of the extent to which that personal property functions as a machine.

Vetoed
in Part

~~SECTION 2046m. 77.54 (3m) of the statutes is amended to read:~~

~~77.54 (3m) The gross receipts from sales of and the storage, use or other consumption of seeds for planting, plants, feed, fertilizer, soil conditioners, animal bedding, sprays, pesticides, fungicides, breeding and other livestock not including llamas, poultry, farm work stock, baling twine and baling wire, and containers for fruits, vegetables, grain and animal wastes used exclusively in farming, including dairy farming, agriculture, horticulture or floriculture when engaged in by the purchaser or user as a business enterprise.~~

Vetoed
in Part

SECTION 2046s. 77.54 (4) of the statutes is amended to read:

77.54 (4) Gross receipts from the sale of tangible personal property, and the storage, use or other consumption in this state of tangible personal property which is the subject of any such sale, by any elementary school or secondary school, exempted as such from payment of income or franchise tax under ch. 71, whether public or private.

SECTION 2047. 77.54 (7) of the statutes is repealed and recreated to read:

77.54 (7) (a) Except as provided in pars. (b) to (d), 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.

(b) If the item transferred is a motor vehicle, snowmobile, mobile home not exceeding 45 feet in length, trailer, semitrailer, all-terrain vehicle or aircraft and the item is registered or titled, or required to be registered or titled, in this state or if the item is a boat that is registered or titled, or required to be registered or titled, in this state or under the laws of the United States, the exemption under par. (a) applies only if all of the following conditions are fulfilled:

1. The item is transferred to a child, spouse, parent, father-in-law, mother-in-law, daughter-in-law or son-in-law of the transferor or, if the item is a motor vehicle, from the transferor to a corporation owned solely by the transferor or by the transferor's spouse.

2. The item has been registered or titled in the name of the transferor.

3. The transferor is not engaged in the business of selling the type of item that is transferred.

(c) The exemption under par. (a) does not apply to 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.

(d) The exemption under par. (a) does not apply to sales by a nonprofit organization.

~~SECTION 2047m. 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 all newspapers, of periodicals sold by subscription and regularly issued at average intervals not exceeding 3 months, or controlled circulation publications sold to commercial publishers for distribution without charge or mainly without charge or regularly distributed by or on~~

Vetoed
in Part

Vetoed
in Part

behalf of publishers without charge or mainly without charge to the recipient and of 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. In this subsection, "controlled circulation publication" means a publication that has at least 24 pages, is issued at regular intervals not exceeding 3 months, that devotes not more than 75% of its pages to advertising and that is not conducted as an auxiliary to, and essentially for the advancement of, the main business or calling of the person that owns and controls it.

SECTION 2048. 77.54 (20) (c) 4 of the statutes is amended to read:

77.54 (20) (c) 4. Taxable sales do not include meals, food, food products or beverages sold by hospitals, sanatoriums, nursing homes, retirement homes or day care centers registered under ch. 48 and served at a hospital, sanatorium, nursing home, retirement home or day care center. In this subdivision "retirement home" means a nonprofit residential facility where 3 or more unrelated adults or their spouses have their principal residence and where support services, including meals from a common kitchen, are available to residents. Taxable sales do not include meals, food, food products or beverages sold to the elderly or handicapped by persons providing "mobile meals on wheels".

SECTION 2049. 77.54 (22) (intro.) of the statutes is amended to read:

77.54 (22) (intro.) The gross receipts from the sales of or the storage, use or other consumption of the following property and of parts and accessories for the following property:

SECTION 2050. 77.54 (30) (a) 2 of the statutes is amended to read:

77.54 (30) (a) 2. Electricity and natural gas sold ~~for residential use~~ during the months of November, December, January, February, March and April for residential use.

SECTION 2051. 77.54 (30) (a) 3 of the statutes is amended to read:

77.54 (30) (a) 3. Electricity sold ~~for use in farming, including but not limited to agriculture, dairy farming, floriculture and horticulture,~~ during the months of November, December, January, February, March and April for use in farming, including but not limited to agriculture, dairy farming, floriculture and horticulture.

SECTION 2052. 77.54 (30) (a) 5 of the statutes is created to read:

77.54 (30) (a) 5. Fuel sold for use in farming, including but not limited to agriculture, dairy farming, floriculture and horticulture.

SECTION 2053. 77.59 (3) (a) of the statutes is renumbered 77.59 (3m) and amended to read:

77.59 (3m) If the taxpayer has consented in writing to the giving of notice of determination after such the time under sub. (3), the notice may be given, and the taxpayer may file a claim for a refund, at any time prior to the expiration of the period agreed upon. The period so agreed upon may be extended by subsequent agreements in writing.

SECTION 2054. 77.59 (4) (intro.) of the statutes is amended to read:

77.59 (4) (intro.) ~~At~~ Except as provided in sub. (3m), at any time within 4 years after the due date of the taxpayer's a person's corresponding Wisconsin income or franchise tax return or, if exempt, within 4 years of the 15th day of the 4th month of the year following the close of the calendar or fiscal year, ~~a for which that person files a claim, that person may,~~ unless a determination by the department by office or field audit has been made, file with the department a claim for refund of taxes paid to the department by that person. A claim is timely if it fulfills the requirements under s. 77.61 (14). The claim for refund shall be regarded as a request for determination. The determination thus requested shall be made by the department within one year after the claim for refund is received by it unless the taxpayer has consented in writing to an extension of the one-year time period prior to its expiration.

SECTION 2054m. 77.59 (6) (b) of the statutes is amended to read:

77.59 (6) (b) Appeals from the department's redeterminations shall be governed by the statutes applicable to income or franchise tax appeals but all appeals from decisions of the tax appeals commission with respect to the taxes imposed by this subchapter shall be appealed to the circuit court for Dane county.

SECTION 2055. 77.60 (11) of the statutes is created to read:

77.60 (11) Whenever a person collects tax moneys imposed under s. 77.52, 77.53 or 77.71 from a consumer, user or purchaser, the person receives those tax moneys as trust funds and state property. Any person who intentionally fails or refuses to pay over those tax moneys to the state at the time required by this subchapter or who fraudulently withholds, appropriates or uses any of those tax moneys is guilty of theft under s. 943.20, punishable as specified in s. 943.20 (3) according to the amount of tax moneys involved. This subsection applies regardless of the person's interest in those tax moneys. Payment to creditors in preference to the payment of those tax moneys to the state by any person is prima facie evidence of an intent to fraudulently use those tax moneys.

SECTION 2056. 77.61 (1) (c) of the statutes is amended to read:

77.61 (1) (c) In the case of motor vehicles, boats, snowmobiles, mobile homes not exceeding 45 feet in

length, trailers, semitrailers, all-terrain vehicles 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 or all-terrain vehicle~~ dealers or, licensed Wisconsin aircraft, motor vehicle, or mobile home ~~or snowmobile~~ dealers or registered Wisconsin snowmobile or all-terrain vehicle dealers, the purchaser shall file a sales tax report and pay the tax prior to registering or titling the motor vehicle, boat, snowmobile, mobile home not exceeding 45 feet in length, trailer, semitrailer, all-terrain vehicle or aircraft in this state.

SECTION 2066m. 77.66 (f) of the statutes is amended to read:

Vetoed
in Part

~~77.66 (f). Beginning with property taxes based on assessments made as of January 1, 1985, the department shall enter into agreements with participants and their coowners to loan funds to pay property taxes on their qualifying dwelling units. The maximum loan under this subchapter in any one year is limited to \$1,500 \$2,500 or the amount of property taxes levied on the qualifying dwelling unit for the year for which the loan is sought, including interest and penalties for delinquency attributable thereto, whichever is less. Loans shall bear interest at a rate which is determined by the secretary to be sufficient to meet all expenses arising from the operation of the program and which, in the opinion of the secretary, will also recoup the maximum possible amount of the interest foregone by the fund under s. 25.38 without discouraging a reasonable rate of participation in the program.~~

SECTION 2075. 77.70 of the statutes is amended to read:

77.70 Adoption by county ordinance. Any county desiring to impose county sales and use taxes under this subchapter may do so by the adoption of an ordinance, stating its purpose and referring to this subchapter. The county sales and use taxes may be imposed only for the purpose of directly reducing the property tax levy and only in their entirety as provided in this subchapter. That ordinance shall be effective on the first day of ~~April of the succeeding calendar year~~ January, the first day of April, the first day of July or the first day of October. A certified copy of that ordinance shall be delivered to the secretary of revenue at least 120 days prior to its effective date. The repeal of any such ordinance shall be effective on December 31. A certified copy of a repeal ordinance shall be delivered to the secretary of revenue at least 60 days before the effective date of the repeal.

SECTION 2076. 77.85 (1) of the statutes is repealed.

SECTION 2077. 77.85 (2) (title) of the statutes is repealed.

SECTION 2078. 77.85 (2) of the statutes is renumbered 77.85 and amended to read:

77.85 State contribution. The department shall, as soon as possible after receiving the certification under

~~sub. (1),~~ pay before June 30 annually the municipal treasurer, from the appropriation under s. 20.370 (4) (ar), 20 cents for each acre of land in the municipality that is designated as managed forest land under this subchapter.

SECTION 2079. 77.87 (5) of the statutes is amended to read:

77.87 (5) DELINQUENCY. If a tax due under this section is not paid on or before the last day of the ~~February~~ August following the date specified under sub. (3), the department shall certify to the ~~county treasurer~~ taxation district clerk the description of the land and the amount due for the tax and interest. The ~~county treasurer~~ shall follow the procedure specified under s. 77.84 (3) for the recovery of delinquent taxes. ~~taxation district clerk shall enter the delinquent amount on the property tax roll as a special charge.~~

SECTION 2080. 77.88 (7) of the statutes is amended to read:

77.88 (7) PAYMENT; DELINQUENCY. A tax under sub. (5) is due and payable to the department on the last day of the ~~February~~ month following the effective date of the withdrawal order. Amounts received shall be credited to the conservation fund. If the owner of the land fails to pay the tax, the department shall certify to the ~~county treasurer~~ taxation district clerk the amount due. The ~~county treasurer~~ shall follow the procedure specified under s. 77.84 (3) for the collection of delinquent taxes. ~~taxation district clerk shall enter the delinquent amount on the property tax roll as a special charge.~~

SECTION 2080m. 77.88 (8) of the statutes is amended to read:

77.88 (8) EXCEPTION. No withdrawal tax may be assessed against an owner who transfers ownership of managed forest land for a public road or railroad or utility right-of-way. No withdrawal tax may be assessed against an owner who transfers ownership of managed forest land for a park, recreational trail, wildlife or fish habitat area or a public forest to the federal government, the state or a local governmental unit, as defined in s. 66.299 (1) (a). The department may not order withdrawal of the remainder of the land unless the remainder fails to meet the eligibility requirements under s. 77.82 (1).

SECTION 2081. 77.89 (2) of the statutes is amended to read:

77.89 (2) PAYMENT TO COUNTIES. Each municipal treasurer shall pay 20% of each payment received under sub. (1) or s. 77.84 (2) (a) or 77.85 (2) to the county treasurer and shall deposit the remainder in the municipal treasury. The payment to the county treasurer for money received before November 1 of any year shall be made on or before the November 15 after its receipt. For money received on or after November 1 of any year, the payment to the county treasurer shall be made on or before November 15 of the following year.

SECTION 2081m. 77.91 (3m) of the statutes is created to read:

77.91 (3m) **REPORT TO LEGISLATURE.** Beginning with calendar year 1992, the department shall calculate for each calendar year whether the amount of land exempt from penalty or tax under s. 77.10 (2) (c), 77.16 (11m) or 77.88 (8) that is withdrawn during that calendar year under s. 77.10 or 77.88 or declassified or withdrawn under s. 77.16 (7) exceeds 1% of the total amount of land that is subject to contracts under subch. I or subject to orders under this subchapter on December 31 of that calendar year. If the amount of withdrawn or classified land that is so exempt exceeds 1%, the department shall make a report of its calculations to the governor and the chief clerk of each house of the legislature for distribution to the appropriate standing committees under s. 13.172 (3).

SECTION 2082. 77.91 (6) of the statutes is created to read:

77.91 (6) **SIGNATURES.** (a) The signature of an official or an employee of the department may be stamped, printed or otherwise reproduced on an order under this subchapter after the official or employee adopts the stamped, printed or otherwise reproduced signature as his or her facsimile signature.

(b) The signature or the facsimile signature under par. (a) of an official or an employee of the department meets the requirements under s. 706.05 (2) (a).

(c) The requirements of s. 706.05 (2) (b) do not apply to orders issued under this subchapter.

SECTION 2083m. Subchapter VII (title) of chapter 77 of the statutes is amended to read:

CHAPTER 77
SUBCHAPTER VII
**TEMPORARY RECYCLING
FEES SURCHARGE**
(to precede s. 77.92)

SECTION 2089b. 77.92 (1m) of the statutes is repealed.

SECTION 2089d. 77.92 (2) of the statutes is repealed.

SECTION 2089f. 77.92 (3) of the statutes is created to read:

77.92 (3) "Gross tax liability" means a corporation's tax liability under ch. 71, without regard to any tax credit.

SECTION 2089g. 77.92 (4) of the statutes is created to read:

77.92 (4) "Net business income", with respect to a partnership, means ordinary income from trade or business activities as reported under subch. III of ch. 71. "Net business income", with respect to a natural person, estate or trust, means profit from a trade or business, as defined in section 1402 (c) of the internal revenue code, not including farming, for federal income tax purposes and includes net income derived as an employee as defined in section 3121 (d) (3) of the internal revenue code.

SECTION 2089i. 77.93 (intro.) and (1) to (3) of the statutes are amended to read:

77.93 (title) Applicability. (intro.) There For the privilege of doing business in this state, there is imposed a ~~recycling fee~~ temporary recycling surcharge on the following entities:

(1) All corporations required to file a return under subch. IV or V of ch. 71 for the taxable year except corporations that are exempt from taxation under s. 71.26 (1) and that have no ~~gross receipts from unrelated businesses~~ the unrelated business income of which is reportable under s. 71.24 (1m), and except corporations the only gross receipts of which are from farming, as defined in section 464 (e) 1 of the internal revenue code. The fee surcharge is imposed on the tax-option corporations corporation, not on their its shareholders, except that if a tax-option corporation's surcharge is delinquent, its shareholders are jointly and severally liable for it.

(2) All natural persons, estates and trusts that are required to file a return under subch. I or II of ch. 71 for the taxable year and that either are an employee as defined in section 3121 (d) (3) of the internal revenue code or file a form indicating a profit or loss from a trade or business, as defined in section 1402 (c) of the internal revenue code, not including farming, for federal income tax purposes for the taxable year. The surcharge is imposed on each such natural person regardless of ch. 766 and regardless of whether or not the person files jointly under ch. 71. The fee surcharge is not imposed on gross receipts net business income of individuals for which the fee surcharge is imposed on a tax-option corporation of which an individual is a shareholder or a partnership of which an individual is a partner.

(3) All partnerships, except partnerships that have gross receipts net business income only from farming, that are required to file a return under s. 71.20 (1) for the taxable year. The fee surcharge is imposed on the partnership, not on its partners, except that if a partnership's surcharge is delinquent the partners are jointly and severally liable for it.

SECTION 2089k. 77.93 (5) of the statutes is created to read:

77.93 (5) All natural persons, estates, trusts and partnerships that are engaged in farming. The surcharge is imposed on the partnership, not on its partners, except that if a partnership's surcharge is delinquent the partners are jointly and severally liable for it.

SECTION 2089m. 77.94 (title) and (1) of the statutes are repealed and recreated to read:

77.94 (title) Surcharge determination. (1) Except as provided in sub. (2), for taxable years ending after April 1, 1991, and ending before April 1, 1992, the surcharge imposed under s. 77.93 is calculated as follows:

Vetoed
in Part

(a) On a corporation under s. 77.93 (1) and (4), an amount equal to the amount calculated by multiplying gross tax liability for the taxable year of the corporation by 5.5%, or in the case of a tax-option corporation an amount equal to the amount calculated by multiplying net income under s. 71.34 (1) by 0.4345%, up to a maximum of \$9,800, or \$25, whichever is greater.

(b) On an entity under s. 77.93 (2) or (3), except an entity that has less than \$1,000 of gross receipts, an amount equal to the amount calculated by multiplying net business income as allocated or apportioned to this state by means of the methods under s. 71.04, for the taxable year of the entity by 0.4345%, up to a maximum of \$9,800, or \$25, whichever is greater.

(c) On an entity under s. 77.93 (5), except an entity that has a net farm profit of less than \$1,000, a surcharge of \$25, regardless of whether the entity is subject to a surcharge determined under par. (b).

SECTION 2089n. 77.94 (2) (b) of the statutes is amended to read:

77.94 (2) (b) If an entity under s. 77.93 (1) to (4) begins to do business in this state after the beginning of its taxable year or ceases to do business in this state before the end of its taxable year, subject to the maximum and minimum surcharge, the fee surcharge imposed on it under s. 77.93 is calculated as follows:

1. Multiply its taxable gross receipts gross tax liability or net business income for the taxable year by a fraction the numerator of which is 365 and, if the entity begins to do business in this state after the beginning of its taxable year, the denominator of which is the number of days from the day that it begins to do business in this state until the end of its taxable year and, if the entity ceases to do business in this state before the end of its taxable year, the denominator of which is the number of days from the beginning of its taxable year until the day that it ceases to do business in this state and, if the entity both begins to do business in this state after the beginning of its taxable year and ceases to do business in this state before the end of its taxable year, the denominator of which is the number of days from the day that it begins to do business in this state to the day that it ceases to do business in this state.

2. Determine the fee surcharge that would be imposed under sub. (1) on the taxable gross receipts amount calculated under subd. 1.

3. Divide the fee surcharge under subd. 2 by the fraction under subd. 1.

Vetoed
in Part SECTION 2089nn. 77.94 (3) and (4) of the statutes are created to read:

Vetoed
in Part 77.94 (3) For taxable years that end after April 1, 1992, and end before April 1, 1999, the surcharge imposed under s. 77.93 are determined under s. 77.945.

(4) The surcharge imposed under s. 77.93 does not apply to taxable years that end after April 1, 1999.

~~SECTION 2089p. 77.945 of the statutes is created to read:~~

~~77.945 Surcharge adjustments. Annually, in December, the department of revenue shall estimate the amount of revenue necessary to fund all appropriations for the next fiscal year that are appropriated from the recycling fund under s. 25.49. Subject to approval by the joint committee on finance, the department shall establish annual recycling surcharge rates for taxable years that end after April 1, 1992, and that end before April 1, 1999, that are necessary to generate a sufficient level of revenue to fund those appropriations in each fiscal year.~~

SECTION 2090. 77.95 of the statutes is amended to read:

77.95 Interest and penalties. The interest and penalty provisions under ss. 71.82 (1) (a) and (b) and (2) (a) and (b), 71.83 (1) (a) 1, 2 and 7 and (b) 1, (2) (a) 1 to 3 and (b) 1 to 3 and (3) and 71.85, as they apply to the taxes under ch. 71, apply to the fees surcharge under this subchapter, including the estimated surcharge under s. 77.96 (2).

SECTION 2090g. 77.96 (1) of the statutes is amended to read:

77.96 (1) An entity's taxable year for the fee surcharge under this subchapter is the same as the entity's taxable year for the taxes under ch. 71.

SECTION 2091. 77.96 (2) of the statutes is amended to read:

77.96 (2) The fees surcharge under this subchapter are due on the date on which the entity's return under ch. 71 is due. If a taxpayer receives an extension for the return under ch. 71, the taxpayer shall, on or before the unextended due date for the return under ch. 71, pay an estimated surcharge under this subchapter based on the taxpayer's gross tax liability or net business income for the previous year. The department of revenue shall refund or bill the taxpayer for the difference between that payment and the amount due.

SECTION 2091m. 77.96 (3) of the statutes is amended to read:

77.96 (3) The department of revenue shall levy, enforce and collect the fees surcharge under this subchapter.

SECTION 2092. 77.96 (4) of the statutes is amended to read:

77.96 (4) Sections 71.74 (1) to (3), (6), (7) and (9) to (15), 71.75 (1), (2), (4), (5) and (6) to (10), 71.76, 71.77, 71.78 (1) to (8), 71.80 (1) (a) to (d), (3), (3m), (6), (8) to (12), (14) and (18), 71.87, 71.88, 71.89, 71.90 and 71.91 and 71.93, as they apply to the taxes under ch. 71, apply to the fees surcharge under this subchapter.

SECTION 2093. 77.96 (5) of the statutes is created to read:

77.96 (5) Each person subject to a surcharge under s. 77.93 shall, on or before the due date under sub. (2), file with the department of revenue, on a form pre-

Vetoed
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scribed by the department, an accurate statement of its gross tax liability or net business income.

SECTION 2093m. 77.96 (6) of the statutes is created to read:

77.96 (6) The department of revenue shall refer to the surcharge under this subchapter as the temporary surcharge.

SECTION 2093r. 77.97 of the statutes is amended to read:

77.97 Use of revenue. The department of revenue shall deposit ~~fees the surcharge~~, interest and penalties collected under this subchapter in the recycling fund under s. 25.49.

SECTION 2095. 78.01 (1) of the statutes is amended to read:

78.01 (1) IMPOSITION OF TAX AND BY WHOM PAID. An excise tax of ~~15 cents per gallon to June 30, 1984; 16 cents per gallon from July 1, 1984, to March 31, 1985; and thereafter at the rate determined under ss. s. 78.015 and 78.017~~ is imposed on all motor fuel sold, used or distributed in this state except as otherwise provided in this chapter. The motor fuel tax is to be computed and paid as provided in this chapter. Except as otherwise provided in this chapter, the wholesaler, as defined in s. 78.08, shall collect from the purchaser and the purchaser shall pay to the wholesaler the tax imposed by this section on each sale of motor fuel by the wholesaler at the time of the sale, irrespective of whether the sale is for cash or on credit. In each subsequent sale or distribution of motor fuel on which the tax has been collected as provided in this subsection, the tax collected shall be added to the selling price so that the tax is paid ultimately by the user of the motor fuel.

SECTION 2096. 78.01 (2) (e) of the statutes is amended to read:

78.01 (2) (e) Motor fuel sold for nonhighway use in mobile machinery and equipment and delivered directly into the consumer's storage tank in an amount of not less than 100 gallons if the supplier obtains from the consumer ~~an annual a valid~~ exemption certificate prescribed by the department.

SECTION 2097. 78.015 (1) of the statutes is amended to read:

78.015 (1) ~~Beginning in 1985, on or before~~ Before April 1 the department shall recompute and publish the rate for the tax imposed under s. 78.01 (1) and the rate under s. 78.14. The new rate per gallon shall be calculated by multiplying the rate in effect at the time of the calculation by an amount obtained by multiplying the amount under sub. (2) by the amount under sub. (3).

SECTION 2098. 78.015 (2) of the statutes is repealed and recreated to read:

78.015 (2) Divide the annual average U.S. consumer price index for all urban consumers, U.S. city average, as determined by the U.S. department of

labor, for the previous year by that annual average for the year before the previous year.

SECTION 2099. 78.017 of the statutes is repealed.

SECTION 2100. 78.12 (3m) of the statutes is amended to read:

78.12 (3m) EXEMPTION REPORTS. Any person who purchases motor fuel tax-free under s. 78.01 (2) (e) shall file an annual report not later than April 15 of the year following the reporting period. That report shall be prescribed by the department and shall set forth the number of gallons purchased, the supplier, the use and any other information that the department reasonably requires for the administration and enforcement of this subchapter. The department may not renew the exemption certificate of any person who fails to file the report under this subsection. Any person who purchases motor fuel after that person's exemption certificate has expired and who does not pay the tax on that fuel may be fined \$25 for each month that the person does so.

SECTION 2101. 78.12 (3m) of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

78.12 (3m) EXEMPTION REPORTS. Any person who purchases motor fuel tax-free under s. 78.01 (2) (e) shall file an annual report not later than April 15 of the year following the reporting period. That report shall be prescribed by the department and shall set forth the number of gallons purchased, the supplier, the use and any other information that the department reasonably requires for the administration and enforcement of this subchapter. The department shall revoke the exemption certificate of any person who fails to file the report under this subsection. Any person who purchases motor fuel after that person's exemption certificate has been revoked and who does not pay the tax on that fuel may be fined \$25 for each month that the person does so.

SECTION 2102. 78.14 of the statutes is amended to read:

78.14 Tax paid is public money. Every wholesaler who sells or distributes any motor fuel for any purpose in this state shall collect from the purchaser at the time of the sale or distribution ~~15 cents per gallon to June 30, 1984; 16 cents per gallon from July 1, 1984, to March 31, 1985; and thereafter a tax~~ at the rate determined under ~~ss. s. 78.015 and 78.017~~ on all motor fuel sold or distributed. All sums paid by the purchaser to the wholesaler as taxes upon the motor fuel, upon which the tax imposed by this chapter has not been paid previously, are public money, the property of this state.

SECTION 2103. 78.18 of the statutes is amended to read:

78.18 Records to be kept by brokers and dealers. Every broker and dealer shall keep a true and accurate record of all purchases of motor fuel, crude petroleum and special fuels (as defined in s. 78.43) in such man-

ner as to disclose the vendor, the quantity purchased, the correct description of the commodity and the means of transportation to said broker and dealer, as well as all of the sales of such motor fuel, crude petroleum and special fuels in such manner as to disclose the vendee, the quantity sold, the correct description of the commodity and the means of transportation from said broker or dealer to the vendee. All such records required by this section shall be retained ~~for a period of 3 years~~ and shall at all times be available for inspection by the department which may require a statement from said broker or dealer under oath reflecting the contents thereof.

SECTION 2104. 78.40 (1) of the statutes is amended to read:

78.40 (1) IMPOSITION OF TAX AND BY WHOM PAID. An excise tax ~~of 15 cents per gallon to June 30, 1984; 16 cents per gallon from July 1, 1984, to March 31, 1985; and thereafter at the rate determined under ss. s. 78.405 and 78.407~~ is imposed on the use, as defined in s. 78.44, of special fuel. The tax, with respect to all special fuel delivered by a special fuel dealer into supply tanks of motor vehicles in this state, attaches at the time of delivery and shall be collected by the dealer from the special fuel user and shall be paid to the department. The tax, with respect to special fuel acquired by any special fuel user other than by delivery by a special fuel dealer into a fuel supply tank of a motor vehicle, attaches at the time of the use of the fuel and shall be paid to the department by the user. The department may permit any supplier of special fuel to report and pay to the department the tax on special fuel delivered into the storage facility of a special fuel user or retailer which will be consumed for special fuel tax purposes or sold at retail.

SECTION 2105. 78.405 of the statutes is amended to read:

78.405 Annual adjustment of tax rate. ~~Beginning in 1985, on or before~~ Before April 1 the department shall adjust and publish the rate in s. 78.40 using the calculations under s. 78.015. The adjusted rate is effective on the April 1 after it is calculated.

SECTION 2106. 78.407 of the statutes is repealed.

SECTION 2107. 78.66 (3) of the statutes is amended to read:

78.66 (3) Every licensee shall retain the records of the inventory required by sub. (2) and all other records required by this section available for the inspection by the department ~~for a period of 3 years~~, and upon demand of the department, any licensee shall furnish a statement under oath reflecting the contents of any record to be kept under this section.

SECTION 2108. 78.68 (10) of the statutes is created to read:

78.68 (10) Except as provided in ss. 78.19, 78.20 (2) and 78.75 (1m) (b), s. 71.75 (2), (4) to (6) and (10) as it applies to the taxes under ch. 71 applies to the taxes under this chapter. Section 71.74 (13) as it applies to

refunds of the taxes under ch. 71 applies to the refund of the taxes under this chapter.

SECTION 2109. 78.69 of the statutes is repealed and recreated to read:

78.69 Appeals. Sections 71.88 (1) (a) and (2) (a), 71.89 and 71.90 as they apply to the taxes under ch. 71 apply to the taxes under this chapter.

SECTION 2110. 78.70 (1) (intro.) and (a) of the statutes are amended to read:

78.70 (1) DEPARTMENT AUTHORITY. (intro.) The department may collect delinquent motor vehicle fuel and general aviation fuel taxes in the manner provided for the collection of delinquent income and franchise taxes under ss. 71.80 (12), 71.82 (2), 71.91 (1) (a) and (c), and (2) to (5m) ~~and~~ (7) and 71.92, including proceeding under the authority incorporated by reference in s. 71.91 (5) (j) and the authority to:

(a) Use the warrant procedures under ss. 71.74 (14), 71.80 (12), 71.82 (2), 71.91 (1) (a) and (c) and (2) to (5m) and 71.92.

SECTION 2110m. 78.70 (6) of the statutes is amended to read:

78.70 (6) PERSONAL LIABILITY. Any officer, employee, fiduciary or agent who is responsible for paying taxes under this chapter incurred by another person, as defined in s. 77.51 (10), is personally liable for those taxes. Sections 71.88 (1) (a) and (2) (a), 71.89 and 71.90, as they apply to appeals of income or franchise tax assessments, apply to appeals of assessments under this subsection.

SECTION 2111. 78.70 (7) of the statutes is created to read:

78.70 (7) STATUTES OF LIMITATIONS. Section 71.77 as it applies to the taxes under ch. 71 applies to the taxes under this chapter.

SECTION 2112. 78.77 (5) of the statutes is amended to read:

78.77 (5) Book records, sales tickets, invoices, delivery tickets, bills of lading, loading tickets or manifests, and other papers pertaining to the transportation, purchase, sale or distribution of motor fuel, general aviation fuel and special fuel shall be retained ~~for a period of 3 years and during that time~~ shall be subject to inspection by the department.

SECTION 2113. 78.80 (1m) of the statutes is created to read:

78.80 (1m) Sections 71.74 (1), (2), (10) and (11) and 71.75 (4) as they apply to the taxes under ch. 71 apply to the taxes under this chapter. Section 71.74 (13) as it applies to the collection of taxes under ch. 71 applies to the collection of taxes under this chapter.

SECTION 2113d. 78.80 (3) of the statutes is amended to read:

78.80 (3) Sections 71.78 (1) and (4) to (9) and 71.83 (2) (a) 3, relating to confidentiality of income, franchise and gift tax returns, apply to any information obtained from any person on a motor fuel, general aviation fuel or special fuel tax return, report,

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schedule, exhibit or other document or from an audit report pertaining to the same.

Vetoed
in Part

~~SECTION 2N3e. 79.01 (1) of the statutes is amended to read:~~

~~79.01 (1). There is established an account in the general fund entitled the "Tax Rate Disparity Payment Account". There shall be appropriated to that account \$25,000,000 in 1991 and \$35,000,000 in 1992 and \$50,000,000 in 1993 and thereafter.~~

Vetoed
in Part

~~SECTION 2114b. 79.03 (title) of the statutes is amended to read:~~

~~79.03 (title) Calculating entitlements.~~

~~SECTION 2114p. 79.03 (1) of the statutes is amended to read:~~

~~79.03 (1). Each municipality and county is entitled to shared revenue, consisting of an amount determined on the basis of population under sub. (2), plus an amount determined under sub. (3). Each county is entitled to shared revenue, consisting of an amount determined under sub. (3g).~~

~~SECTION 2116n. 79.03 (3) (a) of the statutes is amended to read:~~

~~79.03 (3) (a). The amount in the shared revenue account, less the payments under sub. subs. (2) and (3g) and s. 79.04, shall be allocated to each municipality and county in proportion to its entitlement. In this paragraph, "entitlement" means the product of aidable revenues and tax base weight.~~

~~SECTION 2116p. 79.03 (3) (b) 1. (intro.) and a. of the statutes are consolidated, renumbered 79.03 (3) (b) 1 and amended to read:~~

~~79.03 (3) (b) 1. "Aidable revenues" means: a. For a municipality, the average local purpose revenues~~

~~SECTION 2117d. 79.03 (3) (b) 1. b. of the statutes is repealed.~~

~~SECTION 2117m. 79.03 (3) (b) 3 of the statutes, as affected by 1989 Wisconsin Act 336, is amended to read:~~

~~79.03 (3) (b) 3. "Full valuation" means the full value of all taxable property for the preceding year as equalized for state tax purposes, including the estimated value, as defined in s. 70.114 (1) (b), of lands for which payments are made under s. 70.114, except that for municipalities the value of real estate assessed under s. 70.995 is excluded. Value increments under s. 66.46 are included for municipalities but excluded for counties. If property that had been assessed under s. 70.995 and that has a value exceeding 10% of a municipality's value is assessed under s. 70.10, 30% of that property's full value is included in "full valuation" for purposes of the shared revenue payments in the year after the assessment under s. 70.10, 65% of that property's full value is included in "full valuation" for purposes of the shared revenue payments in the year 2 years after the assessment under s. 70.10 and 100% of that property's full value is included in "full valuation"~~

~~tion" for purposes of subsequent shared revenue payments.~~ Vetoed
in Part

~~SECTION 2118. 79.03 (3) (b) 4. (intro.) of the statutes is amended to read:~~

~~79.03 (3) (b) 4. (intro.) "Local purpose revenues" means the sum of local general purpose taxes, regulation revenues, revenues for services to private parties by a county's or municipality's general operations or enterprises, revenue for sanitation services to private parties, special assessment revenues, tax base equalization aids and, for municipalities only, a proxy for private sewer service costs, a proxy for private solid waste and recycling service costs, a proxy for private water services costs and a proxy for retail charges for fire protection purposes. In this subdivision:~~

Vetoed
in Part

~~SECTION 2118m. 79.03 (3) (b) 4. (intro.) of the statutes, as affected by 1991 Wisconsin Act ... (this act), is repealed and recreated to read:~~

Vetoed
in Part

~~79.03 (3) (b) 4. "Local purpose revenues" means the sum of local general purpose taxes, regulation revenues, revenues for services to private parties by a municipality's general operations or enterprises, revenue for sanitation services to private parties, special assessment revenues, tax base equalization aids and a proxy for private sewer service costs, a proxy for private solid waste and recycling service costs, a proxy for private water services costs and a proxy for retail charges for fire protection purposes. In this subdivision:~~

~~SECTION 2118l. 79.03 (3) (b) 4. a. of the statutes is repealed and recreated to read:~~

~~79.03 (3) (b) 4. a. "Local general purpose taxes" means the portion of tax increments collected for payment to a municipality under s. 66.46 which is attributable to that municipality's own levy, general property taxes collected to finance the general purpose government unit, property taxes collected for sewage and sanitary districts, mobile home fees, and municipal vehicle registration fees under s. 341.35 (1).~~

~~SECTION 2119g. 79.03 (3) (b) 4. bg. of the statutes is created to read:~~

~~79.03 (3) (b) 4. bg. "Proxy for private solid waste and recycling service costs" means \$25 multiplied by the population of any municipality that does not provide solid waste and recycling services. In this subd. 4. bg., notwithstanding s. 79.005 (2), "population" means the number of persons residing in the municipality during the 2nd year preceding the distribution of payments, as determined under s. 16.96.~~

~~SECTION 2119r. 79.03 (3) (b) 4. bh. of the statutes is created to read:~~

~~79.03 (3) (b) 4. bh. "Proxy for private water services costs" means \$25 multiplied by the population of any municipality that does not provide water services. In this subd. 4. bh., notwithstanding s. 79.005 (2), "population" means the number of persons residing in the municipality during the 2nd year preceding the distribution of payments, as determined under s. 16.96.~~

Vetoed
in Part

Vetoed in Part SECTION 2120m. 79.03 (3) (b) 4. d. of the statutes is amended to read:

79.03 (3) (b) 4. d. "Revenue for sanitation services to private parties" means revenues collected from private parties by a county's or municipality's general operations or enterprises and by sewerage, sanitation or inland lake rehabilitation districts as refuse collection fees, sewerage service fees and landfill fees.

SECTION 2120r. 79.03 (3) (b) 4. e. of the statutes is amended to read:

79.03 (3) (b) 4. e. "Revenues for services to private parties by a county's or municipality's general operations or enterprises" means revenues collected from private parties for the following services: general government services consisting of license publication fees, sale of publications, clerk's fees and treasurer's fees; public safety services, consisting of police or sheriff's department fees, fire department fees and ambulance fees; inspection services, consisting of building, electrical, heat, plumbing, elevator and weights and measures, sidewalk replacement or construction fees, storm sewer construction fees, street lighting fees, parking ramps, meters and lot fees, except that fees collected from a parking ramp or lot funded under s. 23.09 (25) (e), 1987 stats., are excluded until the county or municipality has foregone total payments under this section and s. 79.06 in an amount equal to the funds received under s. 23.09 (25) (e), 1987 stats., for the parking ramp or lot; library fines or fees; and museum and zoo users or admission fees.

SECTION 2121m. 79.03 (3) (b) 4. f. of the statutes is amended to read:

79.03 (3) (b) 4. f. "Special assessment revenues" means charges assessed against benefited properties for capital improvements by a municipality or county placed on the current tax roll for collection or collected during the year in advance of being placed on the tax roll.

SECTION 2121p. 79.03 (3) (b) 5 of the statutes is amended to read:

79.03 (3) (b) 5. "Standardized valuation" means the product of the standardized valuation per person times the population of a municipality or a county in the preceding year.

SECTION 2121q. 79.03 (3) (b) 6 of the statutes is amended to read:

79.03 (3) (b) 6. "Standardized valuation per person" is that number that when used in the computation under par. (a) most nearly approximates the sum of entitlements for all municipalities and all counties to the funds distributable under par. (a).

SECTION 2121qg. 79.03 (3c) of the statutes is created to read:

Vetoed in Part 79.03 (3c) (a) Beginning in 1992, each municipality that has a population of 5,000 or less and that, for the year before the year of the statement under s. 79.015, levies property taxes for municipal purposes at a rate of at least one mill per dollar of full value under s. 70.57 is entitled to shared revenue from the appropria-

tion under s. 20.835 (1) (b) in addition to its shared revenue entitlements under sub. (1) calculated as follows:

1. If the full valuation, as defined in sub. (3) (b) 3, of the property in the municipality is less than \$5,000,000, an amount equal to \$50 multiplied by the municipality's population but no less than \$15,000 and no more than \$40,000.

2. If the full valuation, as defined in sub. (3) (b) 3, of the property in the municipality is at least \$5,000,000 but less than \$10,000,000, an amount equal to \$40 multiplied by the municipality's population but no less than \$12,000 and no more than \$30,000.

3. If the full valuation, as defined in sub. (3) (b) 3, of the property in the municipality is at least \$10,000,000 but less than \$20,000,000, an amount equal to \$30 multiplied by the municipality's population but no less than \$9,000 and no more than \$20,000.

4. If the full valuation, as defined in sub. (3) (b) 3, of the property in the municipality is at least \$20,000,000 but less than \$30,000,000, an amount equal to \$20 multiplied by the municipality's population but no more than \$10,000.

5. If the full valuation, as defined in sub. (3) (b) 3, of the property in the municipality is at least \$30,000,000 but less than \$40,000,000, an amount equal to \$10 multiplied by the municipality's population but no more than \$10,000.

6. If the full valuation, as defined in sub. (3) (b) 3, of the property in the municipality exceeds \$40,000,000 and the area of the municipality exceeds 54 square miles, an amount equal to \$10 multiplied by the municipality's population but no more than \$10,000.

(b) If the total amounts calculated under par. (a) exceed the amount appropriated under s. 20.835 (1) (b), the amounts under par. (a) shall be paid to each municipality on a prorated basis.

SECTION 2121r. 79.03 (3g) of the statutes is created to read:

79.03 (3g) (a) In this subsection:

1. "Costs" means the county's costs for performing judicial, corrections and detention, health and human services, excluding county farm, nursing home and general hospital costs, and transportation functions, less user fees, less categorical payments received from other units of government in respect to those services and less expenditures for those services financed with long-term debt.

2. "Entitlement" means the product of costs and tax base weight.

3. "Full valuation" means the full value of all of the county's taxable property for the preceding year, including value increments under s. 66.46.

4. "Per capita value" means the result of dividing the full valuation by the county's population in the preceding year.

5. "Standardized valuation per person" is the number that when used in the computation of each county's entitlement most nearly approximates the

Vetoed in Part

Vetoed ~~sum of entitlements for all counties to the funds dis-~~
in Part ~~tributable under par. (b)~~

6. "Sum of entitlements" means the dollar amount
in par. (b).

7. "Tax base weight" means one minus the decimal
obtained by dividing the county's per capita value by
the standardized valuation per person, except that
"tax base weight" shall be a decimal of at least 0.9.

(b) The total amount to be allocated under this sub-
section in 1993 and thereafter is \$167,300,000. That
amount shall be allocated to each county in propor-
tion to its entitlement.

SECTION 2122. 79.03 (4) of the statutes is
amended to read:

79.03 (4) ~~In 1989, the total amount to be distributed~~
~~under this subchapter from s. 20.835 (1) (d) is~~
~~\$807,360,000. In 1990, the total amount to be distrib-~~
~~uted under this subchapter from s. 20.835 (1) (d) is~~
~~\$835,580,000. In 1991 and thereafter, the total~~
~~amount to be distributed under ss. 79.03, 79.04 and~~
~~79.06 from s. 20.835 (1) (d) is \$869,000,000. In 1992,~~
~~the total amount to be distributed under ss. 79.03,~~
~~79.04 and 79.06 from s. 20.835 (1) (d) is \$890,735,000.~~
~~In 1993 and thereafter, the total amount to be distrib-~~
~~uted under ss. 79.03, 79.04 and 79.06 from s. 20.835 (1)~~
~~(d) is \$935,261,300.~~

Vetoed
in Part

SECTION 2122p. 79.05 (1) (b) of the statutes is
amended to read:

79.05 (1) (b) "Municipal budget" means the ~~municipal~~
~~operating budget~~ municipality's general fund.

SECTION 2122r. 79.05 (2) (b) of the statutes is
amended to read:

79.05 (2) (b) The amount obtained by dividing the
full value of its property for the year before the state-
ment under s. 79.015 by its population for the year
before the statement under s. 79.015 is less than 120%
of the average for all municipalities; or the amount
obtained by dividing the full value of its property,
excluding the value of real estate assessed under s.
70.995, for the year before the statement under s.
79.015 by its population for the year before the state-
ment under s. 79.015 is less than the standardized val-
uation per person as determined under s. 79.03 (3) (b)
6 for the year of the statement under s. 79.015.

SECTION 2122t. 79.05 (2) (c) (intro.) of the stat-
utes is amended to read:

79.05 (2) (c) (intro.) Its municipal budget, exclusive
of principal and interest on long-term debt, for the
year of the statement under s. 79.015 increased over its
municipal budget, exclusive of principal and interest
on long-term debt, for the year before that year by less
than the average annual percentage change between in
the U.S. consumer price index for all urban consum-
ers, U.S. city average, as determined by the U.S.
department of labor, for December the 12 months
ending with June of the year before the statement

Vetoed
in Part

under s. 79.015 and that index for December of the
previous year plus the following percentages:

SECTION 2123. 79.05 (2) (c) 1 of the statutes is
amended to read:

79.05 (2) (c) 1. For payments in 1991 and 1992, 3%.

~~SECTION 2123m. 79.05 (2) (c) 1m of the statutes is~~
~~created to read:~~

Vetoed
in Part

~~79.05 (2) (c) 1m. For payments in 1993, 1%.~~

SECTION 2127m. 79.05 (5) of the statutes is cre-
ated to read:

79.05 (5) No municipality may, for the purpose of
qualifying for a payment under this section, establish
a fund, other than a general fund, that does not con-
form to generally accepted accounting principles
promulgated by the governmental accounting stan-
dards board or its successor bodies.

SECTION 2128g. 79.06 (1) (b) of the statutes is
amended to read:

79.06 (1) (b) If the payments to any municipality or
county under s. 79.03, excluding payments under s.
79.03 (3c), in 1986 or any year thereafter are less than
95% of the combined payments to the municipality or
county under this section and s. 79.03, excluding pay-
ments under s. 79.03 (3c), for the previous year, the
municipality or county has an aids deficiency. The
amount of the aids deficiency is the amount by which
95% of the combined payments to the municipality or
county under this section and s. 79.03, excluding pay-
ments under s. 79.03 (3c), in the previous year exceeds
the payments to the municipality or county under s.
79.03, excluding payments under s. 79.03 (3c), in the
current year.

~~SECTION 2128h. 79.06 (1) (b) of the statutes, as~~
~~affected by 1991 Wisconsin Act ... (this act), is~~
~~repealed and recreated to read:~~

Vetoed
in Part

~~79.06 (1) (b) If the payments to any municipality~~
~~under s. 79.03, excluding payments under s. 79.03 (3c),~~
~~are less than 95% of the combined payments to the~~
~~municipality under this section and s. 79.03, excluding~~
~~payments under s. 79.03 (3c), for the previous year~~
~~and if the payments to any county in 1993 or 1994~~
~~under s. 79.03 are less than 90% of the combined pay-~~
~~ments to the county under this section and s. 79.03 for~~
~~the previous year, the municipality or county has an~~
~~aids deficiency. The amount of the aids deficiency is~~
~~the amount by which 95% in the case of a municipal-~~
~~ity or 90% in the case of a county of the combined~~
~~payments to the municipality or county under this sec-~~
~~tion and s. 79.03, excluding payments under s. 79.03~~
~~(3c), in the previous year exceeds the payments to the~~
~~municipality or county under s. 79.03, excluding pay-~~
~~ments under s. 79.03 (3c), in the current year.~~

SECTION 2128r. 79.06 (1) (c) of the statutes is
amended to read:

79.06 (1) (c) ~~In 1982 and thereafter, a municipal-~~
~~ity or county that has an aids deficiency shall receive a~~
~~payment from the amounts withheld under sub. (2) (b)~~
~~1 equal to its proportion of all the aids deficiencies of~~

Vetoed in Part ~~municipalities and counties for that year. In 1993 and 1994, a county that has an aids deficiency shall receive a payment from the amounts withheld under sub. (2) (b) 2 equal to its proportion of all the aids deficiencies of counties for that year.~~

SECTION 2128s. 79.06 (2) (b) of the statutes is amended to read:

79.06 (2) (b) If the payments to a municipality or county in 1985 or any year thereafter exceed its combined payments under this section and s. 79.03, excluding payments under s. 79.03 (3c), in the previous year by more than the maximum allowable increase, the excess shall be withheld to fund minimum payments in that year under sub. (1) (c).

Vetoed in Part ~~SECTION 2128t. 79.06 (2) (b) of the statutes, as affected by 1991 Wisconsin Act ... (this act), is repealed and recreated to read:~~

~~79.06 (2) (b) 1. If the payments to a municipality exceed its combined payments under this section and s. 79.03, excluding payments under s. 79.03 (3c), in the previous year by more than the maximum allowable increase, the excess shall be withheld to fund minimum payments to municipalities in that year under sub. (1) (c).~~

~~2. If the payments to a county in 1993 or 1994 exceed its combined payments under this section and s. 79.03 in the previous year by more than the maximum allowable increase, the excess shall be withheld to fund minimum payments to counties in that year under sub. (1) (c).~~

SECTION 2128u. 79.06 (2) (c) of the statutes is amended to read:

79.06 (2) (c) In this subsection, "maximum allowable increase" in any year means a percentage such that the sum for all municipalities and counties in that year of the excess of payments under ss. 79.02 and 79.03, excluding payments under s. 79.03 (3c), over the payments as limited by the maximum allowable increase is equal to the sum of the aids deficiencies under sub. (1) in that year.

Vetoed in Part ~~SECTION 2128v. 79.06 (2) (c) of the statutes, as affected by 1991 Wisconsin Act ... (this act), is repealed and recreated to read:~~

~~79.06 (2) (c) In this subsection, "maximum allowable increase" means:~~

~~1. For a municipality, a percentage such that the sum for all municipalities in the year of the excess of payments under ss. 79.02 and 79.03, excluding payments under s. 79.03 (3c), over the payments as limited by the maximum allowable increase is equal to the sum of the aids deficiencies for municipalities under sub. (1) in that year.~~

~~2. For a county, a percentage such that the sum for all counties in the year of the excess of payments under ss. 79.02 and 79.03 over the payments as limited by the maximum allowable increase is equal to the sum of the aids deficiencies for counties under sub. (1) in that year.~~

SECTION 2131. 79.08 of the statutes is amended to read:

79.08 Corrections. If the department of administration or the department of revenue determines by August 15 of the year following any distribution under this subchapter that there was an overpayment or underpayment made in any certification by the department of revenue or resulting from populations changed as a result of a final court determination or a census determination under s. 16.96 (2) (dm) or (e) or in the distribution by the department of administration, the overpayment or underpayment shall be corrected as provided in this section. No corrections to the elements of any distribution may be made after August 15 of the year following the distribution. Any overpayment shall be corrected by reducing the subsequent year's distribution under the appropriate section of this subchapter. ~~If the payment under s. 79.05 in the subsequent year is not sufficient to recoup the overpayment, the balance is a special charge against the municipality.~~ Any underpayment shall be corrected by increasing the subsequent year's distribution under the appropriate section of this subchapter. Corrections shall be made in the distributions to all municipalities and counties affected by the error. Corrections shall be without interest. ~~When the sum of all underpayments and overpayments results in a net underpayment, the net underpayment shall be paid from the appropriation under s. 20.835 (1) (e). When the sum of all underpayments and overpayments results in a net overpayment, the net overpayment shall be returned to the general fund.~~

SECTION 2131g. 79.10 (1) (a) of the statutes is repealed.

~~SECTION 2132m. 79.10 (1) (b) of the statutes is repealed.~~ **Vetoed in Part**

SECTION 2135p. 79.10 (1) (c) of the statutes is repealed.

SECTION 2135pm. 79.10 (1) (dm) of the statutes is repealed.

~~SECTION 2135q. 79.10 (1) (e) of the statutes is repealed.~~ **Vetoed in Part**

SECTION 2135r. 79.10 (1) (f) of the statutes is created to read:

79.10 (1) (f) "Principal dwelling" means any dwelling that is used by the owner of the dwelling as a primary residence.

SECTION 2135rg. 79.10 (1) (g) of the statutes is created to read:

79.10 (1) (g) "School tax rate" means the taxes levied by school districts, as defined in s. 115.01 (3), as reflected on each property tax bill divided by the estimated fair market value of the property as reflected on each tax bill.

SECTION 2135rm. 79.10 (1m) of the statutes is created to read:

79.10 (1m) NOTICE BY MUNICIPALITIES. Each municipality shall furnish the department of revenue **Vetoed in Part** with all of the following information:

Vetoed in Part ~~(a) The total amount of credits claimed by taxpayers under sub. (9) (b) and (bm).~~

Vetoed in Part ~~(b) The name and social security number of each taxpayer claiming a credit under sub. (9) (b) 3 and (bm) 2.~~

~~(c) The parcel identification of each property for which a credit is claimed under sub. (9) (b) 3 and (bm) 2.~~

~~SECTION 2135s. 79.10 (2) of the statutes is repealed.~~

Vetoed in Part ~~SECTION 2135t. 79.10 (4) of the statutes is repealed and recreated to read:~~

~~79.10 (4) STATE SCHOOL PROPERTY TAX CREDIT. In 1993 and thereafter, each municipality shall receive, from the appropriations under s. 20.835 (3) (c) and (e), an amount determined by multiplying the school tax rate by the estimated fair market value in excess of \$2,500, but not exceeding the following total estimated fair market value, of every parcel of taxable property on which a principal dwelling is located in the municipality and for which a claim for a credit under sub. (7m) (b) 1, b, is made by the owner of the principal dwelling:~~

~~(a) In 1993, \$30,000.~~

~~(b) In 1994, \$35,000.~~

~~(c) In 1995 and thereafter, \$35,000 plus an amount in each year rounded to the nearest \$100 equal to the percentage increase in the consumer price index for all urban consumers, U.S. city average, computed by the federal department of labor for the year ending on the December 31 preceding the year of the property tax levy to which the credit applies multiplied by the maximum amount of estimated fair market value eligible for the credit in the year preceding the year of the property tax levy to which the credit applies.~~

~~SECTION 2135u. 79.10 (5) of the statutes is repealed and recreated to read:~~

Vetoed in Part ~~79.10 (5) LOTTERY SCHOOL PROPERTY TAX CREDIT.~~

Vetoed in Part ~~(a) In 1992, each municipality shall receive, from the appropriation under s. 20.835 (3) (q), an amount determined by multiplying the school tax rate by the estimated fair market value, not exceeding \$30,000, of every parcel of taxable property on which a principal dwelling is located in the municipality and for which a claim for the credit is made by the owner of the principal dwelling under sub. (9) (bm).~~

Vetoed in Part ~~(b) In 1993 and thereafter, each municipality shall receive, from the appropriation under s. 20.835 (3) (r), an amount determined by multiplying the school tax rate by the estimated fair market value, not to exceed \$2,500, of every parcel of taxable property on which a principal dwelling is located in the municipality and for which a claim for the credit under sub. (9) (bm) is made by the owner of the principal dwelling. If the amount appropriated under s. 20.835 (3) (r) is insufficient to make distributions to municipalities under this paragraph, the amount of the deficiency shall be~~

~~distributed from the appropriation under s. 20.835 (3) (e).~~

Vetoed in Part

SECTION 2135v. 79.10 (6) of the statutes is repealed.

SECTION 2135w. 79.10 (6m) of the statutes is amended to read:

79.10 (6m) CORRECTIONS OF STATE PROPERTY TAX CREDIT PAYMENTS. If the department of administration or the department of revenue determines by October 1 of the year of any distribution under subs. (4) and (5) ~~and s. 79.105~~ that there was an overpayment or underpayment made in that year's distribution by the department of administration to municipalities, as determined under subs. (4) and (5) ~~and s. 79.105~~, because of an error by the department of administration, the department of revenue or any municipality, the overpayment or underpayment shall be corrected as provided in this subsection. ~~Any corrections to the elements of any distribution shall be made by October 1 of the year of the distribution.~~ Any overpayment shall be corrected by reducing the subsequent year's distribution, as determined under subs. (4) and (5) ~~and s. 79.105~~, by an amount equal to the amount of the overpayment. Any underpayment shall be corrected by increasing the subsequent year's distribution, as determined under subs. (4) and (5) ~~and s. 79.105~~, by an amount equal to the amount of the underpayment. Corrections shall be made in the distributions to all municipalities affected by the error. Corrections shall be without interest. ~~When the sum of all underpayments and overpayments results in a net underpayment, the net underpayment shall be paid from the appropriation under s. 20.835 (3) (d). When the sum of all underpayments and overpayments results in a net overpayment, the net overpayment shall be returned to the general fund.~~

SECTION 2135x. 79.10 (7) of the statutes is repealed.

SECTION 2135y. 79.10 (7m) of the statutes is repealed and recreated to read:

79.10 (7m) DISTRIBUTION TO MUNICIPALITIES. (a) ~~State school property tax credit.~~ 1. b. ~~Beginning in 1993, the amount determined under sub. (4) with respect to claims filed for which the town, village or city has furnished notice under sub. (1m) by March 1 shall be distributed from the appropriation under s. 20.835 (3) (e) by the department of administration on the 4th Monday in March and the amount determined under sub. (4) with respect to claims filed for which the town, village or city has furnished notice under sub. (1m) after March 1 but on or before June 1 shall be distributed from the appropriation under s. 20.835 (3) (e) by the department of administration on the 4th Monday in July.~~

2. The town, village or city treasurer shall settle for the amounts distributed on the 4th Monday in March under this paragraph with each taxing jurisdiction within the taxation district or provide the amounts

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Vetoed in Part distributed to the appropriate county treasurer for settlement not later than April 15. The town, village or city treasurer shall settle for the amounts distributed under this paragraph on the 4th Monday in July with the appropriate county treasurer not later than August 15. Failure to settle timely under this subdivision subjects the town, village or city treasurer to the penalties under s. 74.31. On or before August 20, the county treasurer shall settle with each taxing jurisdiction, including towns, villages and cities except 1st class cities, in the county.

Vetoed in Part (b) ~~Lottery school property tax credit.~~ 1. a. ~~In 1992,~~ the amount determined under sub. (5) with respect to claims filed for which the town, village or city has furnished notice under sub. (1m) by March 1 shall be distributed from the appropriation under s. 20.835 (3) (q) by the department of administration on the 4th Monday in March, and the amount determined under sub. (5) with respect to claims filed for which the town, village or city has furnished notice under sub. (1m) by June 1 shall be distributed from the appropriation under s. 20.835 (3) (q) by the department of administration on the 2nd Monday in August. The amount distributed under s. 20.835 (3) (q) on the 4th Monday in March may not exceed \$298,000,000.

b. Beginning in 1993, the amount determined under sub. (5) with respect to claims for which the town, village or city has furnished notice under sub. (1m) by March 1 shall be distributed from the appropriation under s. 20.835 (3) (r) by the department of administration on the 4th Monday in March.

2. The town, village or city treasurer shall settle for the amounts distributed on the 4th Monday in March under this paragraph with each taxing jurisdiction within the taxation district or provide the amounts distributed to the appropriate county treasurer for settlement not later than April 15. ~~The town, village or city treasurer shall settle for the amounts distributed on the 2nd Monday in August not later than August 20.~~ Failure to settle timely under this subdivision subjects the town, village or city treasurer to the penalties under s. 74.31. On or before August 20, the county treasurer shall settle with each taxing jurisdiction, including towns, villages and cities except 1st class cities, in the county.

Vetoed in Part SECTION 2135z. 79.10 (9) (b) of the statutes is repealed and recreated to read:

79.10 (9) (b) *State school property tax credit.* 2. In 1993 and thereafter, except as provided in ss. 79.175 and 79.18, every owner of a principal dwelling on a parcel of taxable property is entitled to receive a state school property tax credit in an amount determined by multiplying the estimated fair market value of the parcel of property in excess of \$2,500, but not exceeding the following total estimated fair market value, by the school tax rate:

a. In 1993, \$30,000.

b. In 1994, \$35,000.

c. In 1995 and thereafter, \$35,000 plus an amount in each year rounded to the nearest \$100 equal to the percentage increase in the consumer price index for all urban consumers, U.S. city average, computed by the federal department of labor for the year ending on the December 31 preceding the year of the property tax levy to which the credit applies multiplied by the maximum amount of estimated fair market value eligible for the credit in the year preceding the year of the property tax levy to which the credit applies.

3. Every owner of a principal dwelling who is entitled to a credit under subd. 2 shall receive the credit if the owner files a claim in the manner provided in sub. (10) (a).

SECTION 2136f. 79.10 (9) (bm) of the statutes is created to read:

79.10 (9) (bm) *Lottery school property tax credit.* 1. ~~In 1992,~~ except as provided in ss. 79.175 and 79.18, every owner of a principal dwelling on a parcel of taxable property is entitled to receive a lottery school property tax credit in an amount determined by multiplying the estimated fair market value of the parcel of property not exceeding \$30,000 by the school tax rate. The owner shall receive the credit if he or she claims the credit in the manner provided under sub. (10) (a).

2. In 1993 and thereafter, except as provided in ss. 79.175 and 79.18, every owner of a principal dwelling on a parcel of taxable property shall receive a lottery school property tax credit in an amount determined by multiplying the estimated fair market value, not to exceed \$2,500, of the parcel of property by the school tax rate. The owner shall receive the credit if he or she claims the credit in the manner provided under sub. (10) (a).

SECTION 2136g. 79.10 (9) (c) of the statutes is amended to read:

79.10 (9) (c) (title) *Credit shown on tax bill.* The amount of the state property tax credits of particular property taxpayers, as determined under par. pars. (b) and (bm), shall be separately set forth on tax bills in the manner provided in s. 74.09 on the tax bills of those taxpayers issued immediately following the December 1 notification referred to in this subsection and shall reduce the property taxes otherwise payable for those taxpayers who are eligible to receive those credits and who furnish the information required under sub. (10) (a).

SECTION 2136h. 79.10 (9) (d) of the statutes is created to read:

79.10 (9) (d) *Credit limit.* No taxpayer may receive in respect to any parcel credits under this subchapter that exceed the total amount of property taxes due on that parcel.

SECTION 2136i. 79.10 (10) of the statutes is created to read:

79.10 (10) CLAIMING CREDITS. (a) An owner of a principal dwelling on a parcel of property that is classified as residential or agricultural on the assessment roll under s. 70.32 (2) who is entitled to receive a state

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Vetoed in Part school property tax credit under sub. (9) (b) 2 or a lottery school property tax credit under sub. (9) (bm) and who claims one or both of those credits shall, in the place indicated on the owner's property tax bill, attest that the property for which the tax bill is issued is the owner's principal dwelling and furnish his or her social security number. The owner shall pay the net amount due after deducting the amount of the allowable credits as provided on the tax bill.

Vetoed in Part (b) An owner of a principal dwelling on a parcel of property that is not classified as residential or agricultural on the assessment roll under s. 70.32 (2) who is entitled to receive a state school property tax credit under sub. (9) (b) 2 or a lottery school property tax credit under sub. (9) (bm) shall file a claim for the credit with the treasurer of the municipality in which the property is located no later than January 31. The owner shall attest on the claim that the property for which the claim is made is the owner's principal dwelling and furnish his or her social security number. The treasurer shall reduce the owner's tax liability by the amount of the allowable credit applied to that portion of the property used by the owner as a principal dwelling. The treasurer shall furnish notice of all claims for credits filed under this paragraph to the department of revenue as provided under sub. (1m).

Vetoed in Part (c) The treasurer of any municipality who receives a property tax payment from a taxpayer who reduces the amount of his or her tax liability by the amount of a credit under sub. (9) (b) 2 or (bm) but who fails to furnish the information required under par. (a) shall notify the taxpayer within 10 days that the information required under par. (a) must be furnished to the treasurer within 10 days after receipt of the notice. If the taxpayer fails to furnish the required information, the amount of the credit claimed by the taxpayer shall be considered an unpaid tax and shall be subject to collection by the county as a delinquent tax.

Vetoed in Part (d) If the department of revenue determines that a credit was claimed by a taxpayer who was not entitled to the credit for reasons other than that the taxpayer failed to furnish the information required under par. (b), the department of revenue shall collect the credit as a special charge, as defined in s. 74.10 (4), against the county where the property for which the credit was claimed is located. The amount of the credit shall be considered an unpaid tax and shall be subject to collection by the county as a delinquent tax. The county shall issue a tax certificate under s. 74.57 against the property which shall be effective from the preceding August 15.

SECTION 2136j. 79.105 of the statutes is repealed.

SECTION 2136k. 79.11 (2) of the statutes is amended to read:

Vetoed in Part 79.11 (2) ~~The Except as provided in s. 79.10 (10) (c) and (d),~~ the payment of the difference between the total tax which is due on any property less the amount of the tax credits applicable to such property autho-

rized by this subchapter shall be considered payment in full of the property taxes due thereon in that year.

SECTION 2147. 79.175 of the statutes is repealed and recreated to read:

79.175 Excess tax credit corrections. If a municipality applies excess tax credits on the tax roll under s. 79.10 (9), the municipal clerk shall correct the excess application by deducting the excess amount from the appropriate credits in the following year.

SECTION 2148. 79.18 of the statutes is repealed and recreated to read:

79.18 Insufficient tax credit corrections. If a municipality applies insufficient tax credits on the tax roll under s. 79.10 (9), the municipal clerk shall correct the deficiency by adding the deficient amount to the appropriate credits in the following year.

SECTION 2149. 83.42 (8m) of the statutes is amended to read:

83.42 (8m) RUSTIC ROAD MARKING SIGNS; STATE PAYMENT. The department shall pay the costs of furnishing and installing rustic roads marking signs on officially designated rustic roads from the appropriation under s. 20.395 (3) (hq) (eq).

~~SECTION 2150e. 84.01 (17) of the statutes is amended to read:~~

Vetoed in Part

~~84.01 (17) IMPROVEMENTS FOR NEXT 6 YEARS. In each odd-numbered year, the department shall determine, as far as possible, what improvements will be made during the following 6-year period, and shall notify the county clerks prior to November 1 of each odd-numbered year, as to the improvements in their respective counties. Such notice shall also be given to the department of natural resources and to the department of agriculture, food and trade and consumer protection.~~

~~SECTION 2150m. 84.01 (30) of the statutes is created to read:~~

Vetoed in Part

~~84.01 (30) HIGHWAY PAINT. Upon promulgation of rules under s. 144.40 (3) (d), the department may only use from May 1 to September 30 in an ozone nonattainment area with a classification under 42 USC 7511 (a) of moderate or worse, or furnish under s. 349.08 for use from May 1 to September 30 in such an area highway paint that complies with the requirements of the rules.~~

SECTION 2151. 84.013 (1) (a) (intro.) of the statutes is amended to read:

84.013 (1) (a) (intro.) "Major highway project" means a project, except a project providing an approach to a bridge over a river that forms a boundary of the state, which has a total cost of more than \$5,000,000 and which involves either any of the following:

SECTION 2152. 84.013 (1) (a) 3 of the statutes is created to read:

84.013 (1) (a) 3. Improving to freeway standards 10 miles or more of an existing divided highway having 2 or more lanes in either direction.

SECTION 2153. 84.013 (2) (a) of the statutes is amended to read:

84.013 (2) (a) Major highway projects shall be funded from the appropriations under ss. 20.395 (3) (bq) to (bx) and ~~(gq) to (gx)~~ and (4) (jq) and 20.866 (2) (ur) to (uu).

SECTION 2154. 84.013 (2) (b) of the statutes is amended to read:

84.013 (2) (b) Reconditioning, reconstruction and resurfacing of highways shall be funded from the appropriations under s. 20.395 (3) (cq) to (cx) and ~~(gq) to (gx)~~.

SECTION 2155. 84.013 (3) (dm) of the statutes is created to read:

84.013 (3) (dm) USH 51 between CTH "S" and USH 8, designated as the Tomahawk bypass 2nd roadway, in Lincoln county.

SECTION 2156. 84.013 (3) (tc) to (tx) of the statutes are created to read:

84.013 (3) (tc) USH 12 extending between USH 12 approximately 1.5 miles northwest of Whitewater and USH 12 approximately 1.0 mile east of CTH "P", designated as the Whitewater bypass, in Jefferson and Walworth counties.

(te) STH 31 between STH 11 and STH 142 in Racine and Kenosha counties.

(tg) STH 35 between I 94 and CTH "U" in St. Croix county.

(tj) STH 76 between CTH "CA" and the intersection of USH 41 and CTH "OO" in Outagamie county.

(tm) STH 50 between Slades Corners and USH 12 in Kenosha and Walworth counties.

(tp) STH 57 between STH 54 and CTH "A" in Brown and Kewaunee counties.

(tr) STH 110 between USH 41 and approximately 1.5 miles north of STH 116 in Winnebago county.

(tv) USH 141 between the USH 141/41 interchange near Abrams and approximately 1.0 mile north of STH 22 in Oconto county.

(tx) USH 41 between the USH 141/41 interchange near Abrams and STH 145 in Oconto, Brown, Outagamie, Winnebago, Fond du Lac, Dodge and Washington counties.

SECTION 2157. 84.013 (3) (yd) of the statutes is amended to read:

84.013 (3) (yd) STH 29 between Green Bay and ~~Chippewa Falls I 94~~, in Brown, Shawano, Marathon, Clark and ~~Chippewa and Dunn~~ counties.

SECTION 2157r. 84.013 (7) of the statutes is repealed.

SECTION 2157t. 84.013 (8) of the statutes is repealed.

SECTION 2158. 84.013 (9) of the statutes is amended to read:

84.013 (9) If the department, in consultation with the department of development, determines that a business development having a payroll exceeding \$10,000,000 in a calendar year is being located within

a 3-mile radius of the intersection of I 90 and Town Line road in Rock county, the department shall construct an interchange funded from the appropriations under s. 20.395 (3) ~~(gq) to (gx)~~ (cq) to (cx) off of I 90 to Town Line road.

~~SECTION 2158r. 84.03 (1) (d) of the statutes is created to read:~~

~~84.03 (1) (d) All moneys allotted to the state as federal aid for highways related to the inclusion of a transit way project in Milwaukee county in the interstate cost estimate for the state shall be expended by the department to further compliance of the south eastern region of the state with the requirements of the federal clean air act, 42 USC 7401 et seq., and any regulations issued by the federal environmental protection agency under that act.~~

SECTION 2159m. 84.063 of the statutes is created to read:

84.063 Utility facilities relocation. (1) DEFINITIONS. In this section:

(a) "Highway improvement" means a state trunk highway improvement project.

(b) "Utility facility" means any pipe, pipeline, duct, wire line, conduit, pole, tower, equipment or other structure, whether aboveground or underground, used for any of the following:

1. The transmission or distribution of electrical power or light.

2. The transmission, distribution or delivery of heat, water, gas, sewer, telegraph or telecommunication services.

(2) NOTIFICATION. (a) If a utility facility is within the right-of-way of a proposed highway improvement, the department shall identify the owner and notify the owner in writing of the proposed improvement.

(b) Within a specified period after the date the notice is received, the utility facility owner shall provide the department with a description and the general location of each utility facility in the proposed highway improvement right-of-way.

(3) PLANS. (a) If a utility facility owner provides the information required under sub. (2), the department shall send the utility facility owner at least one set of available project plans for the proposed highway improvement, including the location of the owner's existing utility facilities.

(b) Within a specified period after receiving the project plans, the owner shall provide the department with a work plan. The period of time within which the owner is required to provide the department with a work plan shall reflect whether the utility facility owner is required to coordinate its work plan with another utility facility owner. The work plan provided by the owner shall include all of the following:

1. A copy of the project plans that verifies the location of all of the owner's existing utility facilities specified on the plans by the department and that identifies the owners's proposed location of relocated or addi-

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tional utility facilities within the right-of-way of the proposed improvement.

2. A plan and a schedule of working days necessary to obtain any approval required by a governmental agency and to accomplish any proposed relocation or adjustment required by the proposed improvement.

(c) The department shall review and approve a work plan submitted under par. (b) for compliance with permit requirements and to ensure that the plan is reasonable. Approval of a work plan under this paragraph does not waive any requirement for approval of the work plan by any other governmental agency. The utility facility owner shall notify the department when all required approvals have been obtained. After receiving notification that all approvals have been obtained, the department shall notify the owner of the date on which the owner may proceed with its utility facility relocation work.

(d) The department shall notify the utility facility owner of any change in the highway improvement that requires additional relocation or adjustment of utility facilities. The department and the owner shall agree on a reasonable time to accomplish the additional work.

Vetoed in Part (4) RESPONSIBILITIES. (a) If ~~the owner has completed work and~~ additional utility facility relocation or adjustment work is required under sub. (3) (d), the department shall reimburse the owner for the additional work.

Vetoed in Part (b) The project contractor shall be responsible for any damages negligently caused to a utility facility ~~that occur during the time permitted in the owner's work plan for utility facility relocation or adjustment work or during the time permitted for additional work under sub. (3) (d).~~

(c) If the utility facility owner fails to comply with sub. (3), the department or its contractor shall not be liable to the owner for damages to a utility facility resulting from the highway improvement if the department or its contractor complies with s. 182.0175 (2), and the owner shall be liable to the department or its contractor for damages resulting from the failure to comply.

(5) RULES. The department shall promulgate rules to implement and administer this section.

(6) APPLICABILITY. This section first applies to a highway improvement on which construction is scheduled to begin after December 31, 1992, or on the effective date of rules promulgated by the department under sub. (5), whichever is later.

SECTION 2160. 84.065 (4) of the statutes is amended to read:

84.065 (4) FUNDS. The department may make loans under this section from the appropriations under s. 20.395 (3) (bv); and (cv); ~~(dv) and (gv).~~ The total outstanding balance of loans under this section may not exceed \$500,000.

SECTION 2161. 84.076 (2) (a) of the statutes is amended to read:

84.076 (2) (a) The secretary shall administer a demonstration and training program for the purpose of developing the capability of disadvantaged businesses to participate in construction projects funded under s. 20.395 (3) (bq), (bv), (bx), (cq), (cv), (cx), ~~(dq), (dv), (dx), (fq), (fv), (fx), (hq), (hv) and (hx).~~ Beginning in fiscal year 1988-89, from (eq), (ev) and (ex). From the amounts appropriated under s. ~~20.395 (3) (bq), (bv), (bx), (eq), (ev), (ex), (dq), (dv), (dx), (fq), (fv), (fx), (hq), (hv) and (hx)~~ those paragraphs, the secretary shall allocate \$4,000,000 each fiscal year for the awarding of contracts under this section. The secretary shall attempt to ensure that 75% of the amount so allocated each fiscal year is for the awarding of contracts under this section to minority businesses. The secretary may award 100% of the amount so allocated each fiscal year to one disadvantaged business.

SECTION 2161m. 84.09 (5) of the statutes is amended to read:

84.09 (5) Subject to the approval of the governor, the department 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 determines that the property is no longer necessary for the state's use for highway purposes and, if real property, the real property is not the subject of a petition under s. 16.375 (2). 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 the sale. The governor shall thereupon make such investigation as he or she may deem necessary and approve or disapprove 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 or for the transfer of surplus state real property to the department of administration under s. 16.375. The funds derived from sales under this subsection shall be deposited in the transportation fund, and the expense incurred by the department in connection with the sale shall be paid from such fund.

SECTION 2162. 84.10 of the statutes is amended to read:

84.10 Maintenance and operation of bridges not on state trunks. The ~~amount~~ amounts allocated therefor from s. 20.395 (3) ~~(cq) and~~ (eq) shall be expended by the department for the maintenance and operation of bridges not on the state trunk highway system which were constructed, reconstructed, or purchased under s. 84.11 before August 9, 1989, and under s. 84.12 and free bridges located in connecting highways in cities of the 4th class which have a length, not including

approaches, of 300 feet or more, or a swing or lift span. Except as provided in a jurisdictional transfer agreement under s. 84.16, all matters relating to the maintenance and operation of such bridges shall be under the control of the department. Maintenance and operation shall not include the roadway lighting system and shall not include snow and ice removal and control for bridges located on connecting highways. The department may arrange with any county highway committee or with any village or city for the operation or maintenance or both of any such bridge; and any county highway committee, village or city may enter into such arrangement.

SECTION 2163. 84.1025 of the statutes is created to read:

84.1025 Frank Lloyd Wright Memorial Highway. In recognition of the architectural accomplishments of Frank Lloyd Wright, the department shall designate and mark as the "Frank Lloyd Wright Memorial Highway" USH 14 commencing at Richland Center and proceeding easterly to Madison.

SECTION 2163c. 84.1043 of the statutes is created to read:

84.1043 Cinco de mayo memorial highway. In recognition of the day of celebration that commemorates Mexico's victory over an invading French army on May 5, 1862, and in recognition and appreciation of the contributions and cultural heritage of Hispanics in the state whose ancestors originated in Mexico, the department shall designate and mark as the "Cinco de Mayo Memorial Highway" the route of STH 59 within the city of Milwaukee.

SECTION 2163m. 84.11 (5) of the statutes is amended to read:

84.11 (5) (title) APPORTIONMENT OF COST TO JUNE 30, 1995. The state shall pay 75% of the cost of projects constructed under sub. (1m), the county or counties in which the bridge project is located shall pay 12.5%, and the one or more cities, villages and towns in which any part of the bridge project is located shall pay 12.5%, except that to the extent discretionary federal aid for highways allocated to Wisconsin is used to finance any portion of the cost of the project, the portion of the cost to be borne by the state and any county, city, village or town, respectively, shall be proportionately reduced. The portion to be paid by the counties shall be borne equally by the counties in which the bridge project is located, except that no bridge project shall be considered as located within a county unless an entrance to the bridge proper is wholly or partly within the limits of that county. If a bridge project wholly within one county is located in more than one city, village or town, their respective portions of the cost shall be in proportion to their respective assessed valuations as last equalized by the county board prior to the date of the department's finding, determination and order. If such cities, villages or towns are located in more than one county, the portion of the cost paid by all cities, villages and

towns shall first be apportioned equally according to the number of counties, and then to the cities, villages and towns in each county in proportion to their respective assessed valuations as provided in this subsection. This subsection does not apply after June 30, 1993 1995.

SECTION 2163n. 84.11 (5m) of the statutes is amended to read:

84.11 (5m) (title) APPORTIONMENT OF COST AFTER JUNE 30, 1995. The state shall pay one-third of the cost of projects constructed under sub. (1m), the county or counties in which the bridge project is located shall pay one-third, and the one or more cities, villages and towns in which any part of the bridge project is located shall pay one-third, except that to the extent discretionary federal aid for highways allocated to Wisconsin is used to finance any portion of the cost of the project, the portion of the cost to be borne by the state and any county, city, village or town, respectively, shall be proportionately reduced. The portion to be paid by the counties shall be borne equally by the counties in which the bridge project is located, except that no bridge project shall be considered as located within a county unless an entrance to the bridge proper is wholly or partly within the limits of that county. If a bridge project wholly within one county is located in more than one city, village or town, their respective portions of the cost shall be in proportion to their respective assessed valuations as last equalized by the county board prior to the date of the department's finding, determination and order. If such cities, villages or towns are located in more than one county, the portion of the cost paid by all cities, villages and towns shall first be apportioned equally according to the number of counties, and then to the cities, villages and towns in each county in proportion to their respective assessed valuations as provided in this subsection. This subsection applies after June 30, 1993 1995.

SECTION 2163p. 84.11 (7) of the statutes is amended to read:

84.11 (7) (title) EXECUTION AND CONTROL OF WORK TO JUNE 30, 1995. Subject to the control and supervision over the navigable waters of the state conferred by law upon the department of natural resources, and the control exercised by the United States, the construction under this section of any bridge project shall be wholly under the supervision and control of the department. The secretary shall make and execute all contracts and have complete supervision over all matters pertaining to such construction and shall have the power to suspend or discontinue proceedings or construction relative to any bridge project at any time in the event any county, city, village or town fails to pay the amount required of it as to any project under sub. (1m) or in the event the secretary determines that sufficient funds to pay the state's part of the cost of the bridge project are not available. All moneys provided by counties, cities, villages and towns shall be depos-

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ited in the state treasury when required by the secretary, and paid out on order of the secretary. Any of such moneys deposited for a project eligible for construction under sub. (1m) which remain in the state treasury after the completion of the project shall be repaid to the respective counties, cities, villages and towns in such amounts as to result in the distribution provided in sub. (5). This subsection does not apply after June 30, 1993 1995.

SECTION 2163g. 84.11 (7m) of the statutes is amended to read:

84.11 (7m) (title) EXECUTION AND CONTROL OF WORK AFTER JUNE 30, 1995. Subject to the control and supervision over the navigable waters of the state conferred by law upon the department of natural resources, and the control exercised by the United States, the construction under this section of any bridge project shall be wholly under the supervision and control of the department. The secretary shall make and execute all contracts and have complete supervision over all matters pertaining to such construction and shall have the power to suspend or discontinue proceedings or construction relative to any bridge project at any time in the event any county, city, village or town fails to pay the amount required of it as to any project under sub. (1m), or in the event the secretary determines that sufficient funds to pay the state's part of the cost of the bridge project are not available. All moneys provided by counties, cities, villages and towns shall be deposited in the state treasury, when required by the secretary, and paid out on order of the secretary. Any of such moneys deposited for a project eligible for construction under sub. (1m) which remain in the state treasury after the completion of the project shall be repaid to the respective counties, cities, villages and towns in such amounts as to result in the distribution provided in sub. (5m). This subsection applies after June 30, 1993 1995.

SECTION 2164g. 84.185 (1) (d) 5 of the statutes is created to read:

84.185 (1) (d) 5. A segment of railroad track, if the conditions under sub. (2) (c) are met.

SECTION 2164j. 84.185 (2) (c) of the statutes is created to read:

84.185 (2) (c) The secretary may approve the relocation of a segment of railroad track as an improvement of a transportation facility if the land on which the track lies is necessary for the expansion or continued operation of an existing business facility and the conditions under pars. (a) and (b) are met.

SECTION 2164L. 84.185 (6m) of the statutes is amended to read: 84.185 (6m) ADMINISTRATION. From the appropriations under s. 20.395 (2) (iq), (iv) and (ix), upon the approval of the secretary under sub. (2), the department may make improvements to or provide other assistance for the improvement of a transportation facility under sub. (1) (d) 1 to 3 or provide other assistance for the improvement of a trans-

portation facility under sub. (1) (d) 4 or 5. The state share of costs for the improvement of a transportation facility may not exceed 50% of the cost of the improvement.

SECTION 2167. 84.59 (6) of the statutes is amended to read:

84.59 (6) Revenue obligations may be contracted by the building commission when it reasonably appears to the building commission that all obligations incurred under this section can be fully paid from moneys received or anticipated and pledged to be received on a timely basis. Revenue obligations issued under this section shall not exceed \$477,034,000 \$665,934,000 in principal amount, excluding obligations issued to refund outstanding revenue obligations. Not more than \$414,034,000 \$578,334,000 of the \$477,034,000 \$665,934,000 may be used for transportation facilities under s. 84.01 (28) and major highway projects under ss. 84.06 and 84.09.

SECTION 2169c. 85.022 (title) of the statutes is amended to read:

85.022 (title) Transportation corridor studies.

SECTION 2169g. 85.022 (1) (intro.) of the statutes is amended to read:

85.022 (1) (intro.) The department shall administer a ~~transit corridor study~~ program to study transportation corridors. The department ~~shall~~ may make grants or pay contract costs from the appropriation under s. 20.395 (2) (hq) for transit transportation corridor studies and preliminary engineering of transit public transportation projects. The department ~~shall~~ may provide grants or contract with any person under this section to study interurban and intraurban area transit transportation corridors, including an analysis of the potential impact of a transit transportation facility on local and statewide economic development. ~~The study must~~ A study may consider all any of the following:

SECTION 2169n. 85.022 (1) (i) to (m) of the statutes are created to read:

85.022 (1) (i) Technologies, costs, benefits and projected ridership of conventional rail passenger service, or of high-speed rail service.

(j) Express bus service.

(k) Commuter rail service.

(L) Travel data.

(m) Urban rail transit systems.

SECTION 2169r. 85.022 (3) of the statutes is amended to read:

85.022 (3) ~~A city that receives a grant recipient of funding~~ under this section shall make the results of its study available to any interested county or city.

SECTION 2169w. 85.022 (4) of the statutes is amended to read:

85.022 (4) The department and grant recipients shall coordinate transit transportation corridor studies with any metropolitan transportation policy boards that may be appointed by the governor.

SECTION 2170. 85.025 of the statutes is amended to read:

85.025 Highway and bridge projects. The department shall adopt by rule criteria for selecting and evaluating all highway and bridge projects which are constructed from the appropriations under s. 20.395 (3) (bq), (bv), (bx), (cq), (cv), and (cx), ~~(dq), (dv) or (dx)~~.

SECTION 2170c. 85.06 of the statutes is created to read:

85.06 Rail passenger service assistance and promotion. (1) **DEFINITIONS.** In this section:

(a) "Amtrak" means the national railroad passenger corporation.

(b) "Local governmental unit" has the meaning given in s. 59.88 (1) (c).

(2) **PROGRAM.** The department shall administer a rail passenger service assistance and promotion program and may do any of the following:

(a) Conduct financial and technical planning for rail passenger service in this state and evaluate existing rail passenger service.

(b) Contract with Amtrak to provide rail passenger service.

(c) Consult with other states and with local governmental units regarding service levels for additional rail passenger service in this state.

(d) Monitor the quality of rail passenger service in this state.

(e) Subject to sub. (3), contract for marketing studies and promotional activities to increase rail passenger service ridership in this state, to identify potential riders and to educate the public about the availability and advantages of rail passenger service.

(f) Apply for and accept federal funds for rail passenger service.

(3) **PROMOTIONAL FUNDING.** (a) Before contracting for marketing studies or promotional activities under sub. (2) (e), the department shall ensure that a local governmental unit spends at least an equal amount of money on similar or complementary studies or activities.

(b) The department shall give priority to funding additional rail passenger service over marketing studies or promotional activities.

SECTION 2170e. 85.063 (3) (b) 1 of the statutes is amended to read:

85.063 (3) (b) 1. Upon completion of a planning study under sub. (2), any or, to the satisfaction of the department, of a study under s. 85.022, a political subdivision in a county which includes the urban area may apply to the department for a grant for property acquisition for an urban rail transit system.

SECTION 2170f. 85.063 (3) (b) 2 of the statutes is amended to read:

85.063 (3) (b) 2. The department may make such grants from the appropriation under s. 20.395 (1) (bt) ~~or (2) (bq)~~.

SECTION 2170p. 85.09 (1) (b) of the statutes is created to read:

85.09 (1) (b) "Municipality" means any city, village or town.

SECTION 2170t. 85.09 (2) of the statutes is amended to read:

85.09 (2) **FIRST RIGHT OF ACQUISITION.** The department of transportation shall have the first right to acquire, for present or future transportation purposes, recreational purposes, scenic purposes or for the purpose of constructing a correctional institution, any property used in operating a railroad or railway, including land and rails, ties, switches, trestles, bridges and the like located thereon, which has been abandoned. The department of transportation may, in connection with abandoned rail property, assign this right to a state agency, the board of regents of the university of Wisconsin system, any county or city municipality or any transit commission. Acquisition by the department of transportation may be by gift, purchase or condemnation in accordance with the procedure under s. 32.05. In addition to its property management authority under s. 85.15, the department of transportation may lease and collect rents and fees for any use of rail property pending discharge of the department's duty to convey property that is not necessary for a public purpose. In exercising its property management authority, the department of transportation, to the greatest extent practicable, shall encourage and utilize the Wisconsin conservation corps for appropriate projects. No person owning abandoned rail property, including any person to whom ownership reverts upon abandonment, may convey or dispose of any abandoned rail property without first obtaining a written release from the department of transportation indicating that the first right of acquisition under this subsection will not be exercised or assigned. The department of corrections may notify the department of transportation of its interest in specific rail property or of its interest in rail property in certain areas of the state. The department of transportation may not issue this written release for rail property in which the department of corrections has notified it of an interest unless the department of corrections authorizes the release. No railroad or railway may convey any rail property prior to abandonment if the rail 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 first right of acquisition of the department of transportation under this subsection does not apply to any rail property declared by the department to be abandoned before January 1, 1977. The department of transportation may acquire any abandoned rail property under this section regardless of the date of its abandonment.

SECTION 2170v. 85.09 (4i) of the statutes is amended to read:

85.09 (4i) **DISPOSAL OF RAIL PROPERTY.** The department shall sell at public or private sale rail property acquired under sub. (4) when the department determines that the rail property is not necessary for a public purpose and, if real property, the real property is not the subject of a petition under s. 16.375 (2). Upon receipt of the full purchase price, the department shall, by appropriate deed or other instrument, transfer the rail property to the purchaser. The funds derived from sales under this subsection shall be deposited in the transportation fund, and the expense incurred by the department in connection with the sale shall be paid from the appropriation under s. 20.395 (2) (bq).

SECTION 2172. 85.10 of the statutes is amended to read:

85.10 Sale of aerial photographic survey products. The department ~~shall produce and~~ may sell to any person the selection of photographic products derived from the aerial photographic survey conducted under s. 16.965, 1985 stats. ~~The sale price for the products shall be determined by the department of administration 23.325. The department may retain an amount equal to the costs that it incurs in selling and reproducing the photographic products.~~

SECTION 2173. 85.14 (1) (b) of the statutes is amended to read:

85.14 (1) (b) The Except for charges associated with a contract under par. (c), the department shall pay to the state treasurer the amount of charges associated with the use of credit cards under par. (a) that are assessed to the department.

SECTION 2174. 85.14 (1) (c) of the statutes is created to read:

85.14 (1) (c) The department may contract for services relating to the payment of fees by credit cards under this subsection. Any charges associated with a contract under this paragraph shall be paid from the appropriations under s. 20.395 (5) (cg) and (cq).

SECTION 2174b. 85.20 (3m) of the statutes is created to read:

85.20 (3m) **USER-SIDE SUBSIDY PROGRAMS.** (a) In this subsection, "user-side subsidy" means a voucher provided by an eligible applicant directly to a mass transit system user for use in full or partial payment of a mass transit system fare.

(b) After June 30, 1991, if an eligible applicant's urban mass transit system operates a user-side subsidy program, that system may include user contributions under the user-side subsidy program in its calculation of operating expenses for purposes of sub. (4m).

SECTION 2174d. 85.20 (4m) (a) of the statutes is amended to read:

85.20 (4m) (a) From the amounts appropriated under s. 20.395 (1) (bq), an amount equal to 38.5% 42% of the projected operating expenses of each eligi-

ble applicant's urban mass transit system shall be allocated to each eligible applicant.

~~SECTION 2174e. 85.20 (4m) (a) of the statutes, as affected by 1991 Wisconsin Act ... (this act), is repealed and recreated to read:~~

Vetoed
in Part

~~85.20 (4m) (a) From the amounts appropriated under s. 20.395 (1) (bq), an amount equal to 42.5% of the projected operating expenses of each eligible applicant's urban mass transit system shall be allocated to each eligible applicant.~~

SECTION 2174g. 85.20 (4m) (em) 1 of the statutes is amended to read:

85.20 (4m) (em) 1. ~~Thirty-eight and one-half percent~~ An amount equal to 42% of the audited operating expenses for the project year of the applicant's urban mass transit system.

~~SECTION 2174h. 85.20 (4m) (em) 1 of the statutes, as affected by 1991 Wisconsin Act ... (this act), is repealed and recreated to read:~~

Vetoed
in Part

~~85.20 (4m) (em) 1. An amount equal to 42.5% of the audited operating expenses for the project year of the applicant's urban mass transit system.~~

SECTION 2176c. 85.24 (title) of the statutes is amended to read:

85.24 (title) Demand management and ride-sharing program.

SECTION 2176d. 85.24 (1) of the statutes is amended to read:

85.24 (1) **PURPOSE.** The purpose of this section is to promote the conservation of energy, reduce traffic congestion, improve air quality and enhance the efficient use of existing transportation systems by planning and promoting demand management and ride-sharing programs and providing technical and financial assistance to public and private organizations for the development and implementation of demand management and ride-sharing programs.

SECTION 2176e. 85.24 (2) of the statutes is repealed and recreated to read:

85.24 (2) **DEFINITIONS.** In this section:

(a) "Demand management" means policies and programs designed to reduce the number of automobile trips, especially during peak hours of traffic congestion, including policies and programs designed to do any of the following:

1. Promote the reduction of unnecessary single-occupancy automobile trips.

2. Promote alternatives to automobile travel, such as biking and walking.

3. Encourage the use of high-occupancy modes of travel, such as ride sharing and all forms of public transportation.

4. Increase the convenience of alternatives to single-occupancy automobile trips, such as appropriate land-use planning and preferential parking privileges for car and van pools.

(b) "Ride sharing" means the use of a single motor vehicle by 2 or more persons for the purpose of commuting to and from their places of employment or attendance at postsecondary institutions, and includes commuting by means of a car pool or a van pool.

SECTION 2176f. 85.24 (3) (a) of the statutes is amended to read:

85.24 (3) (a) The department shall be the lead state agency in demand management and ride-sharing activities and shall have all powers necessary to develop and implement a state demand management and ride-sharing assistance program which shall include the coordination of demand management and ride-sharing activities in this state, the promotion and marketing of demand management and ride-sharing activities, the dissemination of technical information, the provision of technical and financial assistance to public and private organizations for the planning, development and implementation of demand management and ride-sharing programs, and the development and distribution of computer and manual matching ride-matching systems.

SECTION 2176g. 85.24 (3) (c) of the statutes is amended to read:

85.24 (3) (c) The department may administer a program for the distribution of any federal funds for ride sharing and demand management that are made available to the state.

SECTION 2176h. 85.24 (3) (d) of the statutes is created to read:

85.24 (3) (d) The department may award grants from the appropriation under s. 20.395 (1) (bs) to public and private organizations for the development and implementation of demand management and ride-sharing programs. As a condition of obtaining a grant under this paragraph, a public or private organization may be required to provide matching funds at any percentage. The department shall give priority in the awarding of grants to those programs that provide the greatest reduction in automobile trips, especially during peak hours of traffic congestion. The department shall have all powers necessary and convenient to implement this paragraph, including the following powers:

1. To promulgate, by rule, procedures and criteria for the review and award of grants under this paragraph.
2. To receive and review applications for grants and to prescribe the form, nature and extent of the information which shall be contained in applications.
3. To audit and inspect the records of grant recipients.
4. To require reports from grant recipients as needed.

Vetoed
in Part

~~SECTION 2177m. 85.45 of the statutes is created to read:~~

~~85.45 Milwaukee county transit cameras. From the appropriation under s. 20.395 (1) (vc), the department shall provide a grant to a county having a population~~

~~of \$50,000 or more for the purchase and installation of video surveillance equipment on buses in a mass transit system owned and operated by the county.~~ Vetoed
in Part

SECTION 2180c. 86.001 (3) of the statutes is created to read:

86.001 (3) "Secretary" means the secretary of transportation.

~~SECTION 2184m. 86.19 (1m) of the statutes is amended to read:~~ Vetoed
in Part

~~86.19 (1m) Notwithstanding sub. (1), the department shall place 100 signs near highways and in waysides that display a slogan or logo, or both, developed by the department of agriculture, food and trade and consumer protection to promote Wisconsin agricultural products. The signs shall be placed in prominent locations where they are likely to be seen by tourists from other states, except that no sign may be placed in violation of federal law.~~

SECTION 2185g. 86.26 (3) of the statutes is created to read:

86.26 (3) This section does not apply to improvements on existing town roads as of the effective date of rules promulgated by the department under s. 86.266 or September 30, 1994, whichever comes first.

SECTION 2185m. 86.266 of the statutes is created to read:

86.266 Rules for town road standards. The department shall establish by rule uniform minimum geometric standards for the improvement of existing town roads.

SECTION 2186c. 86.30 (2) (a) 3. a. and b. of the statutes are amended to read:

86.30 (2) (a) 3. a. In calendar year ~~1990, \$900~~ 1992, \$1,100.

b. In calendar year ~~1991~~ 1993 and thereafter, ~~\$1,000~~ \$1,200. Vetoed
in Part

SECTION 2187c. 86.30 (9) of the statutes is amended to read:

86.30 (9) (title) AIDS CALCULATIONS FOR 1992 AND 1993. For the purpose of calculating and distributing aids under sub. (2), the amounts for aids are ~~\$217,048,900~~ \$239,202,700 in calendar year ~~1990~~ 1992 and ~~\$229,934,300~~ \$248,514,700 in calendar year ~~1991~~ 1993 and thereafter. These amounts, to the extent practicable, shall be used to determine the statewide average cost-sharing percentage in the particular calendar year. Vetoed
in Part

SECTION 2188. 86.302 (3) (intro.) of the statutes is amended to read:

86.302 (3) (intro.) For the purposes of transportation aid determinations under s. 86.30 ~~the, changes in the road mileage of a city, county, town or village indicated on the certified plat filed under sub. (1) shall be used by the department in making computations of transportation aids to be paid beginning in the next odd-numbered year following the odd-numbered year in which the certified plat is filed. The following factors shall be considered by the department:~~

SECTION 2189. 86.302 (3) (a) of the statutes is amended to read:

86.302 (3) (a) New roads ~~shall be added to the mileage total of a city, county, town or village in the calendar year following the odd-numbered year in which the road is first included in the certified plat of that city, county, town or village.~~

SECTION 2190. 86.302 (3) (b) of the statutes is amended to read:

86.302 (3) (b) Abandoned roads ~~shall be deleted from the mileage total of a city, county, town or village in the calendar year following the odd-numbered year in which the certified plat of that city, county, town or village shows that the road is closed to traffic.~~

SECTION 2191. 86.302 (3) (c) of the statutes is renumbered 86.302 (4) and amended to read:

86.302 (4) Islands of this state consisting of one or more towns shall receive all state aids regularly payable to towns under s. 86.30. For purposes of determining aids payable under s. 86.30, mileage under the jurisdiction of an island under this ~~paragraph subsection~~ includes the number of miles equal to the distance between an island port and the closest mainland port where such distance is regularly traveled by a licensed ferry transporting persons, cars, trucks, buses and other mechanized equipment.

SECTION 2192. 86.302 (3) (c) of the statutes is created to read:

86.302 (3) (c) Changes in jurisdictional mileage responsibilities for existing roads.

SECTION 2193. 86.302 (4) of the statutes is repealed.

SECTION 2194. 86.303 (5) (c) of the statutes is amended to read:

86.303 (5) (c) The department and the department of revenue shall prescribe a statewide uniform financial reporting procedure under s. 73.10 for municipalities having a population of 2,500 or less. The financial report form or a written request for extension shall be submitted to the department of revenue by March 31 by municipalities having a population of 2,500 or less for the purposes under this section. All extensions under this paragraph shall be until May 15 and no extension beyond that date may be granted. The department of revenue shall forward the ~~highway related~~ highway-related cost data to the department.

SECTION 2195. 86.303 (5) (d) of the statutes is amended to read:

86.303 (5) (d) The department and the department of revenue shall prescribe a statewide uniform financial reporting procedure under s. 73.10 for counties having a population of more than 2,500 and ~~for municipalities over having a population of more than 2,500 population.~~ The financial report forms or a written request for extension shall be submitted to the department of revenue by May 1 by counties having a population of more than 2,500 and ~~by municipalities over having a population of more than 2,500 popula-~~

~~tion~~ for the purposes under this section. All extensions under this paragraph shall be until May 15 and no extension beyond that date may be granted. The department of revenue shall forward the ~~highway related~~ highway-related cost data to the department. Counties having a population of 25,000 or more and municipalities having a population of 25,000 or more are required to submit a financial report form to the department of revenue under this paragraph and financial reports under par. (g).

SECTION 2196. 86.303 (5) (e) of the statutes is amended to read:

86.303 (5) (e) Except as provided in par. (f), if a county or municipality fails to submit a substantially complete and accurate financial report form by the applicable ~~date required~~ under par. (c) or (d) each year, ~~as provided under this subsection,~~ the aids payable to the county or municipality during the following year shall be equal to 90% of the aids actually paid to the county or municipality under s. 86.30 (2) during the preceding year.

SECTION 2197. 86.303 (5) (f) (intro.) of the statutes is amended to read:

86.303 (5) (f) (intro.) If a county or municipality submits a substantially complete and accurate financial report form within 30 days after the applicable ~~date required in~~ under par. (c) or (d), the aids payable to the county or municipality for the following year shall be reduced by an amount equal to one percent of the aids payable to the county or municipality for the following year for each day after the date required in par. (c) or (d) that the report form is actually submitted, subject to the following limitations:

SECTION 2198. 86.303 (5) (g) of the statutes is created to read:

86.303 (5) (g) The department and the department of revenue shall prescribe a uniform financial reporting procedure under s. 73.10 for counties having a population of 25,000 or more and municipalities having a population of 25,000 or more for the purposes under this section and for the purposes of administering other local aid programs, as defined by the department of revenue by rule. The financial reports specified by the department of revenue shall be submitted to that department by July 31 each year. The department of revenue shall forward the highway-related cost data from the reports to the department.

SECTION 2199. 86.303 (5) (h) of the statutes is created to read:

86.303 (5) (h) Except as provided in par. (i), if a county or municipality under par. (g) fails to submit the financial reports required under par. (g) by July 31 each year, the aids payable to the county or municipality during the following year shall be equal to 90% of the aids actually paid to the county or municipality under s. 86.30 (2) during the preceding year.

SECTION 2200. 86.303 (5) (i) of the statutes is created to read:

86.303 (5) (i) If a county or municipality under par. (g) submits the financial reports required under par. (g) within 30 days after July 31, the aids payable to the county or municipality for the following year shall be reduced by an amount equal to 1% of the aids payable to the county or municipality for the following year for each day after July 31 that the report form is actually submitted, subject to the following limitations:

1. The amount of the reduction may not exceed 10% of the aids payable to the county or municipality under s. 86.30 (2) for the following year.

2. The amount of aids payable to the county or municipality under s. 86.30 (2) during the following year may not be reduced to less than 90% of the aids actually paid to the county or municipality under s. 86.30 (2) during the preceding year.

SECTION 2201. 86.303 (5) (j) of the statutes is created to read:

86.303 (5) (j) The aids payable to a county or municipality that is required to submit a financial report form under par. (d) and financial reports under par. (g) shall be reduced under any applicable provision of par. (e), (f), (h) or (i), subject to the limitations under pars. (f) and (i).

SECTION 2201m. 86.31 of the statutes is created to read:

86.31 Local roads improvement program. (1) DEFINITIONS. In this section:

(a) "Entitlement" means the amount of aid made available for reimbursement within a county for the components specified in sub. (3) (a) 1 to 3.

(b) "Improvement" means a highway construction project with a projected design life of at least 10 years or a feasibility study of a highway construction project with a projected design life of at least 10 years.

(c) "Local roads" means county trunk highways, town roads, or streets under the authority of cities or villages.

(d) "Political subdivision" means a county, city, village or town.

(e) "Program" means the local roads improvement program.

(2) ADMINISTRATION. (a) The department shall administer a local roads improvement program to accelerate the improvement of seriously deteriorating local roads by reimbursing political subdivisions for improvements. The selection of improvements that may be funded under the program shall be performed by officials of each political subdivision, consistent with the entitlements determined under sub. (3).

(b) Improvements for highway construction projects funded under the program shall be ~~wholly~~ under the supervision and control of political subdivisions, including the making and execution of all contracts. Such contracts shall be awarded on the basis of competitive bids and shall be awarded to the lowest responsible bidder.

(c) Improvements consisting of feasibility studies funded under the program may be performed by polit-

ical subdivisions or the department of transportation, including the making and execution of all contracts.

(3) DETERMINATION OF ENTITLEMENT. (a) For purposes of entitlement, the program shall consist of the following components:

1. County trunk highway improvements.
2. Town road improvements.
3. City and village street improvements.

(b) From the appropriation under s. 20.395 (2) (fr), the department shall ~~annually~~ allocate funds for entitlement as follows:

1. For county trunk highway improvements, 43%.
2. For town road improvements, 28.5%.
3. For city and village street improvements, 28.5%.

(c) Entitlements for each component will be determined by a formula and calculated for each county, except that cities and villages with a population of 20,000 or more shall receive a proportionate share of the entitlement for city and village street improvements for the applicable county. No county may receive less than 0.5% of the total funds allocated ~~annually~~ to counties for county trunk highway improvements under par. (b) 1.

(4) REIMBURSEMENT FOR IMPROVEMENTS. All costs of an improvement funded under this section shall be the responsibility of the political subdivision. At the completion of an improvement ~~consisting of a highway construction project~~, the political subdivision may apply to the department for reimbursement of not more than 50% of eligible costs in the manner and form prescribed by the department. ~~At the completion of an improvement consisting of a feasibility study of a highway construction project, the political subdivision may apply to the department for reimbursement of all eligible costs in the manner and form prescribed by the department.~~

(5) EXCEPTIONS. Nothing in this section prevents improvements under other highway aid programs if applicable.

(6) RULES. The department shall promulgate rules to implement and administer the program. The rules shall include all of the following:

(a) Criteria for county administrative responsibilities.

(b) Reallocation of any uncommitted funds ~~on an annual basis~~, including a procedure to reallocate uncommitted funds between counties.

(c) Formulas and procedures for entitlements and reimbursements for each program component under sub. (3) (a) 1 to 3.

(e) Procedures for the selection and administration of improvements.

SECTION 2203. 86.32 (2) (am) 1. and 2. of the statutes are repealed.

SECTION 2204. 86.32 (2) (am) 4. and 5. of the statutes are created to read:

86.32 (2) (am) 4. For 1992, \$9,721 per lane mile for municipalities having a population over 500,000;

Vetoed
in Part

Vetoed
in Part

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in Part

\$9,004 per lane mile for municipalities having a population of 150,001 to 500,000; \$8,025 per lane mile for municipalities having a population of 35,001 to 150,000; \$7,068 per lane mile for municipalities having a population of 10,000 to 35,000; and \$6,090 per lane mile for municipalities having a population under 10,000.

5. For 1993, \$9,964 per lane mile for municipalities having a population over 500,000; \$9,229 per lane mile for municipalities having a population of 150,001 to 500,000; \$8,225 per lane mile for municipalities having a population of 35,001 to 150,000; \$7,245 per lane mile for municipalities having a population of 10,000 to 35,000; and \$6,242 per lane mile for municipalities having a population under 10,000.

SECTION 2205am. 87.304 of the statutes is created to read:

87.304 Regulation of historic property in floodplains.

(1) DEFINITIONS. In this section:

(a) "Historic property" means any building, structure or object that is any of the following:

1. Individually listed on the national register of historic places in Wisconsin or the state register of historic places.

2. Included in a district which is listed on the national register of historic places in Wisconsin and has been determined by the state historical society to contribute to the historic significance of the district.

3. Individually listed on the list of locally designated historic places under s. 44.45

(b) "National register of historic places in Wisconsin" has the meaning given in s. 44.31 (5).

(2) TREATMENT OF HISTORIC PROPERTY. (a) The department shall by rule promulgate procedures for use by cities, villages and counties in doing all of the following:

1. Issuing variances to floodplain zoning ordinances that will be consistent with 44 CFR 606 but that will allow repair or rehabilitation of historic properties in floodplains to the maximum extent feasible.

2. Providing sufficient measures for public safety and protection for property in floodplains.

(b) The rules promulgated under par. (a) may include different procedures for floodway and flood-fringe areas.

Vetoed
in Part

SECTION 2205d. 88.11 (1) (intro.) of the statutes is amended to read:

88.11 (1) (intro.) The department of agriculture, food and trade and consumer protection shall employ an engineer to improve district operations. The department may:

SECTION 2205e. 88.11 (3) (intro.) of the statutes is amended to read:

88.11 (3) (intro.) If the area recommended by a board for drainage exceeds 200 acres, the board, prior to the court's hearing on its report, shall procure and file with the court a report of the department of agri-

culture, food and trade and consumer protection on all of the following:

SECTION 2205f. 88.11 (4) of the statutes is amended to read:

88.11 (4) The board, with the aid of an engineer having the qualifications specified in s. 88.21 (5), shall make the necessary survey and evaluation as directed by the department of agriculture, food and trade and consumer protection for its report.

SECTION 2205g. 88.11 (5) (intro.) of the statutes is amended to read:

88.11 (5) (intro.) The report of the department of agriculture, food and trade and consumer protection also shall include a report of the college of agriculture and life sciences of the university of Wisconsin-Madison on all of the following:

SECTION 2205i. 88.13 of the statutes is amended to read:

88.13 Right to enter lands of drainage district. Whenever necessary for any purpose connected with the organization of a district or the construction, maintenance or repair of drains and other works, members of the board, representatives of the department of agriculture, food and trade and consumer protection, and persons intending to bid on or to whom contracts have been let for the construction of the works within a district and their respective agents and employees may go upon any lands proposed for inclusion or included within a district or on adjoining lands, and are not guilty of trespass therefor but are liable for unnecessary damage caused to crops or structures.

SECTION 2205k. 88.21 (5) of the statutes is amended to read:

88.21 (5) Employ engineers and other assistants. Any engineer employed by the board shall be selected from a list of professional engineers approved by the department of agriculture, food and trade and consumer protection. The department of agriculture, food and trade and consumer protection shall furnish each drainage board, upon request, a list of professional engineers whom it considers qualified by training and experience to give competent advice in drainage matters.

SECTION 2205m. 88.22 (3) (intro.) of the statutes is amended to read:

88.22 (3) (intro.) With the consent of the department of agriculture, food and trade and consumer protection, enter into contracts with the U.S. government or an officer or agency thereof to accept the benefits of any federal law pertaining to flood prevention or the conservation, development, utilization and disposal of water. Without restriction by reason of enumeration, such contracts may provide that the district on whose behalf the contract is negotiated will:

SECTION 2205p. 88.35 (7) of the statutes is amended to read:

Vetoed
in Part

Vetoed
in Part

~~88.35(7) If the area of the district exceeds 200 acres, the report shall be submitted to the department of agriculture, food and trade and consumer protection before it is filed with the court. Within 10 days, the department shall return it with its approval or disapproval.~~

~~SECTION 2208b. 91.01 (3) of the statutes is amended to read:~~

~~91.01 (3) "Department" means the department of agriculture, food and trade and consumer protection.~~

~~SECTION 2208c. 91.01 (6) of the statutes 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, including land designated by the department of natural resources as part of the ice age trail under s. 23.17, which during the year preceding application for a farmland preservation agreement produced gross farm profits, as defined in s. 71.58 (4), of not less than \$6,000 or which, during the 3 years preceding application produced gross farm profits, as defined in s. 71.58 (4), of not less than \$18,000, or a parcel of 35 or more acres of which at least 35 acres, during part or all of the year preceding application, were enrolled in the conservation reserve program under 16 USC 3831 to 3836.~~

~~SECTION 2208cm. 91.13 (8) (c) of the statutes is amended to read:~~

~~91.13 (8) (c) A structure or improvement made as an incident to a scenic, access or utility easement or license or, a lease for oil and natural gas exploration and extraction shall be deemed, and an easement granted for the purpose of using land as, or land used as, part of the ice age trail under ss. 23.17 and 23.293 and structures and improvements made as an incident to that use or those easements, is consistent with agricultural use under pars. (a) and (b).~~

~~SECTION 2208d. 91.19 (6t) of the statutes is created to read:~~

~~91.19 (6t) The department shall relinquish from a farmland preservation agreement land that has been subject to a farmland preservation agreement for at least 10 years if the owner of the land so requests and the agreement was originally for a period of more than 10 years.~~

~~SECTION 2208f. 91.19 (7) of the statutes is amended to read:~~

~~91.19 (7) Whenever a farmland preservation agreement is relinquished under sub. (2) or, (6p) or (6t) 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 subch. IX of ch. 71 during the last 10 years that the land was eligible for such credit, plus interest at the rate of 6% 9.3% per year compounded annually on the credits received from the time the credits were received until the lien is paid for farmland preservation agreements~~

relinquished under sub. (6t) and 6% per year compounded annually on the credits received from the time the credits were received until the lien is paid for other agreements. 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 2208m. 91.21 (1) of the statutes is amended to read:

91.21 (1) If the owner or a successor in title of the land upon which a farmland preservation agreement has been recorded under this chapter changes the use of the land to a prohibited use without first acting under ss. 91.17 and 91.19 and the land is not relinquished under s. 91.19 (6p) or (6t), the owner or successor in title may be enjoined by the state, acting through the attorney general, or by the local governing body having jurisdiction, acting through its attorney, and is subject to a civil penalty for actual damages, but in no case to exceed double the value of the land as established at the time the application for the agreement was approved.

SECTION 2208mg. 91.75 (7) of the statutes is amended to read:

91.75 (7) A structure or improvement made as an incident to a lease for oil and natural gas exploration and extraction, and an easement granted for the purpose of using land as, or land used as, part of the ice age trail under ss. 23.17 and 23.293 and structures and improvements made as an incident to that use or those easements, is deemed consistent with agricultural uses under sub. (3) and may be permitted as a special exception or conditional use under sub. (5).

~~SECTION 2208p. 92.03 (3) of the statutes is amended to read:~~

~~92.03 (3) "Department" means the department of agriculture, food and trade and consumer protection.~~

SECTION 2208q. 92.14 (4m) of the statutes is created to read:

92.14 (4m) GRANT PRIORITY. Grants awarded under sub. (4) shall be awarded in the following order:

- (a) Grants authorized under sub. (4) (c).
- (b) Grants authorized under sub. (4) (b).
- (c) Grants authorized under sub. (4) (a).

~~SECTION 2208r. Chapter 93 (title) of the statutes is amended to read:~~

CHAPTER 93
DEPARTMENT OF AGRICULTURE,
FOOD AND TRADE AND
CONSUMER PROTECTION

SECTION 2208rc. 93.01 (1) of the statutes is renumbered 93.01 (1m).

SECTION 2208rf. 93.01 (1b) and (1d) of the statutes are created to read:

93.01 (1b) "Agriculture" includes aquaculture.

Vetoed
in Part

Vetoed
in Part

Vetoed
in Part

(Id) "Aquaculture" means the controlled cultivation of aquatic plants and animals.

Vetoed
in Part

~~SECTION 2208t. 93.01 (3) of the statutes is amended to read:~~

~~93.01 (3) "Department" means the department of agriculture, food and trade and consumer protection.~~

~~SECTION 2208v. 93.01 (15) of the statutes is amended to read:~~

~~93.01 (15) "Secretary" means the secretary of agriculture, food and trade and consumer protection.~~

SECTION 2209. 93.06 (1r) of the statutes is created to read:

93.06 (1r) TEST, TIME OR SEAL PASTEURIZERS. Upon request of a dairy plant operator or an applicant for a dairy plant license, test, time or seal pasteurizers. The department may charge a fee to cover its cost for the testing, timing or sealing service, regardless of whether the testing, timing or sealing is required by law.

SECTION 2210. 93.06 (1w) of the statutes is created to read:

93.06 (1w) REVIEW OF DAIRY OR FOOD PROCESSING EQUIPMENT AND PLANS. Upon request, review dairy or food processing equipment before its installation at, or review plans for the construction of, a dairy plant, as defined in s. 97.20 (1) (a), a dairy farm, as defined in s. 97.22 (1) (a), a food warehouse, as defined in s. 97.27 (1) (b), a food processing plant, as defined in s. 97.29 (1) (h), a retail food establishment, as defined in s. 97.30 (1) (c), or an establishment, as defined in s. 97.42 (1) (d). The department may charge a fee to cover its cost for providing such review service, regardless of whether the review is required by law.

SECTION 2211. 93.06 (1z) of the statutes is created to read:

93.06 (1z) INTEREST ON OVERDUE SERVICE FEES. Establish an interest rate for, and charge interest on, an overdue payment for fees for any service rendered under sub. (1m), (1p), (1r) or (1w). The department may charge interest on an overdue payment beginning on the day after the payment due date that is stated on the fee invoice sent to a recipient of such service. The department shall state the interest rate charged for an overdue payment on the fee invoice, and may charge the recipient of the service not more than that rate on an overdue payment. An interest rate established under this subsection may not exceed the amount of the interest rate under s. 814.04 (4).

SECTION 2211g. 93.07 (15m) of the statutes is created to read:

Vetoed
in Part

93.07 (15m) ANIMAL HEALTH LABORATORY FEES. To promulgate rules establishing fees for animal health laboratory services. The amounts of the fees shall be based on the amounts appropriated under s. 20.115 (2) (g) for costs of services performed by a department animal health laboratory and the unencumbered balance in the appropriation account under s. 20.115 (2) (g).

SECTION 2211r. 93.07 (16m) of the statutes is created to read:

93.07 (16m) LABORATORY FEES, OUT-OF-STATE USERS. To charge each out-of-state person receiving a service from any department laboratory a service fee, the amount of which equals at least 100% of the amount of the department's costs to provide the laboratory service, including administrative and facility costs.

~~SECTION 2211s. 93.07 (18) of the statutes is created to read:~~

~~93.07 (18) SURPLUS WISCONSIN DAIRY PRODUCTS. To establish a program to assist other persons to distribute surplus dairy products produced in this state to schools, the elderly and the needy.~~

SECTION 2212. 93.07 (20) of the statutes is repealed.

SECTION 2212d. 93.07 (25) of the statutes is created to read:

93.07 (25) WORLD DAIRY CENTER AUTHORITY. To cooperate with the world dairy center authority under ch. 235.

~~SECTION 2212g. 93.09 (6) of the statutes is amended to read:~~

~~93.09 (6) No standard or regulation shall be established or prescribed by the department of agriculture, food and trade and consumer protection under this section in any case where any other state department, commission or official has authority to establish such a standard or prescribe such a regulation, unless the department of agriculture, food and trade and consumer protection establishes the standard or prescribes the regulation jointly with such other department, commission or official. No standard or regulation shall be established or prescribed by any other state department, commission or official in any case where the department of agriculture, food and trade and consumer protection has authority to establish such a standard or prescribe such a regulation under this section, unless such other department, commission or official establishes the standard or prescribes the regulation jointly with the department of agriculture, food and trade and consumer protection. The governor shall act as arbiter in case of disagreement or conflict of authority between the department of agriculture, food and trade and consumer protection and any other state department, commission or official under this section.~~

SECTION 2212j. 93.18 (2) of the statutes is amended to read:

93.18 (2) The department, in any matter relating to issuing, revoking or amending a special order relating to named persons, except as provided in sub. (3), shall serve upon the person complained against a complaint in the name of the department and a notice of a public hearing thereon to be held not sooner than 10 days after such service. The person complained against shall be entitled to be heard in person, or by agent or

Vetoed
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in Part

Vetoed attorney and shall be entitled to process to compel the attendance of witnesses.
in Part

SECTION 2212m. 93.18 (3) of the statutes is repealed.

SECTION 2213. 93.20 of the statutes is created to read:

93.20 Enforcement costs. (1) **DEFINITION.** In this section, "action" means an action that is commenced in court by, or on behalf of, the department of agriculture, trade and consumer protection to enforce chs. 91 to 100 or 127.

(2) **ENFORCEMENT COSTS ORDER.** If a court imposes costs under s. 814.04 or 973.06 against a defendant in an action, the court may order that defendant to pay to the department of agriculture, trade and consumer protection any of the enforcement costs specified under sub. (3) that the department has incurred. The prosecutor shall present evidence of the enforcement costs and the defendant shall be given an opportunity to refute that evidence. If any cost that a court orders a defendant to pay under this section may also be recovered by the department under s. 814.04 or 973.06, the department may recover that cost only under this section, but that cost is not limited to the amounts specified in s. 814.04 or 973.06.

(3) **ENFORCEMENT COSTS AVAILABLE.** The court may include as an enforcement cost in an order under sub. (2), the department's reasonable cost of any of the following:

(a) Expert witnesses who are not employees of the department.

(b) Depositions, transcripts or photocopying.

(c) Any investigation, study, analysis, engineering report, test or project that the court finds necessary for the preparation of the action, including the reasonable cost of compensation of laboratory personnel who are employed by the department, but excluding the cost of any other department personnel compensation.

(4) **RESTRICTION ON USE OF ENFORCEMENT COSTS.** The department shall use the amounts received for enforcement costs in the appropriation under s. 20.115 (8) (gm) that consist of laboratory personnel compensation to purchase laboratory equipment, supplies or service.

Vetoed SECTION 2213d. 93.20 (1) and (2) of the statutes, as created by 1991 Wisconsin Act ... (this act), are amended to read.
in Part

93.20 (1). **DEFINITION.** In this section, "action" means an action that is commenced in court by, or on behalf of, the department of agriculture, food and trade and consumer protection to enforce chs. 91 to 100 or 127.

(2) **ENFORCEMENT COSTS ORDER.** If a court imposes costs under s. 814.04 or 973.06 against a defendant in an action, the court may order that defendant to pay to the department of agriculture, food and trade and consumer protection any of the enforcement costs specified under sub. (3) that the department has

incurred. The prosecutor shall present evidence of the enforcement costs and the defendant shall be given an opportunity to refute that evidence. If any cost that a court orders a defendant to pay under this section may also be recovered by the department under s. 814.04 or 973.06, the department may recover that cost only under this section, but that cost is not limited to the amounts specified in s. 814.04 or 973.06.

SECTION 2213g. 93.22 (2) of the statutes is amended to read:

93.22 (2) The department may, with the approval of the governor, appoint special counsel to prosecute or assist in the prosecution of any case arising under chs. 93 to 100. The cost of such special counsel shall be charged to the appropriation for the department of agriculture, food and trade and consumer protection.

SECTION 2213gt. 93.23 (1) (a) 1 of the statutes is amended to read:

93.23 (1) (a) 1. To each county, and any such organized agricultural society, association, or board in the state, 90% 95% of the first \$5,000 \$8,000 actually paid in net premiums and 60% 70% of all net premiums paid in excess of \$5,000 \$8,000 at its annual fair upon livestock, articles of production, educational exhibits, agricultural implements and tools, domestic manufactures, mechanical implements and productions; but no one premium so paid shall exceed the sum of \$35 to a single person, or \$75 for any town or other group premium. No fair, association, or board shall receive state aid unless its premium list, entry fees, and charges conform to uniform premium lists and other rules established under subd. 2, both as to premiums offered, amounts to be paid, entry fees to be charged, and all other charges for exhibiting.

SECTION 2213j. 93.31 of the statutes is amended to read:

93.31 Livestock breeders association. The secretary of the Wisconsin livestock breeders association shall on and after July 1 of each year make a report to the department of agriculture, trade and consumer protection, signed by the president, treasurer and secretary of the association setting forth in detail the receipts and disbursements of the association for the preceding fiscal year in such form and detail together with such other information as the department may require. On receipt of such reports, if the department is satisfied that the business of the association has been efficiently conducted during the preceding fiscal year and in the interest of and for the promotion of the special agricultural interests of the state and for the purpose for which the association was organized and if the final statement shows that all the receipts together with the state aid have been accounted for and disbursed for the proper and necessary purposes of the association, and in accordance with the laws of the state, then the department shall file a certificate with the department of administration and it shall draw its warrant and the state treasurer shall pay to the treasurer of the association the amount of the

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~~appropriation appropriations~~ made available for the association by s. 20.115 (4) (a) and (h) for the conduct of junior livestock shows and other livestock educational programs. The association may upon application to the state purchasing agent, upon such terms as he or she may require, obtain printing for the association under the state contract.

~~SECTION 2213m. 93.31 of the statutes, as affected by 1991 Wisconsin Act ... (this act), is repealed and recreated to read:~~

Vetoed
in Part

~~93.31 Livestock breeders association. The secretary of the Wisconsin livestock breeders association shall on and after July 1 of each year make a report to the department of agriculture, food and trade, signed by the president, treasurer and secretary of the association setting forth in detail the receipts and disbursements of the association for the preceding fiscal year in such form and detail together with such other information as the department may require. On receipt of such reports, if the department is satisfied that the business of the association has been efficiently conducted during the preceding fiscal year and in the interest of and for the promotion of the special agricultural interests of the state and for the purpose for which the association was organized and if the final statement shows that all the receipts together with the state aid have been accounted for and disbursed for the proper and necessary purposes of the association, and in accordance with the laws of the state, then the department shall file a certificate with the department of administration and it shall draw its warrant and the state treasurer shall pay to the treasurer of the association the amount of the appropriations made available for the association by s. 20.115 (4) (a) and (h) for the conduct of junior livestock shows and other livestock educational programs. The association may upon application to the state purchasing agent, upon such terms as he or she may require, obtain printing for the association under the state contract.~~

SECTION 2214. 93.40 (1) (h) of the statutes is repealed.

SECTION 2215. 93.41 (2m) of the statutes is created to read:

93.41 (2m) The department shall conduct research on the incidence, levels and effects of stray voltage on agriculture in this state, including the prevalence and economic effects of stray voltage on milk production in this state.

SECTION 2216. 93.41 (3) of the statutes is amended to read:

93.41 (3) This section does not apply after August 31, 1994 1993.

SECTION 2217. 93.415 of the statutes is repealed.

SECTION 2217f. 93.44 (4) of the statutes is created to read:

93.44 (4) The department by rule may establish a fee for the use of the mark and any slogan or logo

under this section. The fees shall be credited to the appropriation under s. 20.115 (3) (L).

SECTION 2217m. 93.46 (1) (am) of the statutes is created to read:

93.46 (1) (am) Jointly with the department of development, conduct research and develop long-range plans to promote and establish deer farms.

~~SECTION 2217n. 93.48 of the statutes is created to read:~~

Vetoed
in Part

~~93.48 Farms for the future, deposit of funds. The department shall accept and deposit in the farms for the future fund under s. 25.44 all gifts, grants and bequests to the fund, all moneys received from counties, cities, villages and towns for the fund and all moneys provided for the fund by the federal government under P.L. 101-624, sections 1465 to 1470.~~

SECTION 2218. 93.50 (6) of the statutes is repealed.

SECTION 2219. 93.51 of the statutes is amended to read:

93.51 Farmer assistance. The department may provide consultation and assistance to distressed farmers, which may include but is not limited to providing employment and retraining counseling for farmers needing employment other than farming, operating a program in which volunteers advise farmers about financial matters and other concerns and operating a crisis hotline for farmers. In addition, the department may make grants to low-income farmers for the purpose of paying all or part of the tuition for a farmer who enrolls in a course on farm and business management techniques offered by a vocational, technical and adult education school. ~~This section does not apply after June 30, 1994.~~

SECTION 2220. 93.55 (title) of the statutes is amended to read:

93.55 (title) Chemical and container collection grants.

SECTION 2221. 93.55 (2) of the statutes is amended to read:

93.55 (2) (title) COLLECTION GRANTS. The department may award a grant to a county for a chemical and container collection ~~demonstration~~ program. A grant under this subsection shall fund 100% all or a part of the cost of a ~~demonstration~~ program. Costs eligible for funding include the cost of establishing a collection site for chemicals and chemical containers, the cost of transporting chemical containers to a dealer or distributor for refill and reuse or to a hazardous waste facility, as defined in s. 144.61 (5m), and costs associated with the proper use and handling and disposal or recycling of chemicals and chemical containers. Grants shall be paid from the appropriation under s. 20.115 (7) (e) (v).

SECTION 2222. 93.55 (2m) of the statutes is amended to read:

93.55 (2m) FARMER LIABILITY. To the extent permitted under federal regulations, a county establishing

a chemical and container collection ~~demonstration~~ program under sub. (2), in cooperation with the department, shall ensure that a farmer, as defined in s. 102.04 (3), who participates in the ~~demonstration~~ program is not liable for chemicals or chemical containers collected under the ~~demonstration~~ program after the farmer relinquishes control over the chemicals or chemical containers.

SECTION 2223. 93.55 (4) of the statutes is repealed.

SECTION 2223d. 93.60 of the statutes is created to read:

93.60 Computer system equipment, staff and services transfers. The department may transfer to the appropriation under s. 20.115 (8) (k) in each fiscal year an amount from the appropriations under s. 20.115 (1) (g), (gb), (gh), (gm), (hm), (im), (j), (jm) and (m), (2) (g), (j) and (m), (3) (g), (h), (i), (j) and (m), (7) (g), (ga), (gm), (ig), (k) and (m) and (8) (ga), (gm), (ha), (i), (j), (kp), (ks) and (m). The total amount that the department transfers in each fiscal year from these appropriations to the appropriation under s. 20.115 (8) (k) may not exceed the amount specified in the schedule under s. 20.115 (8) (k) for each fiscal year. The amounts transferred from each appropriation shall be based on the actual costs incurred by the department for computer system equipment, staff and services provided for the purpose of that appropriation.

SECTION 2223dm. 93.60 of the statutes, as created by 1991 Wisconsin Act (this act), is amended to read:

93.60 Computer system equipment, staff and services transfers. The department may transfer to the appropriation under s. 20.115 (8) (k) in each fiscal year an amount from the appropriations under s. 20.115 (1) (g), (gb), (gh), (gm), ~~(hm)~~, (im), (j), (jm) and (m), (2) (g), (j) and (m), (3) (g), (h), (i), (j) and (m), (7) (g), (ga), (gm), (ig), (k) and (m) and (8) (ga), (gm), (ha), (i), (j), (kp), (ks) and (m). The total amount that the department transfers in each fiscal year from these appropriations to the appropriation under s. 20.115 (8) (k) may not exceed the amount specified in the schedule under s. 20.115 (8) (k) for each fiscal year. The amounts transferred from each appropriation shall be based on the actual costs incurred by the department for computer system equipment, staff and services provided for the purpose of that appropriation.

SECTION 2224. 94.64 (3) (b) of the statutes is amended to read:

94.64 (3) (b) Application for a fertilizer license shall be made on forms prescribed by the department and shall include a listing of business locations and mobile units used in the manufacture and distribution of fertilizer in this state and other information as the department requires. The application of a manufacturer shall be accompanied by a license fee of ~~\$40~~ \$25 for each established business location where any manufacturing is done and for each mobile unit used for manufacturing or the mixing or blending of fertilizer

in this state. The application of distributors not engaged in the manufacture or mixing or blending of fertilizer in this state and not otherwise exempt from a license under par. (a) shall be accompanied by a single license fee of ~~\$40~~ \$25. Distributors engaged in the mixing or blending of fertilizer shall pay a license fee of ~~\$40~~ \$25 for each business location where any mixing or blending is done and for each mobile unit used for the mixing or blending of fertilizer in this state. All licenses shall expire on June 30 of each year. No license shall be transferable and no credit or refund shall be granted for licenses issued or held for less than a full license year. No manufacturing plant or mobile unit shall be put into operation during the license year without payment of an additional fee of ~~\$40~~ \$25 for each plant location or mobile unit.

SECTION 2225. 94.64 (4) (a) of the statutes is amended to read:

94.64 (4) (a) An inspection fee of ~~40~~ 14 cents per ton shall be paid to the department for all fertilizers sold or distributed in this state with a minimum fee of ~~\$1.80~~ \$1.80 for 10 tons or less. This fee shall not be applicable to fertilizer materials or products sold to manufacturers or exchanged between them for manufacturing purposes or further processing.

SECTION 2226. 94.65 (2) (a) of the statutes is amended to read:

94.65 (2) (a) Except as provided under par. (b), no person may manufacture or distribute a soil or plant additive in this state unless the person first obtains an annual license from the department. Application for a license or for renewal of a license shall be made on forms provided by the department and shall be accompanied by an annual license fee of ~~\$40~~ \$25. All licenses expire on March 31.

SECTION 2227. 94.65 (6) (a) 1 of the statutes is amended to read:

94.65 (6) (a) 1. Annually by March 31, file with the department a tonnage report setting forth the number of tons of each soil or plant additive distributed during the preceding year by that person or by any other person authorized under sub. (3) (a) 2 to distribute under the name of that person and pay to the department an inspection fee of ~~40~~ 18 cents per ton so distributed. The minimum total fee is ~~\$40~~ \$18.

SECTION 2228. 94.68 (3) (a) of the statutes is renumbered 94.68 (3) (a) (intro.) and amended to read:

94.68 (3) (a) (intro.) The basic annual fee for a license under this section is \$100. If more than one pesticide product of a licensee is sold or distributed in this state during a license year, the licensee shall pay for that year a supplementary license fee of ~~\$150~~ that equals the sum of the amounts in sub. (4) (a) 1, (b) and (c) for each additional pesticide product of the licensee which is sold or distributed in this state, or the sum of the amounts in sub. (4) (a) 4, (bm) and (c) for each additional pesticide product of the licensee

which is sold or distributed in this state if the product is any of the following:

SECTION 2228b. 94.68 (3) (a) 1 to 6 of the statutes are created to read:

- 94.68 (3) (a) 1. A sanitizer.
2. A disinfectant.
3. A germicide.
4. An insect repellent that is applied to the human body or to clothing.
5. A pesticide that is used exclusively for the treatment of household pets.
6. A pesticide product that is labeled exclusively for household, lawn or garden use if the product is sold in ready-to-use form or the product, if sold in concentrated form, is sold exclusively in container sizes of less than a gallon.

SECTION 2228c. 94.68 (4) (a) (intro.) of the statutes is amended to read:

94.68 (4) (a) (intro.) The department shall deposit the following amounts in the ~~appropriation under s. 20.115 (7) (i) agricultural management fund under s. 25.465:~~

SECTION 2228g. 94.68 (4) (a) 1 of the statutes is amended to read:

94.68 (4) (a) 1. An amount equal to ~~one-third of the \$1,060 of each supplementary license fees fee~~ received under sub. (3) (a).

SECTION 2228L. 94.68 (4) (a) 4 of the statutes is created to read:

94.68 (4) (a) 4. An amount equal to \$100 of each supplementary license fee received for each pesticide product described under sub. (3) (a) 1 to 6.

SECTION 2228n. 94.68 (4) (b) (intro.) of the statutes is renumbered 94.68 (4) (b) and amended to read:

94.68 (4) (b) The department shall deposit ~~the following amounts an amount equal to \$50 of each supplementary license fee received under sub. (3) (a) in the environmental fund under s. 25.46 for groundwater management.~~

SECTION 2228p. 94.68 (4) (b) 1 of the statutes is renumbered 94.68 (4) (a) 3.

SECTION 2228r. 94.68 (4) (b) 2 of the statutes is repealed.

SECTION 2228rm. 94.68 (4) (bm) of the statutes is created to read:

94.68 (4) (bm) The department shall deposit an amount equal to \$100 of each supplementary license fee received for each pesticide product described under sub. (3) (a) 1 to 6 in the environmental fund under s. 25.46 for groundwater management.

SECTION 2228s. 94.68 (4) (c) of the statutes is amended to read:

94.68 (4) (c) The department shall deposit an amount equal to ~~one-third of the \$50 of each supplementary license fees fee~~ received under sub. (3) (a) in the environmental fund under s. 25.46 for environmental repair.

~~SECTION 2228u. 94.72 (1) (d) of the statutes is amended to read:~~

~~94.72 (1) (d) "Department" means the department of agriculture, food and trade and consumer protection.~~

SECTION 2229. 94.72 (5) (b) of the statutes is amended to read:

94.72 (5) (b) Applications for a license shall be made on forms prescribed by the department listing each business location used in the manufacture or distribution of commercial feed in this state and such other information the department requires. Applications shall be accompanied by a license fee of ~~\$10~~ \$25 for each separate place of business used in the manufacture of commercial feed, other than custom-mixed feed, in this state and an inspection fee as required under sub. (6). Applications of manufacturers or distributors having no established place of business in this state, but otherwise subject to a license under this section, shall be accompanied by a license fee of ~~\$10~~ \$25 in addition to the required inspection fees. All licenses shall expire on the last day of February of each year. Licenses are not transferable and no credit or refund may be granted for licenses held for less than a full license year. No new business locations may be put into operation during the license year without the payment of an additional fee of ~~\$10~~ \$25 for each new location.

SECTION 2230. 94.72 (6) (a) of the statutes is amended to read:

94.72 (6) (a) *Amount; reports.* Annual inspection fees of ~~40~~ 18 cents per ton shall be paid to the department on all commercial feeds distributed in this state by any person required to be licensed under sub. (5), except as otherwise provided in this subsection. Inspection fees shall be computed on the basis of confidential annual tonnage reports setting forth the number of net tons of commercial feed sold or distributed in this state during the preceding calendar year and for which the payment of inspection fees is required. This report shall be filed with the department not later than the last day of February of each year and be accompanied by the payment of inspection fees in the required amount, with a minimum fee of ~~\$10~~ \$18. Records upon which the tonnage report is based shall be subject to department inspection and audit.

SECTION 2232. 95.27 (2m) of the statutes is repealed.

SECTION 2233. 95.27 (4) of the statutes is amended to read:

95.27 (4) Subject to sub. (5), the department shall indemnify from state or federal funds the owner of breeding swine over 6 months of age that have been condemned and destroyed under this section. ~~For breeding swine over 6 months of age, the~~ The department shall pay to the owner \$25 for each animal. ~~For other swine condemned and destroyed before July 1,~~

Vetoed
in Part

~~1991, under this section, the department shall pay an amount determined under s. 95.31. State payments shall be made from the appropriation under s. 20.115 (2) (b) for breeding swine over 6 months of age. State payments shall be made from the appropriation under s. 20.115 (2) (cm) for other swine condemned and destroyed before July 1, 1991, under this section.~~

SECTION 2233g. 95.72 (2) (c) 2 of the statutes is amended to read:

95.72 (2) (c) 2. An applicant for a license as a renderer, grease processor or an animal food processor shall submit a fee of ~~\$400~~ \$200 for each separate plant where processing operations are to be conducted, and an applicant for an initial license shall submit the inspection fee required under par. (e).

SECTION 2233m. 95.72 (2) (c) 3 of the statutes is amended to read:

95.72 (2) (c) 3. An applicant for a license as a collector shall submit a fee of ~~\$50~~ \$100 for each separate business location from which operations are to be conducted.

Vetoed
in Part

~~SECTION 2233r. 97.01 (4) of the statutes is amended to read:~~

~~97.01 (4) "Department" means the department of agriculture, food and trade and consumer protection.~~

SECTION 2234. 97.17 (4) of the statutes is amended to read:

97.17 (4) Each application for a license shall be accompanied by a fee of ~~\$30 payable to the department and no license may be issued until the fee is paid. In case license is refused, the fee shall be returned by the department to the applicant with notification of refusal that is \$50 unless otherwise established by department rule.~~

SECTION 2235. 97.175 (2) of the statutes is amended to read:

97.175 (2) No person may act as a butter grader or a cheese grader without a license granted by the department. A person desiring a license shall apply on a form furnished by the department and shall pay to the department a fee of ~~\$30 that is \$50 unless otherwise established by department rule. Prior to~~ Before issuing a license, the department shall require the applicant to demonstrate his or her competence to act as a butter grader or a cheese grader in a manner determined by the department. A license expires on September 30 of the 2nd year commencing after the date of issuance.

SECTION 2236. 97.176 (6) of the statutes is amended to read:

97.176 (6) Butter ~~which that~~ carries the state grade labels shall be graded by butter graders licensed under s. 97.175 ~~and under the supervision of the department.~~

SECTION 2237. 97.20 (1) (gm) of the statutes is created to read:

97.20 (1) (gm) "Milk producer" has the meaning given in s. 97.22 (1) (f).

SECTION 2238. 97.20 (2) (b) of the statutes is amended to read:

97.20 (2) (b) *License application.* An application for a dairy plant license shall be made on a form provided by the department and shall be accompanied by ~~any each~~ applicable fee required under ~~par. (e) or (em)~~ subs. (2c) to (2w). The application shall include all information reasonably required by the department for purposes of licensing. The application shall state whether the dairy plant is a processing plant, receiving station or transfer station, and shall describe the nature of any processing operations conducted at the dairy plant.

SECTION 2239. 97.20 (2) (c) (title) of the statutes is repealed.

SECTION 2240. 97.20 (2) (c) 1 of the statutes is repealed.

SECTION 2241. 97.20 (2) (c) 2 of the statutes is renumbered 97.20 (2n) (a) and amended to read:

97.20 (2n) (a) (title) *Reinspection fees.* If the department reinspects a dairy plant because the department has found a violation of this chapter or rules promulgated under this chapter, the department shall charge the dairy plant operator the reinspection fee specified under par. ~~(em)~~ (b). A reinspection fee is payable when the reinspection is completed, and is due upon written demand from the department. The department may issue a demand for payment when it issues a license renewal application form to the dairy plant operator.

SECTION 2242. 97.20 (2) (c) 3 of the statutes is renumbered 97.20 (2r) and amended to read:

97.20 (2r) (title) *MILK PRODUCER FEES.* A dairy plant operator shall pay milk producer license, ~~permit~~ and reinspection fees on behalf of milk producers, as ~~provided under~~ subject to s. 97.22 (2) (c) and (4) (b). A milk producer reinspection fee is payable by the a dairy plant operator when a dairy farm reinspection is completed, and is due upon written demand from the department. The department may issue a demand for payment when it issues a license renewal application to the dairy plant operator.

SECTION 2243. 97.20 (2) (c) 4 of the statutes is renumbered 97.20 (2c) (c) and amended to read:

97.20 (2c) (c) *Surcharge for operating without license.* An applicant for a dairy plant license shall pay a license fee surcharge if the department determines that within one year ~~prior to~~ before submitting the license application, the applicant operated the dairy plant without a license in violation of ~~this subsection~~ sub. (2). The amount of the surcharge is \$100, or \$500 if the dairy plant ~~buys~~ operator ~~procures~~ milk or fluid milk products from milk producers or their agents. Payment of this license fee surcharge does not relieve the applicant of any other civil or criminal liability ~~which that~~ results from the unlicensed operation of the dairy plant, but does not constitute evidence of any violation of law.

SECTION 2244. 97.20 (2) (cm) of the statutes is repealed.

SECTION 2245. 97.20 (2) (d) 1 of the statutes is amended to read:

97.20 (2) (d) 1. The license applicant pays all fees ~~which that~~ are due and payable by the applicant under ~~par. (e) subs. (2c) to (2w)~~, as set forth in a statement from the department. The department shall refund a fee paid under protest if the department determines that the fee was not due and payable as a condition of licensing under this subsection.

SECTION 2246. 97.20 (2) (d) 2 of the statutes is amended to read:

97.20 (2) (d) 2. The license applicant ~~is in compliance with~~ has filed all financial information and any security required under s. 100.06. If an applicant is ~~not in compliance with~~ has not filed all financial information and any security required under s. 100.06, the department may issue a conditional dairy plant license under s. 93.06 (8) which prohibits the licensed operator from purchasing milk or fluid milk products from milk producers or their agents, but allows the operator to purchase milk or fluid milk products from other sources.

SECTION 2247. 97.20 (2c) of the statutes is created to read:

97.20 (2c) DAIRY PLANT LICENSE FEE. (a) *Annual license fee.* An applicant for a dairy plant license shall pay an annual license fee specified under par. (b) as follows:

1. An applicant for a license to operate a dairy plant that operated during the previous calendar year shall pay the basic annual license fee plus the supplementary dairy plant license fee based on the amount of milk that was delivered to the dairy plant from milk producers in the previous calendar year, whether or not that particular applicant operated the dairy plant during the previous calendar year.

2. An applicant for a license to operate a dairy plant that has not been operated in the previous calendar year shall pay the basic annual license fee plus the supplementary dairy plant license fee that is established by department rule.

(b) *License fee amounts.* Unless otherwise established by department rule, the annual license fees required under par. (a) are a basic annual license fee of \$80 for each dairy plant plus:

1. For a grade A processing plant, a supplementary annual license fee of \$650 if the plant received more than 2,000,000 pounds of milk from milk producers or of \$500 if the plant received 2,000,000 pounds or less of milk from milk producers.

2. For a processing plant that is not a grade A processing plant and that annually manufactures or processes more than 1,000,000 pounds of dairy products or more than 200,000 gallons of frozen dairy products, a supplementary annual license fee of \$270.

3. For a grade A receiving station, a supplementary annual license fee of \$250.

SECTION 2248. 97.20 (2g) of the statutes is created to read:

97.20 (2g) MILK PROCUREMENT FEE. (a) *Annual procurement fee.* An applicant for a dairy plant license shall pay a milk procurement fee specified under par. (b) as follows:

1. An applicant for a license to operate a dairy plant that operated during the previous calendar year shall pay a milk procurement fee based on the amount of milk that was delivered to the dairy plant from milk producers in the previous calendar year, whether or not that particular applicant operated the dairy plant during the previous calendar year.

2. An applicant for a license to operate a dairy plant that has not been operated in the previous calendar year shall pay a milk procurement fee that is established by department rule.

(b) *Milk procurement fee amounts.* Unless otherwise established by department rule, milk procurement fees required under par. (a) are:

1. For each 100 pounds of grade A milk received from milk producers, 0.4~~5~~ cent. **Vetoed in Part**

2. For each 100 pounds of all milk received from milk producers that is not grade A milk, 0.2 cent.

(c) *Out-of-state milk shipments.* A milk producer who ships milk to an out-of-state dairy plant shall pay a milk procurement fee, specified under par. (b), on that milk, unless the out-of-state dairy plant voluntarily pays that fee for the milk producer.

SECTION 2249. 97.20 (2n) (title) of the statutes is created to read:

97.20 (2n) (title) DAIRY PLANT REINSPECTION FEE.

SECTION 2250. 97.20 (2n) (b) of the statutes is created to read:

97.20 (2n) (b) *Reinspection fee amounts.* Unless otherwise established by department rule, the fees for reinspection required under par. (a) are a basic fee of \$40 for each dairy plant reinspection, plus:

1. For a grade A processing plant, a supplementary reinspection fee of \$160 if the plant received more than 2,000,000 pounds of milk from milk producers or of \$125 if the plant received 2,000,000 pounds or less of milk from milk producers.

2. For a processing plant that is not a grade A processing plant, a supplementary reinspection fee of \$140.

3. For a grade A receiving station, a supplementary reinspection fee of \$60.

SECTION 2251. 97.20 (2w) of the statutes is created to read:

97.20 (2w) DAIRY PRODUCT GRADING FEE. An applicant for a license for a dairy plant that has been operated in the previous calendar year, that is not a grade A dairy plant and that produces butter or cheese shall pay a grading fee that, unless otherwise established by

department rule, is 1.09 cents for each 100 pounds of butter or cheese that is gradable and produced by the dairy plant during the previous calendar year. An applicant for a license for a dairy plant that has not been operated in the previous calendar year, that is not a grade A dairy plant and that produces butter or cheese shall pay a grading fee that is established by the department by rule.

SECTION 2252. 97.20 (3) (a) of the statutes is amended to read:

97.20 (3) (a) *Permit requirement.* No person operating a dairy plant at which milk or fluid milk products are received, transferred, manufactured or processed may sell or distribute that milk or those fluid milk products as grade A milk or grade A milk products unless the person holds a valid grade A dairy plant permit issued by the department for that dairy plant. A grade A dairy plant permit expires on April 30 annually and is not transferable between persons or locations. A grade A dairy plant permit may be issued in the form of an endorsement on a dairy plant license under sub. (2). An application for a grade A dairy plant permit shall be made on a form provided by the department and shall be accompanied by ~~the fee required under par. (e) each grade A dairy plant supplementary license fee required under sub. (2c).~~

SECTION 2253. 97.20 (3) (c) of the statutes is repealed.

SECTION 2254. 97.20 (3) (e) of the statutes is amended to read:

97.20 (3) (e) *Permit contingent on payment of fees.* The department may not issue or renew a grade A dairy plant permit until the permit applicant pays all applicable fees under this subsection or subs. (2c) to (2w). The department shall refund a fee paid under protest if the department determines that the fee was not required as a condition of the issuance of a grade A dairy plant permit under this subsection.

SECTION 2254m. 97.20 (3g) of the statutes is created to read:

Vetoed in Part 97.20 (3g) CRISIS HOTLINE INFORMATION. ~~A dairy plant that makes payments to milk producers for milk purchased by the dairy plant shall include, with at least one payment to each milk producer every 6 months, written information about the crisis hotline for farmers that is operated by the department under s. 93.51. The department shall develop, and furnish to a dairy plant on request, a standard form containing information about the crisis hotline. A dairy plant may use either the standard form developed by the department or an alternative crisis hotline information form that has been submitted to and approved by the department, to satisfy the requirements of this subsection.~~

Vetoed in Part

SECTION 2255. 97.20 (4) of the statutes is amended to read:

97.20 (4) *RULE MAKING.* The department may promulgate rules to establish amounts of fees required under subs. (2c) to (2w) or to govern the operation of

dairy plants. The rules may include standards for the safety, wholesomeness and quality of dairy products; the construction, maintenance and sanitary operation of dairy plants; the design, installation, cleaning and maintenance of equipment and utensils; personnel sanitation; storage and handling of milk and fluid milk products; pasteurization and processing procedures; sampling and testing; and reports and record keeping. The rules may also set forth the duties of dairy plants to inspect dairy farms, collect and test producer milk samples and make reports to the department.

SECTION 2256. 97.21 (1) (a) of the statutes is amended to read:

97.21 (1) (a) "Bulk milk tanker" means a mobile bulk container used to transport ~~bulk milk, fluid milk products, whey or whey cream in bulk~~ from a dairy farm, or to or from a dairy plant in this state. "Bulk milk tanker" includes a mobile bulk container which is permanently mounted on a motor vehicle or which is designed to be towed by a motor vehicle. "Bulk milk tanker" does not include a mobile bulk container which is used by a milk producer solely to transport that producer's own milk.

SECTION 2257. 97.21 (2) (b) of the statutes is amended to read:

97.21 (2) (b) *Grade A bulk milk tanker; permit.* No person may operate a bulk milk tanker to transport ~~bulk milk or fluid milk products in bulk~~ for sale or distribution without a valid grade A bulk milk permit issued annually by the department for that bulk milk tanker. A grade A bulk milk tanker permit is not transferable between persons or bulk milk tankers. A permit may be issued in the form of an endorsement on a bulk milk tanker license under par. (a). An application for a permit shall be made on a form provided by the department, and may be included with a license application under par. (a). The department may not charge a fee for a grade A bulk milk tanker permit issued under this paragraph.

SECTION 2258. 97.21 (4m) (intro.) of the statutes is amended to read:

97.21 (4m) FEE AMOUNTS. (intro.) ~~The annual Unless otherwise established by department rule, the fees required under sub. (4), beginning with the license year which ends on April 30, 1989, (a) and (b) are:~~

SECTION 2259. 97.21 (4m) (a) of the statutes is amended to read:

97.21 (4m) (a) For a bulk milk tanker license under sub. (2), an annual license fee of ~~\$25~~ \$30 and a reinspection fee of ~~\$25~~ \$30.

SECTION 2260. 97.21 (4m) (b) of the statutes is amended to read:

97.21 (4m) (b) For a milk distributor license under sub. (3), an annual license fee of ~~\$70~~ \$50 and a reinspection fee of ~~\$35~~ \$20 for each storage facility operated by the milk distributor.

SECTION 2261. 97.21 (6) of the statutes is amended to read:

97.21 (6) RULE MAKING. The department may promulgate rules to establish amounts of fees required under sub. (4) or to regulate bulk milk tanker operators and milk distributors. The rules may include standards for the construction, maintenance and sanitary operation of bulk milk tankers, milk distribution vehicles and milk distribution facilities; the design, installation, cleaning and maintenance of equipment and utensils; personnel sanitation; storage and handling of milk and fluid milk products; identification of bulk milk tankers and milk distribution vehicles; and record keeping.

SECTION 2262. 97.22 (2) (b) of the statutes is amended to read:

97.22 (2) (b) *License fee.* ~~The~~ Unless otherwise established by department rule, the fee for a milk producer license under par. (a), beginning with the license year which ends on April 30, 1989, is \$22, except that the fee is \$7 if a producer of grade A milk is properly inspected at least once annually by a special dairy farm inspector certified under sub. (7) and except that the is \$20. The department also may establish by rule a reduced license fee for a producer other than a producer of grade A milk if that producer who is properly inspected at least once annually by a special dairy farm inspector certified under sub. (7).

SECTION 2262g. 97.22 (2) (c) of the statutes is amended to read:

97.22 (2) (c) *Dairy plant to pay license fee for milk producer.* The operator of a dairy plant licensed under s. 97.20 shall pay the milk producer license fee under this subsection for every dairy farm from which the dairy plant receives milk at the time the fee payment is due. An applicant for a dairy plant license shall submit that fee with the applicant's dairy plant license application under s. 97.20. A dairy plant operator who pays a milk producer license fee may charge that fee back to the milk producer if the dairy plant operator notifies the milk producer in writing of the dairy plant operator's intent to charge the fee to the milk producer. A dairy plant operator may not discriminate between milk producers with respect to fee charges under this paragraph, but may charge back license fees to all milk producers who cease shipping milk to the dairy plant during the license year. A dairy plant operator who pays a milk producer license fee may not deduct the amount of the fee from any payment to the milk producer for milk that the dairy plant operator purchases from the milk producer.

SECTION 2263. 97.22 (3) (b) of the statutes is repealed.

SECTION 2264. 97.22 (3) (c) of the statutes is repealed.

SECTION 2264g. 97.22 (4) (title) of the statutes is amended to read:

97.22 (4) (title) REINSPECTION AND REINSTATEMENT FEES.

SECTION 2264m. 97.22 (4) (a) of the statutes is renumbered 97.22 (4) (a) 1 and amended to read:

97.22 (4) (a) 1. ~~If the department reinspects a dairy farm because the department or a special dairy inspector finds has found a violation of this chapter or rules promulgated under this chapter, and if the department has not lowered the grade of the milk that may be sold or distributed from the dairy farm because of the violation,~~ the department shall charge the reinspection fee specified under par. (am) to reinspect the dairy farm.

3. A reinspection or reinstatement fee is payable when the reinspection is completed, and is due upon written demand from the department.

SECTION 2264r. 97.22 (4) (a) 2 of the statutes is created to read:

97.22 (4) (a) 2. If the department or a special dairy inspector has found a violation of this chapter or rules promulgated under this chapter, and if the department has lowered the grade of the milk that may be sold or distributed from the dairy farm because of the violation, the department shall charge the reinstatement fee specified under par. (am) to reinspect the dairy farm.

SECTION 2265. 97.22 (4) (am) (intro.) of the statutes is renumbered 97.22 (4) (am) and amended to read:

97.22 (4) (am) *Fee amounts.* ~~The annual fees for reinspections of dairy farms reinspection fee under par. (a) are as follows: 1, unless otherwise established by department rule, is \$20. The reinstatement fee under par. (a) 2, unless otherwise established by department rule, is \$40.~~

SECTION 2266. 97.22 (4) (am) 1 of the statutes is repealed.

SECTION 2267. 97.22 (4) (am) 2 of the statutes is repealed.

SECTION 2267m. 97.22 (4) (b) of the statutes is amended to read:

97.22 (4) (b) (title) *Dairy plant to pay reinspection or reinstatement fee for milk producer.* The operator of a dairy plant licensed under s. 97.20 shall pay the dairy farm reinspection or reinstatement fee under this subsection for every milk producer who was shipping milk from the reinspected dairy farm to that dairy plant at the time the dairy farm was reinspected. The department may issue an annual statement of reinspection or reinstatement fees payable by the dairy plant, and may demand payment from the dairy plant on an annual basis, when it issues an application form for the renewal of the dairy plant's license under s. 97.20. A dairy plant operator who pays a dairy farm reinspection or reinstatement fee shall charge that fee back to the milk producer.

SECTION 2268. 97.22 (6) of the statutes is amended to read:

97.22 (6) DAIRY FARM INSPECTION; FREQUENCY. The department shall inspect every dairy farm other than a

grade A dairy farm at least once ~~annually~~ every 2 years, and shall inspect every grade A dairy farm ~~more frequently if at the frequency~~ required by the department by rule under s. 97.24.

SECTION 2269. 97.22 (8) (intro.) of the statutes is amended to read:

97.22 (8) RULE MAKING. (intro.) The department may promulgate rules to establish the fees required under sub. (2) (b) or (4) (a) or to govern the operation of dairy farms by milk producers. The rules may include standards for any of the following:

~~SECTION 2269m. 97.24 (3) of the statutes is amended to read:~~

Vetoed
in Part

~~97.24 (3) RULES. The department, in consultation with the department of health and social services, shall issue rules governing the production, transportation, processing, pasteurization, handling, identity, sampling, examination, labeling and sale of milk and fluid milk products; the inspection of dairy herds, dairy farms and dairy plants; the issuing and revocation of permits to milk producers and milk haulers, and of licenses to dairy plants and milk distributors. Insofar as permitted by the laws of this state, such rules shall be in reasonable accord with the minimum standards and requirements for milk and fluid milk products currently recommended and published by the U.S. public health service as a milk ordinance and code, except that the requirements for bottling and sterilization of bottles in such standards shall not apply to milk sold by a producer, selling only milk produced by the producer on the producer's dairy farm under the producer's own supervision, and selling such milk only in the producer's own milk house, which milk meets the requirements of grade A standards as set forth by the department of agriculture, food and trade and consumer protection, to a purchaser who has provided his or her own container, which has been sanitized in a manner comparable to the sanitizing of the utensils used in the production of milk by the producer, if the purchaser is purchasing milk for his or her own consumption.~~

SECTION 2270. 97.27 (1) (b) 1 of the statutes is repealed.

SECTION 2271. 97.27 (1) (dm) of the statutes is created to read:

97.27 (1) (dm) "Potentially hazardous food" means any food that can support rapid and progressive growth of infectious or toxicogenic microorganisms.

SECTION 2272. 97.27 (3m) (intro.) of the statutes is amended to read:

97.27 (3m) FEE AMOUNTS. (intro.) ~~The annual Unless otherwise established by department rule, the fees required under sub. (3), beginning with the license year which ends on June 30, 1989, are:~~

SECTION 2273. 97.27 (3m) (a) of the statutes is amended to read:

97.27 (3m) (a) For a food warehouse having fewer than 10,000 square feet of floor area that stores poten-

tially hazardous food, an annual ~~food warehouse~~ license fee of ~~\$20~~ \$80 and a reinspection fee of ~~\$20~~ \$80.

SECTION 2274. 97.27 (3m) (b) of the statutes is amended to read:

97.27 (3m) (b) For a food warehouse ~~having at least 10,000 square feet but less than 50,000 square feet of floor area that does not store potentially hazardous food~~, an annual ~~food warehouse~~ license fee of ~~\$40~~ \$30 and a reinspection fee of ~~\$40~~ \$60.

SECTION 2275. 97.27 (3m) (c) of the statutes is repealed.

SECTION 2276. 97.27 (3m) (d) of the statutes is repealed.

SECTION 2277. 97.27 (3m) (e) of the statutes is repealed.

SECTION 2278. 97.27 (5) of the statutes is amended to read:

97.27 (5) RULE MAKING. The department may promulgate rules to establish the fees required under sub. (3) or to govern the sanitary operation of food warehouses. Rules may include standards for the construction and maintenance of food storage facilities; standards for the storage, identification and handling of food; record-keeping requirements to show the length of time that food is kept in storage; and freezing and temperature requirements applicable to frozen food warehouses, frozen food locker plants and cold storage warehouses.

SECTION 2279. 97.29 (1) (hm) of the statutes is created to read:

97.29 (1) (hm) "Potentially hazardous food" has the meaning given in s. 97.27 (1) (dm).

SECTION 2280. 97.29 (3) (am) (intro.) of the statutes is amended to read:

97.29 (3) (am) *Fee amounts.* (intro.) The Unless otherwise required by department rule, the annual fees required under par. (a), beginning with the license year which ends on March 31, 1989, are:

SECTION 2281. 97.29 (3) (am) 1 of the statutes is amended to read:

97.29 (3) (am) 1. For a food processing plant with that has an annual production of less than \$250,000, a food processing plant and that is engaged in processing potentially hazardous food or in canning, an annual license fee of \$40 \$120.

SECTION 2282. 97.29 (3) (am) 2 of the statutes is amended to read:

97.29 (3) (am) 2. For a food processing plant with that has an annual production of \$250,000 or more, a food processing plant and that is engaged in processing potentially hazardous food or in canning, an annual license fee of \$80 \$270.

SECTION 2283. 97.29 (3) (am) 3 of the statutes is created to read:

97.29 (3) (am) 3. For a food processing plant that has an annual production of less than \$250,000 and that is not engaged in processing potentially hazardous food or in canning, an annual license fee of \$50.

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SECTION 2284. 97.29 (3) (am) 4 of the statutes is created to read:

97.29 (3) (am) 4. For a food processing plant that has an annual production of \$250,000 or more and that is not engaged in processing potentially hazardous food or in canning, an annual license fee of \$110.

SECTION 2285. 97.29 (3) (cm) (intro.) of the statutes is amended to read:

97.29 (3) (cm) *Fee amounts.* (intro.) ~~The Unless otherwise required by department rule, the reinspection fee required under par. (c), beginning with the license year which ends on June 30, 1989, is:~~

SECTION 2286. 97.29 (3) (cm) 1 of the statutes is amended to read:

97.29 (3) (cm) 1. For a food processing plant with that has an annual production of less than \$250,000 and that is engaged in processing potentially hazardous food or in canning, the reinspection fee is \$40 \$80.

SECTION 2287. 97.29 (3) (cm) 2 of the statutes is amended to read:

97.29 (3) (cm) 2. For a food processing plant with that has an annual production of \$250,000 or more and that is engaged in processing potentially hazardous food or in canning, the reinspection fee is \$80 \$180.

SECTION 2288. 97.29 (3) (cm) 3 of the statutes is created to read:

97.29 (3) (cm) 3. For a food processing plant that has an annual production of less than \$250,000 and that is not engaged in processing potentially hazardous food or in canning, the reinspection fee is \$50.

SECTION 2289. 97.29 (3) (cm) 4 of the statutes is created to read:

97.29 (3) (cm) 4. For a food processing plant that has an annual production of \$250,000 or more and that is not engaged in processing potentially hazardous food or in canning, the reinspection fee is \$110.

SECTION 2290. 97.29 (4) of the statutes is amended to read:

97.29 (4) FOOD PROCESSING PLANTS BUYING FARM PRODUCTS FROM PRODUCERS. The department may not issue or renew a license to operate a food processing plant to any applicant who is a contractor, as defined in s. 100.03 (1) (f), unless the applicant complies with has filed all financial information and any security that is required under s. 100.03. If an applicant has not filed all financial information and any security that is required under s. 100.03, the department may issue a conditional license under s. 93.06 (8) that prohibits the licensed operator from procuring farm products from a producer or a producer's agent, but allows the operator to procure farm products from other sources.

SECTION 2291. 97.29 (5) of the statutes is amended to read:

97.29 (5) RULE MAKING. The department may promulgate rules to establish the fees required under sub.

(3) (a) or (c) or to govern the operation of food processing plants. Rules may include standards for the construction and maintenance of facilities; the design, installation, cleaning and maintenance of equipment and utensils; personnel sanitation; food handling and storage; sanitary production and processing; and food sources and food labeling.

SECTION 2292. 97.30 (1) (c) of the statutes is amended to read:

97.30 (1) (c) "Retail food establishment" means a permanent or mobile food processing facility where food processing is conducted primarily for direct retail sale to consumers at the facility, or any permanent a mobile facility from which potentially hazardous food is regularly sold to consumers at retail. "Retail food establishment" includes a grocery store operated at or a permanent facility from which food is sold to consumers at retail, whether or not the grocery store that facility sells potentially hazardous food or is engaged in food processing. "Retail food establishment" does not include a restaurant or other establishment holding a permit under s. 50.51, to the extent that the activities of the establishment are covered by that permit.

SECTION 2293. 97.30 (3m) (intro.) of the statutes is amended to read:

97.30 (3m) *FEE AMOUNTS.* (intro.) ~~The annual Unless otherwise required by department rule, the fees required under sub. (3), beginning with the license year which ends on June 30, 1989, are:~~

SECTION 2294. 97.30 (3m) (a) of the statutes is amended to read:

97.30 (3m) (a) For a retail food establishment with that has annual food sales of less than \$100,000 \$1,000,000 and that processes potentially hazardous food, an annual retail food establishment license fee of \$40 \$90 and a reinspection fee of \$40 \$60.

SECTION 2295. 97.30 (3m) (b) of the statutes is amended to read:

97.30 (3m) (b) For a retail food establishment with that has annual food sales of at least \$100,000 but less than \$250,000 \$1,000,000 or more and that processes potentially hazardous food, an annual retail food establishment license fee of \$60 \$210 and a reinspection fee of \$60 \$140.

SECTION 2296. 97.30 (3m) (c) of the statutes is amended to read:

97.30 (3m) (c) For a retail food establishment with annual food sales of \$250,000 or more that is engaged in food processing, but that does not process potentially hazardous food, an annual retail food establishment license fee of \$80 and a reinspection fee of \$80.

SECTION 2297. 97.30 (3m) (d) of the statutes is created to read:

97.30 (3m) (d) For a retail food establishment that is not engaged in food processing, an annual license fee of \$20 and a reinspection fee of \$50.

SECTION 2298. 97.30 (5) of the statutes is amended to read:

97.30 (5) RULE MAKING. The department may promulgate rules to establish the fees required under sub. (3) or to govern the operation of retail food establishments. Rules may include standards for the construction and maintenance of facilities; the design, installation, cleaning and maintenance of equipment and utensils; personnel sanitation; food handling, display and storage; and food sources and food labeling.

SECTION 2298m. 97.42 (2) (a) of the statutes is amended to read:

97.42 (2) (a) No person may operate an establishment as defined in sub. (1) (d) without a valid license issued by the department for each such establishment. That license expires on June 30 annually. No license may be issued unless the applicant has complied with the requirements of this section. The annual license fee is \$100 \$200, except the annual license fee shall be \$40 \$80 for those establishments engaged only in slaughtering uninspected animals or poultry or processing uninspected meat as a custom service, and not in other operations subject to a license under this section. No person may be required to obtain a license under s. 97.29 or 97.30 for activities licensed under this section or which is inspected under 21 USC 451 to 695.

SECTION 2299. 98.146 (2) of the statutes is amended to read:

98.146 (2) Each application for a license under this section or license renewal shall be made on forms provided by the department and shall be accompanied by a fee of \$30 the license fee required under sub. (4). The license shall expire biennially on September 30 of the 2nd year commencing after the date of issuance or renewal. The applicant shall not have an arrest or conviction record, subject to ss. 111.321, 111.322 and 111.335, and shall give proof of ability to engage in such weighing and sampling to the satisfaction of the department by satisfactorily passing a written examination pertaining to such activities. Any person holding a tester's license under s. 98.145, or who is engaged in weighing and sampling milk in bulk tanks, either as an employee of a purchaser or receiver of milk in bulk tanks, or as the owner of a bulk tank truck and route, on August 21, 1957, shall be licensed under this section without examination if the person satisfies the department that he or she is qualified for the license. If the department conducts a reinspection of any measurement by a person licensed under this subsection due to any violation of any federal or state law which the department determines in a regularly scheduled inspection of that measurement, the department shall charge the holder of that license \$30 the reinspection fee required under sub. (4) for that reinspection.

SECTION 2300. 98.146 (4) of the statutes is created to read:

98.146 (4) The department may establish by rule the amount of license or reinspection fees required under sub. (2). Unless otherwise established by

department rule, a license fee under sub. (2) is \$40 and a reinspection fee under sub. (2) is \$40.

SECTION 2301. 99.02 (3) (a) (intro.) of the statutes is amended to read:

99.02 (3) (a) (intro.) ~~Every~~ An applicant for a public warehouse keeper's license shall pay ~~an~~ the following annual license fee to the department, as follows, unless the fee is otherwise established by department rule:

~~SECTION 2301. 100.02 of the statutes is amended to read:~~

~~100.02 Commission merchants, duties, must account.~~
~~No person receiving any fruits, vegetables, melons, dairy, or poultry products or any perishable farm products of any kind or character, other than cattle, sheep, hogs or horses, referred to in this section as produce, for or on behalf of another, may without good and sufficient cause therefor, destroy or abandon, discard as refuse or dump any produce directly or indirectly, or through collusion with any person, nor may any person knowingly and with intent to defraud make any false report or statement to the person from whom any produce was received, concerning the handling, condition, quality, quantity, sale or disposition thereof, nor may any person knowingly and with intent to defraud fail truly and correctly to account and pay over to the consignor therefor. The department of agriculture, food and trade and consumer protection shall by rule provide for the making of prompt investigations and the issuing of certificates as to the quality and condition of produce received, upon application of any person shipping, receiving or financially interested in, such produce. Such rules shall designate the classes of persons qualified and authorized to make such investigations and issue such certificates, except that any such investigation shall be made and any such certificate shall be issued by at least 2 disinterested persons in any case where such investigation is not made by an officer or employee of the department. A certificate made in compliance with such rules shall be prima facie evidence in all courts of the truth of the statements contained in the certificate as to the quality and condition of the produce; but if any such certificate is put in evidence by any party, in any civil or criminal proceeding, the opposite party shall be permitted to cross-examine any person signing such certificate, called as a witness at the instance of either party, as to his or her qualifications and authority and as to the truth of the statements contained in such certificate.~~

SECTION 2302. 100.03 (3) (a) 3 of the statutes is created to read:

100.03 (3) (a) 3. Unless otherwise established by department rule, a fee of 3 cents for each \$100 in the total contractual obligation reported under sub. (4) (a).

SECTION 2304. 100.06 (9) of the statutes is created to read:

Vetoed
in Part

100.06 (9) Milk producer security fee requirement. A dairy plant operator shall pay a fee that, unless otherwise established by the department by rule, is 0.1 cent for each 100 pounds of milk that are received by the dairy plant operator. The dairy plant operator shall pay the fee to the department to fund the milk producer security program established under this section. The dairy plant operator shall pay to the department the fee on each month's milk deliveries on or before the 18th day of the following month. No dairy plant operator may charge to or collect from a milk producer from whom the dairy plant operator receives milk the fee that the dairy plant operator pays under this paragraph. This subsection applies to an operator of a dairy plant that is located outside this state if the operator purchases milk that is produced on a dairy farm located in this state.

Vetoed
in Part

~~SECTION 2304g. 100.15 of the statutes is renumbered 130.15, and 130.15 (3) (g), as renumbered, is amended to read:~~

~~130.15 (3) (g) An entry blank or game piece redeemed for merchandise in a chance promotion exempt under s. 400.16 130.16 (2).~~

~~SECTION 2304h. 100.16 of the statutes is renumbered 130.16.~~

~~SECTION 2304i. 100.17 of the statutes is renumbered 130.17.~~

~~SECTION 2304j. 100.18 (11) (a) of the statutes is renumbered 100.18 (11) (a) 1 and amended to read:~~

~~100.18 (11) (a) 1. The department of agriculture, trade and consumer protection shall may enforce this section only as it relates to agriculture or chs. 93 to 100 except this section and s. 100.20. Actions to enjoin violation of this section or any regulations rules thereunder may be commenced and prosecuted by the department in the name of the state in any court having equity jurisdiction. This remedy is not exclusive.~~

~~SECTION 2304j. 100.18 (11) (a) 2 of the statutes is created to read:~~

~~100.18 (11) (a) 2. The department of justice shall enforce this section as it relates to matters not within the enforcement authority of the department under subd. 1. Actions to enjoin violation of this section or any rules thereunder may be commenced and prosecuted by the department of justice in the name of the state in any court having equity jurisdiction. This remedy is not exclusive.~~

~~SECTION 2304j. 100.18 (11) (b) 1 of the statutes is amended to read:~~

~~100.18 (11) (b) 1. The department of agriculture, trade and consumer protection may request that the department of justice commence an action to enjoin a violation of this section, in which event the latter department of justice shall proceed with the requested action within a reasonable period of time or provide the department of agriculture, trade and consumer protection with a brief statement of its reasons for not proceeding. The department of justice shall further~~

~~provide the department of agriculture, trade and consumer protection with periodic summaries of all activity under this section.~~

~~SECTION 2304j. 100.18 (11) (b) 3 of the statutes is amended to read:~~

~~100.18 (11) (b) 3. No action may be commenced under this section more than 3 years after the occurrence of the unlawful act or practices which is the subject of the action. No injunction may be issued under this section which would conflict with general or special rules or orders of the department or the department of justice or any statute, rule or regulation of the United States or of this state.~~

~~SECTION 2304j. 100.18 (11) (c) 1 of the statutes is amended to read:~~

~~100.18 (11) (c) 1. Whenever the department of the department of justice has reason to believe that a person is in possession, custody or control of any information or documentary material relevant to the enforcement of this section it may require that person to submit a statement or report, under oath or otherwise, as to the facts and circumstances concerning any activity in the course of trade or commerce; examine under oath that person with respect to any activity in the course of trade or commerce; and execute in writing and cause to be served upon such person a civil investigative demand requiring the person to produce any relevant documentary material for inspection and copying.~~

~~SECTION 2304j. 100.18 (11) (c) 2 of the statutes is amended to read:~~

~~100.18 (11) (c) 2. The department or the department of justice, in exercising powers under this subsection, may issue subpoenas, administer oaths and conduct hearings to aid in any investigation.~~

~~SECTION 2304j. 100.18 (11) (c) 3 of the statutes is amended to read:~~

~~100.18 (11) (c) 3. Service of any notice by the department or the department of justice requiring a person to file a statement or report, or service of a subpoena upon a person, or service of a civil investigative demand shall be made in compliance with the rules of civil procedure of this state.~~

~~SECTION 2304j. 100.18 (11) (c) 4 of the statutes is amended to read:~~

~~100.18 (11) (c) 4. If a person fails to file any statement or report, or fails to comply with any civil investigative demand, or fails to obey any subpoena issued by the department or the department of justice, such person may be coerced as provided in s. 885.12, except that no person shall be required to furnish any testimony or evidence under this subsection which might tend to incriminate him.~~

~~SECTION 2304j. 100.18 (11) (d) of the statutes is amended to read:~~

~~100.18 (11) (d). The department or the department of justice or any district attorney, upon informing the department of justice, may, with respect to any matter~~

Vetoed
in Part

Vetoed in Part ~~within the department's or the department of justice's respective enforcement authority under par. (a), commence an action in circuit court in the name of the state to restrain by temporary or permanent injunction any violation of this section. The court may in its discretion, prior to entry of final judgment, make such orders or judgments as may be necessary to restore to any person any pecuniary loss suffered because of the acts or practices involved in the action, provided proof thereof is submitted to the satisfaction of the court. The department of justice may subpoena persons, and require the production of books and other documents, and may request the department to exercise its authority under par. (c) to aid in the investigation of alleged violations of this section.~~

~~SECTION 2304L. 100.182 (title) and (1) to (4) of the statutes are renumbered 130.08 (title) and (1) to (4).~~

~~SECTION 2304n. 100.182 (5) of the statutes is renumbered 130.08 (5) and amended to read:~~

~~130.08 (5) (a). Any district attorney, after informing the department of justice, or the department of justice or the department of agriculture, trade and consumer protection may seek a temporary or permanent injunction in circuit court to restrain any violation of this section. Prior to entering a final judgment the court may award damages to any person suffering monetary loss because of a violation. The department of justice may subpoena any person or require the production of any document to aid in investigating alleged violations of this section.~~

~~(b). In lieu of instituting or continuing an action under this subsection, the department of agriculture, trade and consumer protection or the department of justice may accept a written assurance from a violator of this section that the violation has ceased. If the terms of the assurance so provide, its acceptance by either the department prevents the other department and all district attorneys from prosecuting the violation. An assurance is not evidence of a violation of this section but violation of an assurance is subject to the penalties and remedies of violating this section.~~

~~SECTION 2304p. 100.20 (1r) of the statutes is created to read:~~

~~100.20 (1r) (a). The department may enforce this section only as it relates to agriculture or chs. 93 to 100 except this section and s. 100.18.~~

~~(b). The department of justice shall enforce this section as it relates to matters not within the enforcement authority of the department under par. (a).~~

~~SECTION 2304pg. 100.20 (2) of the statutes is amended to read:~~

~~100.20 (2). The department and the department of justice, after public hearing, may issue general orders, with respect to any matter within the department's or the department of justice's respective enforcement authority under sub. (1r), promulgate rules forbidding methods of competition in business or trade practices in business which are determined by the department~~

~~or the department of justice to be unfair. The department and the department of justice, after public hearing, may issue general orders, with respect to any matter within the department's or the department of justice's respective enforcement authority under sub. (1r), promulgate rules prescribing methods of competition in business or trade practices in business which are determined by the department or the department of justice to be fair.~~

~~SECTION 2304pi. 100.20 (3) of the statutes is amended to read:~~

~~100.20 (3). The department, after public hearing, may, with respect to any matter within the department's enforcement authority under sub. (1r) (a), issue a special order against any person, enjoining such person from employing any method of competition in business or trade practice in business which is determined by the department to be unfair. This department, after public hearing, may issue a special order against any person, requiring such person to employ the method of competition in business or trade practice in business which is determined by the department to be fair.~~

~~SECTION 2304pk. 100.20 (3m) of the statutes is created to read:~~

~~100.20 (3m). The department of justice, after public hearing, may, with respect to any matter within the department of justice's enforcement authority under sub. (1r) (b), issue an order against any person, enjoining such person from employing any method of competition in business or trade practice in business which is determined by the department of justice to be unfair. The department of justice, after public hearing, may issue an order against any person, requiring such person to employ the method of competition in business or trade practice in business which is determined by the department of justice to be fair.~~

~~SECTION 2304pm. 100.20 (4) of the statutes is repeated.~~

~~SECTION 2304pr. 100.20 (6) of the statutes is amended to read:~~

~~100.20 (6). The department or the department of justice may commence an action in circuit court in the name of the state to restrain by temporary or permanent injunction the violation of any order issued by the department or the department of justice under this section. The court may in its discretion, prior to entry of final judgment make such orders or judgments as may be necessary to restore to any person any pecuniary loss suffered because of the acts or practices involved in the action, provided proof thereof is submitted to the satisfaction of the court. The department may use its authority in ss. 93.14 and 93.15, and the department of justice may use its authority in ss. 130.02 and 130.03, to investigate violations of any order issued under this section.~~

~~SECTION 2304rg. 100.205 (title) and (1) to (6) of the statutes are renumbered 130.19 (title) and (1) to (6).~~

Vetoed in Part

Vetoed
in Part

Vetoed
in Part

~~SECTION 2304m. 100.205 (7) of the statutes is~~
~~renumbered 130.19 (7) and amended to read:~~

~~130.19 (7) The department of justice, or any district~~
~~attorney on informing the department of justice, may~~
~~commence an action in circuit court in the name of the~~
~~state to restrain by temporary or permanent injunc-~~
~~tion any violation of this section. The court may,~~
~~before entry of final judgment and after satisfactory~~
~~proof, make orders or judgments necessary to restore~~
~~to any person any pecuniary loss suffered because of a~~
~~violation of this section. The department of justice~~
~~may conduct hearings, administer oaths, issue subpoe-~~
~~nas and take testimony to aid in its investigation of~~
~~violations of this section.~~

~~SECTION 2304p. 100.205 (8) of the statutes is~~
~~renumbered 130.19 (8) and amended to read:~~

~~130.19 (8) The department of justice or any district~~
~~attorney may commence an action in the name of the~~
~~state to recover a forfeiture to the state of not more~~
~~than \$10,000 for each violation of this section.~~

~~SECTION 2304r. 100.205 (9) of the statutes is~~
~~renumbered 130.19 (9).~~

~~SECTION 2304t. 100.21 (title) of the statutes is~~
~~renumbered 130.20 (title).~~

~~SECTION 2304v. 100.21 (1) of the statutes, as~~
~~affected by 1991 Wisconsin Act ... (this act), is renum-~~
~~bered 130.20 (1), and 130.20 (1) (b) 2. (intro.) as~~
~~renumbered, is amended to read:~~

~~130.20 (1) (b) 2. (intro.) A product or a consumer~~
~~product, as defined in s. 400.42 130.31 (1) (c):~~

~~SECTION 2305bb. 100.21 (2) of the statutes is~~
~~renumbered 130.20 (2).~~

~~SECTION 2305bd. 100.21 (3) of the statutes is~~
~~renumbered 130.20 (3), and 130.20 (3) (a), as renum-~~
~~bered, is amended to read:~~

~~130.20 (3) (a) Any person making an energy savings~~
~~or safety claim shall, upon written request by the~~
~~department, submit information upon which the per-~~
~~son relied to substantiate the claim. The department~~
~~of justice may request the department to issue a writ-~~
~~ten request under this paragraph for information to~~
~~substantiate an energy savings or safety claim. Failure~~
~~to submit information requested under this subsection~~
~~is a violation of sub. (2) (a).~~

~~SECTION 2305bf. 100.21 (4) of the statutes is~~
~~renumbered 130.20 (4), and 130.20 (4) (a) (intro.), as~~
~~renumbered, is amended to read:~~

~~130.20 (4) (a) (intro.) The department may, after~~
~~public hearing, promulgate rules or issue general or~~
~~special orders under s. 100.20.~~

~~SECTION 2305bh. 100.21 (6) of the statutes is~~
~~renumbered 130.20 (6).~~

~~SECTION 2305d. 100.215 of the statutes is renum-~~
~~bered 130.12.~~

~~SECTION 2305jd. 100.26 (3) of the statutes is~~
~~amended to read:~~

~~100.26 (3) Any person who violates s. 100.12 or~~
~~100.19, or who intentionally refuses, neglects or fails~~
~~to obey any regulation rule promulgated or order~~
~~made or issued under s. 100.19 or 100.20, shall, for~~
~~each offense, be fined not less than \$25 nor more than~~
~~\$5,000, or imprisoned in the county jail for not more~~
~~than one year or both.~~

~~SECTION 2305jh. 100.26 (5) of the statutes is~~
~~amended to read:~~

~~100.26 (5) Any person violating s. 100.06 or any~~
~~rule or order or regulation of the department there-~~
~~under, or s. 100.18 (9), shall be fined not less than \$100~~
~~nor more than \$1,000 or imprisoned for not more than~~
~~one year or both. Each day of violation constitutes a~~
~~separate offense.~~

~~SECTION 2305j. 100.26 (6) of the statutes is~~
~~amended to read:~~

~~100.26 (6) The department of justice or any district~~
~~attorney may commence an action in the name of the~~
~~state to recover a civil forfeiture to the state of not less~~
~~than \$100 nor more than \$10,000 for each violation of~~
~~an injunction issued under s. 100.18, 100.182 or 100.20~~
~~(6) or an order issued under s. 100.20.~~

~~SECTION 2305jj. 100.26 (7) of the statutes is~~
~~repealed.~~

~~SECTION 2305L. 100.28 of the statutes is renum-~~
~~bered 130.21.~~

~~SECTION 2305m. 100.285 of the statutes, as~~
~~affected by 1991 Wisconsin Act ... (Senate Bill 110) is~~
~~renumbered 130.22.~~

~~SECTION 2305n. 100.29 of the statutes is renum-~~
~~bered 130.23.~~

~~SECTION 2305p. 100.295 of the statutes is renum-~~
~~bered 130.24.~~

~~SECTION 2305rb. 100.297 (title) of the statutes is~~
~~renumbered 130.25 (title).~~

~~SECTION 2305rd. 100.297 (1) of the statutes is~~
~~renumbered 130.25 (1) and amended to read:~~

~~130.25 (1) DEFINITION. In this section, "plastic~~
~~container" means a plastic container, as defined in s.~~
~~100.33 130.26 (1) (c), that is required to be labeled~~
~~under s. 100.33 130.26 (2).~~

~~SECTION 2305rf. 100.297 (2) and (3) of the stat-~~
~~utes are renumbered 130.25 (2) and (3).~~

~~SECTION 2305s. 100.31 of the statutes is renum-~~
~~bered 130.13.~~

~~SECTION 2305t. 100.33 of the statutes is renum-~~
~~bered 130.26.~~

~~SECTION 2305ug. 100.35 (title) and (1) of the stat-~~
~~utes are renumbered 130.27 (title) and (1).~~

~~SECTION 2305uj. 100.35 (2) of the statutes is~~
~~renumbered 130.27 (2) and amended to read:~~

~~130.27 (2) Any person violating this section shall be~~
~~punished as provided in s. 100.26 130.34 (1).~~

~~SECTION 2305vb. 100.37 (title) (1) and (1m) of~~
~~the statutes, as affected by 1991 Wisconsin Act ...~~
~~(this act), are renumbered 130.28 (title), (1) and (1m).~~

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SECTION 2305vcg. 100.37 (1) (c) 2m of the statutes is created to read:

100.37 (1) (c) 2m. Any substance included under sub. (2) (e) 2.

SECTION 2305vch. 100.37 (1) (hm) of the statutes is created to read:

100.37 (1) (hm) "Practitioner" has the meaning given in s. 161.01 (19).

Vetoed in Part SECTION 2305vd. 100.37 (2) of the statutes, as affected by 1991 Wisconsin Act... (this act), is renumbered 130.28 (2), and 130.28 (2) (e) 1, as renumbered, is amended to read:

130.28 (2) (e) 1. The department may summarily ban the sale or distribution of any hazardous substance or article if it finds that the hazard to public health or safety is so great that such hazard should not be permitted to continue. The department shall follow the procedure specified in s. 94.18 130.06 (3).

SECTION 2305vec. 100.37 (2) (e) of the statutes is renumbered 100.37 (2) (e) 1.

SECTION 2305veg. 100.37 (2) (e) 2 of the statutes is created to read:

100.37 (2) (e) 2. In addition to subd. 1 and except as provided in subd. 3, all of the following are hazardous substances, possess such a degree of hazard that adequate cautionary labeling cannot be written and may not be sold or distributed:

a. Propyl nitrite, isopropyl nitrite and mixtures containing propyl nitrite or isopropyl nitrite.

b. The nitrous acid esters of all alcohols having the formula of 5 carbon atoms, 12 hydrogen atoms and one oxygen atom including 1-pentyl nitrite, 2-pentyl nitrite, 3-pentyl nitrite, 2-methyl-1-butyl nitrite, 3-methyl-1-butyl nitrite (also known as isoamyl nitrite or isopentyl nitrite), 2-methyl-2-butyl nitrite (also known as tertiary pentyl nitrite), 3-methyl-2-butyl nitrite, 2, 2-dimethylpropyl nitrite (also known as neopentyl nitrite) and mixtures containing more than 5% of 1-pentyl nitrite, 2-pentyl nitrite, 3-pentyl nitrite, 2-methyl-1-butyl nitrite, 3-methyl-1-butyl nitrite, 2-methyl-2-butyl nitrite, 3-methyl-2-butyl nitrite or 2, 2-dimethyl nitrite.

c. Ethyl chloride and ethyl nitrite.

SECTION 2305veh. 100.37 (2) (e) 3 of the statutes is created to read:

100.37 (2) (e) 3. Subdivisions 1 and 2 do not apply to the sale or distribution of isoamyl nitrite (3-methyl-1-butyl nitrite) or ethyl chloride as prescription drugs obtained from, or pursuant to a valid prescription or order of, a practitioner while acting in the course of professional practice.

Vetoed in Part SECTION 2305vf. 100.37 (3) and (4) of the statutes are renumbered 130.28 (3) and (4).

SECTION 2305vh. 100.37 (5) of the statutes is renumbered 130.28 (5) and amended to read:

130.28 (5) If the department has reasonable cause to believe that any substance is in violation of this section or poses an imminent hazard to public health or

safety, it may deliver to the owner or custodian thereof an order prohibiting the sale or movement of such substance until an analysis or examination has been completed. Such holding order is not effective for more than 14 days from the time of delivery thereof. The substance described in any such holding order may not be sold or moved for any purpose without the approval of the department. If the department, after analysis or examination, determines that the substance described in such order is not in violation of this section, it shall promptly notify the owner or custodian thereof and such notice shall terminate the holding order. If the analysis or examination shows that the substance is in violation of this section, the owner or custodian thereof shall be so notified in writing within the effective time of the holding order. Upon receipt of such notice the owner or custodian may dispose of the substance only as authorized by the department. The owner or custodian of the substance or article may within 10 days of receipt of such notice petition for a hearing as provided in s. 94.18 130.06.

SECTION 2305vj. 100.37 (6) to (8) of the statutes are renumbered 130.28 (6) to (8).

SECTION 2305wb. 100.38 (title), (1) and (2) of the statutes are renumbered 130.29 (title), (1) and (2).

SECTION 2305wd. 100.38 (3) of the statutes is renumbered 130.29 (3), and 130.29 (3) (e), as renumbered, is amended to read:

130.29 (3) (e) It does not bear a statement warning of any hazard of substantial injury to human beings which may result from the intended use or reasonably foreseeable misuse of the antifreeze, and which complies with the requirements of s. 400.47 130.28.

SECTION 2305wf. 100.38 (5) to (7) of the statutes are renumbered 130.29 (5) to (7).

SECTION 2306. 100.39 of the statutes is repealed.

SECTION 2306dd. 100.41 (title) and (1) to (4) of the statutes are renumbered 130.30 (title) and (1) to (4).

SECTION 2306df. 100.41 (5) of the statutes is renumbered 130.30 (5) and amended to read:

130.30 (5) REMOVAL FROM SALE. The department may summarily ban the sale or distribution of any furnishing, fabric, product or related material if it finds that the hazard of flammability is so great that such hazard should not be permitted to continue prior to the time a hearing can be held. The department shall follow the procedure specified in s. 94.18 130.06 (3).

SECTION 2306fd. 100.42 (title), (1) and (2) of the statutes are renumbered 130.31 (title), (1) and (2).

SECTION 2306ff. 100.42 (3) of the statutes is renumbered 130.31 (3), and 130.31 (3) (a) and (b) (intro.), as renumbered, are amended to read:

130.31 (3) (a) The department may summarily ban the sale of any consumer product manufactured, sold or distributed in violation of this section or any rule adopted under this section, or which presents an

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Vetoed in Part unreasonable risk of injury or imminent hazard to the public health, welfare and safety. Any such product may be summarily banned notwithstanding the existence of applicable safety standards or action taken toward the development or adoption of a standard. The department shall follow the procedure specified in s. 93.18 130.06 (3).

(b) (intro.) If the department determines that a product presents a substantial hazard or risk of injury, the department may, after notice and opportunity for hearing under s. 93.18 130.06, order the manufacturer, distributor or retailer of such product:

SECTION 2306fh. 100.42 (4) of the statutes is renumbered 130.31 (4).

SECTION 2306fi. 100.42 (5) of the statutes is renumbered 130.31 (5) and amended to read:

130.31 (5) EXEMPTIONS. Except with respect to a consumer product which is the subject of a temporary or permanent injunction or an a rule or order of the department banning its manufacture, sale or distribution, sub. (4) does not apply to any person who holds a certificate issued in accordance with section 14 (a) of the federal act to the effect that such consumer product conforms to all applicable consumer product safety standards under such act, unless such person knows that such consumer product does not conform, or to any person who relies in good faith on the representation of the manufacturer or distributor of such product that the product is not subject to an applicable safety standard under the federal act.

SECTION 2306hd. 100.43 (title) of the statutes is renumbered 130.32 (title).

SECTION 2306hl. 100.43 (1) of the statutes is renumbered 130.32 (1), and 130.32 (1) (e), as renumbered, is amended to read:

130.32 (1) (e) "Hazardous substance" has the meaning given under s. 100.47 130.28 (1) (c).

SECTION 2306hg. 100.43 (2) of the statutes is renumbered 130.32 (2).

SECTION 2306hi. 100.43 (3) of the statutes is renumbered 130.32 (3), and 130.32 (3) (b), as renumbered, is amended to read:

130.32 (3) (b) If it is determined that a household substance packaged in noncomplying package is not also being supplied by the manufacturer or packer in popular size packages which comply with special packaging standards, the department may by special order require the manufacturer or packer of such substance to package it exclusively in special packaging complying with applicable standards.

SECTION 2306hk. 100.43 (4) of the statutes is renumbered 130.32 (4), and 130.32 (4) (b), as renumbered, is amended to read:

130.32 (4) (b) The department may summarily ban the sale or distribution of any household substance which is sold or offered for sale in violation of this section or of any rules or order issued under this sec-

tion. The department shall follow the procedure specified in s. 93.18 130.06 (3).

SECTION 2306k. 100.45 of the statutes is renumbered 130.33.

SECTION 2306m. 100.50 of the statutes is created to read:

100.50 Minimum milk prices. (1) DEFINITIONS. In this section:

(a) "Class I milk" means milk that is classified on the basis of its use as class I milk under federal marketing orders issued under 7 USC 608c (5) (A), as amended.

(b) "Class II milk" means milk that is classified on the basis of its use as class II milk under federal marketing orders issued under 7 USC 608c (5) (A).

(c) "Class III milk" means milk that is classified on the basis of its use as class III milk under federal marketing orders issued under 7 USC 608c (5) (A).

(d) "Dairy plant operator" means a person that operates a dairy plant, as defined in s. 97.20 (1) (a).

(e) "Grade A milk" has the meaning given in s. 97.24 (1) (b).

(f) "Milk" has the meaning given in s. 97.24 (1) (cm).

(g) "Milk producer" has the meaning given in s. 97.24 (1) (f).

(2) PETITION. Upon receipt of a petition by at least 10% of the milk producers in this state requesting that an order be issued establishing fair and adequate minimum prices at which milk shall be purchased from milk producers in this state, the secretary shall schedule one or more public hearings on the petition. The bloc voting and assent procedure under s. 96.08 (3) may be used for purposes of securing sufficient numbers of petitioners.

(3) NOTICE HEARING. (a) Notice. The notice for a public hearing on a petition under sub. (2) shall be published as a class 2 notice, under ch. 985, in the official state newspaper and in one or more newspapers that are printed and published in the region where the hearing will be held, as prescribed by the secretary. Notice shall be given not less than 20 days nor more than 60 days before the date of the hearing.

(b) Hearing. The public hearings scheduled by the secretary on a petition brought under sub. (2) shall begin not later than 30 days after the date on which the secretary receives the petition and shall conclude not later than 60 days after the date on which the secretary receives the petition. The hearings shall be conducted in accordance with the procedure under s. 227.18.

(4) Decision. Within 30 days after the close of the last public hearing held under sub. (3), the secretary shall issue a decision granting or denying the petition under sub. (2). Without limitation because of enumeration, the secretary shall consider all of the following factors in reaching a decision on the petition:

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- (a) The prices being paid to milk producers.
 - (b) The cost of production to milk producers.
 - (c) Changes in the ratio between the index of prices received for milk by milk producers to the index of prices paid by milk producers to produce milk.
 - (d) The level of prices paid to milk producers in other states.
 - (e) The difference between the prices paid to milk producers and the prices at which milk produced in this state and products made from milk produced in this state are sold at wholesale.
 - (f) The difference between the prices paid to milk producers and the prices at which milk produced in this state and products made from milk produced in this state are sold at retail.
 - (g) The interests of the general public.
- (5) ORDER. If the secretary grants the petition, the secretary shall issue an order establishing fair and adequate minimum prices at which milk shall be purchased from milk producers in this state. Prices established by the order shall be based on, among other things, those factors identified in sub. (4) (a) to (g). An order issued under this subsection may establish different minimum prices for the following types of milk:
- (a) Class I milk.
 - (b) Class II milk.
 - (c) Class III milk.
 - (d) Milk other than Grade A milk.
- (6) COMPENSATORY PAYMENTS. The department shall promulgate rules establishing a system of compensatory payments under which the department shall do all of the following:
- (a) Assess and collect, from dairy plant operators that purchase milk from sources outside this state at prices that are lower than the price established under sub. (5), the difference between the price paid for that milk and the price required to be paid for that milk under sub. (5).
 - (b) Compensate, from the amount collected under par. (a), dairy plant operators that purchase milk at the price established under sub. (5) and that, as a result, experience a competitive disadvantage with dairy plant operators that do not purchase milk at the price established under sub. (5).
 - (7) JUDICIAL REVIEW. An order issued under sub. (5) is subject to judicial review under ch. 227.
 - (8) PENALTY. Any person who violates this section may be required to forfeit not less than \$1,000 nor more than \$10,000.

SECTION 2307. 101.02 (intro.) of the statutes is repealed.

SECTION 2308. 101.02 (1) of the statutes is amended to read:

101.02 (1) ~~To~~ The department shall adopt reasonable and proper rules and regulations relative to the exercise of its powers and authorities and proper rules

to govern its proceedings and to regulate the mode and manner of all investigations and hearings.

SECTION 2309. 101.02 (3) of the statutes is amended to read:

101.02 (3) ~~To~~ The department shall employ, promote and remove deputies, clerks and other assistants as needed, to fix their compensation, and to assign to them their duties; and ~~to~~ shall appoint advisers who shall, without compensation except reimbursement for actual and necessary expenses, assist the department in the execution of its duties.

SECTION 2310. 101.02 (4) of the statutes is amended to read:

101.02 (4) ~~To~~ The department shall collect, collate and publish statistical and other information relating to the work under its jurisdiction and ~~to~~ shall make public reports in its judgment necessary.

SECTION 2311. 101.02 (5) (a) of the statutes is amended to read:

101.02 (5) (a) ~~To~~ The department shall conduct such investigations, hold such public meetings and attend or be represented at such meetings, conferences and conventions inside or outside of the state as may, in its judgment, tend to better the execution of its functions.

SECTION 2314. 101.02 (15) (b) of the statutes is amended to read:

101.02 (15) (b) ~~To~~ The department shall administer and enforce, so far as not otherwise provided for in the statutes, the laws relating to child labor, laundries, stores, employment, licensed occupations, school attendance, bakeries, employment offices, intelligence offices and bureaus, manufacture of cigars, sweatshops, corn shredders, woodsawing machines, fire escapes and means of egress from buildings, scaffolds, hoists, ladders and other matters relating to the erection, repair, alteration or painting of buildings and structures, and all other laws protecting the life, health, safety and welfare of employes in employments and places of employment and frequenters of places of employment.

SECTION 2315. 101.02 (15) (f) of the statutes is amended to read:

101.02 (15) (f) ~~To~~ The department shall investigate, ascertain and determine such reasonable classifications of persons, employments, places of employment and public buildings, as shall be necessary to carry out the purposes of ss. 101.01 to 101.25.

SECTION 2316. 101.02 (15) (h) of the statutes is amended to read:

101.02 (15) (h) ~~To~~ The department shall investigate, ascertain, declare and prescribe what safety devices, safeguards or other means or methods of protection are best adapted to render the employes of every employment and place of employment and frequenters of every place of employment safe, and to protect their welfare as required by law or lawful orders.

SECTION 2317. 101.02 (15) (i) of the statutes is amended to read:

101.02 (15) (i) ~~To~~ The department shall ascertain and fix such reasonable standards and ~~to shall~~ prescribe, modify and enforce such reasonable orders for the adoption of safety devices, safeguards and other means or methods of protection to be as nearly uniform as possible, as may be necessary to carry out all laws and lawful orders relative to the protection of the life, health, safety and welfare of employees in employments and places of employment or frequenters of places of employment.

SECTION 2319. 101.02 (15) (j) of the statutes is amended to read:

101.02 (15) (j) ~~To~~ The department shall ascertain, fix and order such reasonable standards, ~~or rules or regulations~~ for the construction, repair and maintenance of places of employment and public buildings, as shall render them safe. No such standard, ~~or rule or regulation~~ may increase the maximum energy use, as defined in s. 101.08 (1) (f), allowed for a fluorescent lamp ballast, as defined in s. 101.08 (1) (g), under s. 101.08 (2) or decrease the minimum energy efficiency required for a fluorescent lamp ballast, as defined in s. 101.08 (1) (g), under s. 101.08 (2).

SECTION 2320. 101.02 (17) of the statutes is created to read:

101.02 (17) The department may establish a data center to provide data processing services to the department, and to other state agencies on a contractual basis. If the department establishes a center, the department shall fix fees, and collect fees from the department, for services provided to the department by the data center. The fees for services shall equal the cost of providing the services.

SECTION 2321. 101.02 (18) of the statutes is created to read:

101.02 (18) The department may establish a schedule of fees for publications and seminars provided by the department for which no fee is otherwise authorized, required or prohibited by statute. Fees established under this subsection for publications and seminars provided by the department may not exceed the actual cost incurred in providing those publications and seminars.

SECTION 2322. 101.055 (8) (c) of the statutes is amended to read:

101.055 (8) (c) Upon receipt of a complaint, the personnel commission or the division of equal rights, whichever is applicable, shall, except as provided in s. 230.45 (1m), investigate the complaint and ~~shall~~ determine whether there is probable cause to believe that a violation of par. (a) has occurred. If the personnel commission or the division of equal rights finds probable cause it shall attempt to resolve the complaint by conference, conciliation or persuasion. If the complaint is not resolved, the personnel commission or the division of equal rights shall hold a hearing on the

complaint within 60 days after receipt of the complaint unless both parties to the proceeding agree otherwise. Within 30 days after the close of the hearing, the personnel commission or the division of equal rights shall issue its decision. If the personnel commission or the division of equal rights determines that a violation of par. (a) has occurred, it shall order appropriate relief for the employee, including restoration of the employee to his or her former position with back pay, and shall order any action necessary to ensure that no further discrimination occurs. If the personnel commission or the division of equal rights determines that there has been no violation of par. (a), it shall issue an order dismissing the complaint.

~~SECTION 2322b. 101.08 (9) of the statutes is amended to read:~~

~~101.08 (9) ENFORCEMENT. To ensure compliance with this section, the department of agriculture, food and trade and consumer protection shall respond to reasonable consumer complaints related to the requirements of this section and may conduct inspections of the business places of persons who sell covered products and construction sites where appliances are being installed. The department of agriculture, food and trade and consumer protection may act under ch. 93 to administer this subsection.~~

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SECTION 2322s. 101.12 (3) (am) of the statutes is created to read:

101.12 (3) (am) 1. Accept the examination of essential drawings, calculations and specifications in accordance with sub. (1) performed by a 2nd class city in conformity with the requirements of this paragraph.

2. The department shall promulgate rules for the administration of a program to certify 2nd class cities to perform the examination of essential drawings, calculations and specifications in accordance with sub. (1).

3. A 2nd class city may apply for certification by the department for the purposes of this paragraph if that city employs at least one architect or one professional engineer who has been granted a certificate of registration under s. 443.10. The department shall certify a 2nd class city when the department determines and certifies the competency of all examiners employed by the city. The department shall review the competency of the examiners of a city that is certified under this paragraph on a regular basis and may revoke the certification of a city if the examiners do not meet standards specified by the department.

4. Owners within the 2nd class city may obtain examinations from the city or the department.

5. The department shall by rule set fees, to be collected by the 2nd class city and remitted to the department, to meet the department's costs in enforcing and administering its duties under this paragraph.

SECTION 2323. 101.121 (2) (c) 1 of the statutes is amended to read:

101.121 (2) (c) 1. Is listed on, ~~or has been nominated by the state historical society for listing on,~~ the national register of historic places in Wisconsin ~~or the state register of historic places;~~

SECTION 2324. 101.121 (2) (c) 2 of the statutes is amended to read:

101.121 (2) (c) 2. Is included in a district which is listed on, ~~or has been nominated by the state historical society for listing on,~~ the national register of historic places in Wisconsin ~~or the state register of historic places,~~ and has been determined by the state historical society to contribute to the historic significance of the district;

SECTION 2325. 101.121 (2) (d) of the statutes is created to read:

101.121 (2) (d) "State register of historic places" means the places in Wisconsin listed by the state historical society under s. 44.36, except for a place listed as an interim listing by the state historical society under s. 44.36 (5) (a) 3.

~~SECTION 2325e. 101.1215 of the statutes is created to read:~~

~~Vetoed in Part 101.1215 Abrasive cleaning of historic buildings. (1) In this section:~~

~~(a) "Abrasive cleaning method" means any cleaning procedure that uses any of the following materials or tools:~~

~~1. Abrasive materials, including sand, glass beads, ground slag, volcanic ash, crushed nutshells, rice husks, ground corn cobs or crushed eggshells, carried in high-pressure or low-pressure air or water.~~

~~2. High-pressure water.~~

~~(b) "Qualified historic building" has the meaning given in s. 101.121 (2) (c).~~

~~(2) No person may use an abrasive cleaning method on the exterior of qualified historic buildings, except as authorized by department rule.~~

~~(3) The department, in consultation with the state historical society and the department of administration, shall promulgate rules on the use of abrasive cleaning methods on qualified historic buildings. The department may permit the use of any specific abrasive cleaning method on any specific building material only if it determines that the abrasive cleaning method will not cause irreparable damage to the building material to which it is applied.~~

~~(4) Any person who violates this section may be required to forfeit not less than \$100 nor more than \$1,000 for each offense. Each day of continued violation constitutes a separate offense.~~

SECTION 2325g. 101.123 (1) (dm) of the statutes is amended to read:

101.123 (1) (dm) "Prison" means a prison described in s. 302.01, except it does not include the correctional institution under s. 301.046 (1) if the institution is the prisoner's place of residence and does not include a Type 2 prison, as defined in s. 301.01 (6).

SECTION 2325r. 101.123 (3) (gr) of the statutes is created to read:

101.123 (3) (gr) A Type 2 prison, as defined in s. 301.01 (6).

SECTION 2326. 101.124 of the statutes is amended to read:

101.124 Heated sidewalks prohibited. In this section, "exterior pedestrian traffic surface" means any sidewalk, ramp, stair, stoop, step, entrance way, plaza or pedestrian bridge not fully enclosed within a building and "heated" means heated by electricity or energy derived from the combustion of fossil fuels, but not including the use of waste thermal energy. "Exterior pedestrian traffic surface" does not include any means of ingress and egress by the physically disabled required under s. 101.13 (2). No person may construct a heated exterior pedestrian traffic surface. The department or any city, village, town or county is prohibited from approving any plan under s. 101.12 which includes such heated surface. The department shall order any existing heated exterior pedestrian traffic surface in operation to be shut off. This section does not apply to any inpatient health care facility or community-based residential facility, as defined in s. 140.85 (1) (a) or 140.86.

~~SECTION 2328. 101.143 (1) (fg) of the statutes is amended to read:~~

~~101.143 (1) (fg) "Petroleum product storage system" means a storage tank that is located in this state and is used to store petroleum products together with any on-site integral piping or dispensing system. The term does not include pipeline facilities, tanks of 110 gallons or less capacity, farm and residential tanks of 1,100 gallons or less capacity storing petroleum products that are not for resale, residential tanks used for storing heating oil for consumptive use on the premises where stored or tanks owned by this state or the federal government.~~

SECTION 2328b. 101.143 (3) (a) 10 and 11 of the statutes are created to read:

101.143 (3) (a) 10. The petroleum products discharge is not from a petroleum product storage system or home oil tank system that meets the performance standards under 40 CFR 280.20 or s. ILHR 10.51, Wis. adm. code, or the upgrading requirements in 40 CFR 280.21 (b) to (d) or s. ILHR 10.52 (2) to (4), Wis. adm. code.

11. The petroleum products discharge is not from a petroleum product storage system or home oil tank system located at a site that was previously the site of remedial action activities for which an award was issued under this section.

~~SECTION 2328c. 101.143 (4) (a) 6 of the statutes is created to read:~~

~~101.143 (4) (a) 6. In any fiscal year the department may not award more than 5% of the amount appropriated under s. 20.445 (1) (v) for awards for nonresidential tanks used for storing heating oil for consumptive use on the premises where stored.~~

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~~SECTION 2328cc. 101.143 (4) (a) 7 of the statutes is created to read:~~

~~101.143 (4) (a) 7. In any fiscal year, the department may not award more than 5% of the amount appropriated under s. 20.445 (1) (v) for awards for farm and residential tanks of 1,100 gallons or less capacity storing petroleum products that are not for resale, other than tanks described in subd. 5 or 6.~~

SECTION 2328d. 101.143 (4) (b) (intro.) of the statutes is amended to read:

101.143 (4) (b) *Eligible costs.* (intro.) Eligible costs for an award under par. (a) include actual costs or, if the department establishes a schedule under par. (cm), usual and customary costs for the following items only:

SECTION 2328e. 101.143 (4) (b) 2 of the statutes is amended to read:

101.143 (4) (b) 2. Removal of petroleum products from ~~petroleum product storage systems and home oil tank systems~~, surface waters, groundwater or soil.

SECTION 2328f. 101.143 (4) (c) 7 of the statutes is created to read:

101.143 (4) (c) 7. Costs of emptying, cleaning and disposing of the tank and other costs normally associated with closing or removing any petroleum product storage system or home oil tank system.

SECTION 2328g. 101.143 (4) (cm) of the statutes is created to read:

101.143 (4) (cm) *Usual and customary costs.* The department may establish a schedule of usual and customary costs for any items under par. (b) and may use that schedule to determine the amount of a claimant's eligible costs.

SECTION 2328h. 101.143 (4) (d) 2. (intro.) of the statutes is amended to read:

101.143 (4) (d) 2. (intro.) The department shall issue the award under this paragraph without regard to fault in an amount equal to the amount of the eligible costs that exceeds a deductible amount of either \$5,000 or 5% of the eligible costs, whichever is greater. An award issued under this paragraph may not exceed the following for each occurrence:

SECTION 2328i. 101.143 (4) (e) 2 of the statutes is amended to read:

101.143 (4) (e) 2. The department shall issue the award under this paragraph without regard to fault in an amount equal to the amount of the eligible costs that exceeds a deductible amount of either \$5,000 or 5% of the eligible costs, whichever is greater, for eligible costs incurred before July 1, 1993, or a deductible amount of \$10,000 for eligible costs incurred on or after July 1, 1993. An award issued under this paragraph may not exceed \$195,000 for eligible costs incurred before July 1, 1993, or \$190,000 for eligible costs incurred on or after July 1, 1993, for each occurrence.

SECTION 2328j. 101.143 (4) (ee) of the statutes is created to read:

101.143 (4) (ee) *Waiver of deductible.* Notwithstanding par. (d) 2 or (e) 2, the department may waive the requirement that an owner or operator pay the deductible amount if the department determines that the owner or operator is unable to pay. If the department waives the requirement that an owner or operator pay the deductible, the department shall file a statement of lien with the register of deeds of the county in which the petroleum product storage system is located. If the department files the statement of lien, the department has a lien on the property on which the petroleum product storage system is located in the amount of the deductible that was waived. The property remains subject to the lien until that amount is paid in full.

SECTION 2328k. 101.143 (7m) of the statutes is created to read:

101.143 (7m) INTERVENTION IN 3RD-PARTY ACTIONS. An owner or operator of an underground petroleum product storage tank system shall notify the department of any action by a 3rd party against the owner or operator for compensation for bodily injury or property damage caused by a petroleum products discharge from the underground petroleum product storage tank system if the owner or operator may be eligible for an award under this section. The department may intervene in any action by a 3rd party against an owner or operator for compensation for bodily injury or property damage caused by a petroleum products discharge from an underground petroleum product storage tank system if the owner or operator may be eligible for an award under this section for compensation awarded in the action.

~~SECTION 2328p. 101.175 (3) (intro.) of the statutes is amended to read:~~

~~101.175 (3) (intro.) The department, in consultation with the department of agriculture, trade and consumer protection justice, shall establish by rule quality standards for local energy resource systems which do not impede development of innovative systems but which do.~~

~~SECTION 2328r. 101.177 (1) (b) of the statutes is amended to read:~~

~~101.177 (1) (b) "Ozone-depleting refrigerant" has the meaning given in s. 100.45 130.33 (1) (d).~~

~~SECTION 2328s. 101.177 (1) (c) of the statutes is amended to read:~~

~~101.177 (1) (c) "Refrigeration equipment" means mechanical vapor compression refrigeration equipment except for a mobile air conditioner, as defined in s. 100.45 130.33 (1) (b).~~

SECTION 2328w. 101.19 (1) (am) of the statutes is created to read:

101.19 (1) (am) The services specified by s. 101.12 (3) (am).

~~SECTION 2328x. 101.19 (1) (e) of the statutes is repealed.~~

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SECTION 2329g. 101.265 of the statutes is created to read:

101.265 Youth apprenticeship program. (1) The department shall provide a youth apprenticeship program in accordance with the report prepared by the department under 1991 Wisconsin Act (this act), section 9129 (5t).

(2) The youth apprenticeship council under s. 15.227 (22), the state board of vocational, technical and adult education and the department of public instruction shall assist the department of industry, labor and human relations in providing the youth apprenticeship program under sub. (1).

(3) The youth apprenticeship program under sub (1) shall not affect any apprenticeship program that is governed by ch. 106, except that an apprenticeship program that is governed by ch. 106 may grant credit toward the completion of an apprenticeship for the successful completion of a youth apprenticeship under sub. (1). ~~The youth apprenticeship program shall not affect the licensing and registration requirements specified in ch. 145.~~

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SECTION 2329m. 101.28 (1) of the statutes is renumbered 101.28 (1) (intro.) and amended to read:

101.28 (1) (intro.) In this section, "company":

(a) "Company" means any business operated for profit.

SECTION 2329p. 101.28 (1) (b) of the statutes is created to read:

101.28 (1) (b) "State agency" has the meaning given in s. 20.001 (1).

SECTION 2329r. 101.28 (2) of the statutes is amended to read:

101.28 (2) Any company ~~which~~ that receives a loan or grant from a state agency, ~~as defined in s. 20.001 (4),~~ or an authority under ch. 231 or 234 shall notify the department and the area private industry council under the job training partnership act, 29 USC 1501 to 1798, of any position in the company that is related to the project for which the grant or loan is received to be filled in this state within one year after receipt of the loan or grant. The company shall provide this notice at least 2 weeks prior to advertising the position.

SECTION 2329t. 101.28 (3) of the statutes is amended to read:

101.28 (3) A state agency, ~~as defined in s. 20.001 (4),~~ or an authority under ch. 231 or 234 shall notify the department of development if it makes a loan or grant to a company.

SECTION 2329v. 101.28 (4) of the statutes is created to read:

101.28 (4) (a) The department shall, upon complaint by any person or on its own motion, investigate any allegation that a company has violated sub. (2) if the complaint is filed with the department no more than 300 days after the alleged violation occurred.

(b) If after investigation under par. (a) the department finds probable cause to believe that a company

has violated sub. (2), the department shall notify the company of the department's finding of probable cause, of the actions specified under par. (d) that the department proposes to take and of the company's right to request a hearing regarding the alleged violation of sub. (2).

(c) A company that receives a notice under par. (b) may, within 30 days after the date of the notice, request a contested case hearing under s. 227.42. If the department does not receive a request for a contested case hearing under s. 227.42 within 30 days after the date of the notice under par. (b), the department shall issue a final decision that the company has violated sub. (2) and take the actions specified under par. (d).

(d) If the department receives a request under par. (c) for a hearing, the department shall hold a hearing as provided under s. 227.44. If, after hearing, the department finds that a company has violated sub. (2), the department shall issue a final decision under s. 227.47 that the company has violated sub. (2) and shall issue an order as follows:

1. Requiring the company to repay the state agency or authority under ch. 231 or 234 that awarded the loan or grant part or all of the loan or grant funds already received by the company for the project to which the position that the company failed to provide notice of under sub. (2) is related.

2. Requiring the state agency or authority under ch. 231 or 234 that awarded the loan or grant to suspend any further loan or grant payments to the company for the project to which the position that the company failed to provide notice of under sub. (2) is related.

3. Declaring the company ineligible to receive any loan or grant from a state agency or authority under ch. 231 or 234 for 5 years from the date of the order.

4. Requiring the company to take any other remedial action that the department considers appropriate based on the severity of the noncompliance with sub. (2).

SECTION 2330d. 101.35 (13) (intro.) of the statutes is amended to read:

101.35 (13) FINAL REPORT. (intro.) On or before September 1, ~~1994~~ 1993, the department shall submit a final report concerning the Wisconsin job opportunity business subsidy program to the chief clerk of each house of the legislature for distribution to the legislature under s. 13.172 (2). The report shall include all of the following information for the period covered by the report:

SECTION 2330e. 101.35 (14) of the statutes is amended to read:

101.35 (14) SUNSET. Subsections (1) to (10) and (12) do not apply after June 30, ~~1994~~ 1993.

SECTION 2330g. 101.38 of the statutes is created to read:

101.38 Wisconsin service corps program. (1) DEFINITIONS. In this section:

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(a) "Community services activity" means an activity that addresses a social, health or economic need of the community.

(b) "Corps member" means a person enrolled in the Wisconsin service corps program under this section.

(c) "Financial support" includes in-kind services and materials.

(d) "In-kind services and materials" includes services such as training, supervision, administration, transportation, insurance liability coverage and similar services and materials such as supplies, fuel, tools, equipment, safety equipment and other materials for a project.

(e) "Local unit of government" means the governing body of any city, town, village, county, county utility district, town sanitary district, public inland lake protection and rehabilitation district, metropolitan sewerage district or school district or the elected tribal governing body of a federally recognized American Indian tribe or band.

(f) "Nonprofit organization" has the meaning given in s. 108.02 (19).

(g) "Public assistance" means general relief under s. 49.02, relief of needy Indian persons under s. 49.046, aid to families with dependent children under s. 49.19, medical assistance under ss. 49.45 to 49.47, low-income energy assistance under s. 49.80 and the food stamp program under 7 USC 2011 to 2029.

(h) "State agency" has the meaning given in s. 227.01 (1) but also includes the office of district attorney.

(2) **OBJECTIVES.** The department shall develop guidelines for the Wisconsin service corps program designed to promote the objectives of:

(a) *Employment of young adults.* Providing employment for young men and women in a county with a population of 500,000 or more.

(b) *Personal development.* Encouraging and developing work skills, discipline, cooperation, meaningful work experiences and training and educational opportunities for corps members.

(c) *Community services.* Addressing the social, health and economic needs of a community within a county that has a population of 500,000 or more.

(3) **APPLICATION FOR PROJECT APPROVAL.** (a) *Eligible sponsors.* A state agency, local unit of government or private organization that operates in a county that has a population of 500,000 or more may apply to the department for approval of a project consisting of community services activities.

(b) *Eligible projects.* In order to qualify as an approved project, the project must provide employment opportunities, consist of community services activities and be located in a county that has a population of 500,000 or more. If the sponsor is a nonprofit organization, the project must serve a valid public purpose in order to qualify as an approved project.

(c) *Sponsor's application.* In order to qualify as an approved project, the sponsor must submit in the application:

1. A summary of the extent and value of all financial support it will provide for the project.

2. A preliminary cost estimate including a summary of all anticipated costs resulting from implementation of the project.

3. A preliminary work plan specifying the nature, scope and duration of the project.

(d) *Local government sponsors.* The department shall encourage local units of government to apply for the approval of projects and shall provide assistance and information to facilitate these applications.

(e) *Not to involve labor dispute or displace other employees.* No project may be approved by the department if corps members will be used in any manner in connection with a work or labor dispute or if approval of the project would impair existing contracts or collective bargaining agreements with existing employees of the sponsor. No project may be approved by the department if corps members will be used to displace existing permanent employees of the sponsor, including any employees who have been temporarily laid-off by the sponsor.

(4) **GUIDELINES FOR PROJECT APPROVAL.** The department shall establish guidelines to be used in selecting projects for approval. These guidelines shall include:

(a) *Employment opportunities.* The extent to which the project will provide employment in meaningful labor intensive work activities for corps members.

(b) *Community services.* The extent to which the project will address the social, health or economic needs of the community that is to be served by the project.

(c) *Implementation.* The degree of difficulty in implementing the project and its compatibility with other projects in the area.

(d) *Extent of sponsor's responsibility.* The value of financial support to be provided by the sponsor.

(e) *Public purpose and benefit.* The extent to which the project will serve a valid public purpose and benefit a large segment of the public.

(5) **PROJECT FUNDING.** (a) *Community services activities; appropriations.* Moneys appropriated under s. 20.445 (1) (cm), (jr) and (km) may be used for community services activities as authorized under those appropriations.

(b) *Other state agency appropriations.* A state agency may use moneys from any appropriation for that agency to sponsor a project if implementation of the project is consistent with any purpose for which the moneys are appropriated.

(6) **ADMINISTRATION AND MATCHING FUNDS.** (a) *Administration.* The department shall provide guidelines for administration of the Wisconsin service corps

program and the program shall be administered according to those guidelines.

(b) *Requirements for matching funds.* The department shall set requirements as to the amount of financial support that a sponsor must provide. The department may waive the requirements for a project sponsored by a local unit of government or a state agency and may reduce the amount of matching funds required for a project sponsored by a private organization.

(7) **PROJECT APPROVAL AND IMPLEMENTATION; CORPS MEMBERS SUPERVISION.** (a) *Approval.* Projects shall be selected and approved by the department based on guidelines established under sub. (4) and the requirements established under sub. (6) (b).

(b) *Responsibility agreement; detailed work plan.* Before the approval of a project, the sponsor shall prepare and submit to the department a responsibility agreement that incorporates the complete project cost estimate and a detailed work plan and specifies in detail the responsibilities of the sponsor and of the department with respect to the project. The complete project cost estimate shall include a summary of all anticipated costs resulting from the implementation of the project. The detailed work plan shall specify the nature, scope and duration of the project; the number of corps members required for the project; training, supervisory, administrative and other service requirements; supply, fuel, tool, equipment, safety equipment and other material requirements; time schedules; and other details relating to the implementation of the project.

(c) *Signing of responsibility agreement.* A project is not authorized and may not be implemented until the sponsor and the secretary sign the responsibility agreement.

(d) *Implementation; supervision.* Except as provided in a responsibility agreement, the sponsor is responsible for the implementation of and the administrative services for an authorized project and the department is responsible for the recruitment, supervision, control and training of corps members for the project.

(e) *Number of corps members on project.* The number of corps members serving on a project may not exceed 3.

(8) **EDUCATION AND TRAINING.** The department shall facilitate arrangements with local schools and institutions of higher education for academic study by corps members during nonworking hours to upgrade literacy skills, obtain equivalency diplomas or college degrees or enhance employment skills. The department shall encourage the development of training programs for corps members for use during periods when circumstances do not permit work on a project.

(9) **CORPS MEMBERS.** (a) *Authorization.* The department may employ corps members.

(b) *Outside civil service.* All corps members shall be employed outside the civil service.

(c) *Wages.* Corps members shall be paid at the prevailing federal minimum wage or the applicable state minimum wage established under ch. 104, whichever is greater. Corps members shall receive their pay for the previous pay period on the last working day of the current pay period.

(d) *Unemployment compensation.* A corps member is not eligible for unemployment compensation benefits by virtue of his or her employment in the Wisconsin service corps program. To the extent permitted by federal law, the Wisconsin service corps program shall be considered a work-relief and working-training program for the purpose of determining eligibility for benefits under s. 108.02 (15) (g) 1.

(e) *Worker's compensation.* A corps member is eligible for worker's compensation benefits as provided under ch. 102.

(f) *Health care and other benefits.* A corps member is not an eligible employee for health care benefits or other benefits under ch. 40.

(g) *Education voucher.* 1. A person who is employed as a corps member for the specified term of a project and who receives a satisfactory employment evaluation upon termination of employment is entitled to an education voucher that is worth at least \$1,000 but not more than \$1,800. The department may authorize a partial education voucher for a person who is employed as a corps member and who receives a satisfactory employment evaluation upon termination of employment if the person is employed as a corps member for less than the specified term of the project and if the department determines that employment was terminated because of special circumstances beyond the control of the corps member or was terminated in order to enable the corps member to attend an institution of higher education, vocational institution or other training program or to enable the corps member to obtain other employment.

2. The education voucher is valid for 3 years after the date of issuance for the payment of tuition and required program activity fees at any institution of higher education, as defined under s. 39.32 (1) (a), that accepts the voucher and the department shall authorize payment to the institution of face value of the voucher upon presentment.

(10) **QUALIFICATIONS AND REQUIREMENTS FOR CORPS MEMBERS.** (a) *Age.* In order to qualify for employment as a corps member, a person is required to have attained the age of 18 years but may not have attained the age of 26 years at the time he or she accepts employment.

(b) *Unemployed.* In order to qualify for employment as a corps member, a person is required to be unemployed at the time he or she applies for employment. In order to establish that a person is unemployed at the time of application for employment, the department may require the person to be certified as unemployed by a local job service office.

(c) *Enrollment period.* In order to qualify for employment as a corps member, a person is required to sign a statement of intention to serve in the Wisconsin service corps program for a 9-month period. This statement does not obligate the department to provide employment for the member for that period.

(d) *Training and skills.* No training or skills are required in order to qualify for employment as a corps member.

(e) *Physical examination.* No physical examination is required in order to apply for employment as a corps member but the department shall require a physical examination before employment. The department may accept evidence of a physical examination conducted within one year before employment if the examining physician signs a form containing the information required by the department.

(11) **SELECTION OF CORPS MEMBERS.** (a) *Standards.* The department shall establish standards for the selection of corps members from among those persons who are qualified and who seek employment.

(am) *Employment of certain persons.* The department shall attempt to hire at least 50% of its corps members from among those persons who are receiving public assistance at the time of application for employment, who have received public assistance within one year of the time of application for employment or who are likely to be eligible for public assistance if they do not obtain employment.

(b) *Affirmative action plan.* The department shall adopt a statewide affirmative action plan and shall comply with the requirements under s. 230.06 (1) (g) to (k). The standards established under par. (a) shall be consistent with this plan.

(c) *Hiring procedure.* The department shall develop procedures for the hiring of corps members. The department shall use any appropriate local job service office in the area of a project to distribute applications, conduct interviews and evaluate applicants and make recommendations concerning the hiring of corps members. The department may use project sponsors who are sponsoring long-term projects to conduct interviews, evaluate applicants and make recommendations concerning the hiring of corps members.

(12) **ENROLLMENT PERIOD; EVALUATION; DISCIPLINE.**

(a) *Enrollment period.* The normal enrollment period for a corps member is from 6 to 9 months. The department may authorize the employment of a corps member beyond the end of the normal enrollment period for a limited time, not to exceed 3 months, under special circumstances where continued employment is required in order to complete a project in progress.

(b) *Evaluation; discipline.* The department shall establish standards and procedures to evaluate the performance, for discipline and for termination of employment of corps members.

(13) **GUIDELINES.** In establishing the guidelines described under subs. (2), (4) and (6), the department shall request the assistance of the executive secretary of the Wisconsin conservation corps, the executive directors of not less than 2 nonprofit organizations that provide community development services in a county that has a population of 500,000 or more, the district director of a vocational, technical and adult education district under ch. 38 serving a county that has a population of 500,000 or more, a representative of the mayor of a city that has a population of 500,000 or more and a representative of private business nominated by the area private industry council under the job training partnership act, 29 USC 1501 to 1781, serving a county that has a population of 500,000 or more. The department need not promulgate as rules the guidelines described under subs. (2), (4) and (6).

SECTION 2330f. 101.578 of the statutes is created to read:

101.578 Protection of medical waste incinerator employees. (1) In this section, "medical waste incinerator" has the meaning given in s. 159.07 (7) (c) 1. cr.

(2) The department shall promulgate rules establishing requirements that protect persons who work at medical waste incinerators from exposure to blood and other potentially infectious materials. The rules shall be at least as strict as any federal requirements.

SECTION 2330g. 101.58 (2) (i) of the statutes is amended to read:

101.58 (2) (i) "Pesticide" means any substance or mixture of substances which is registered with the federal environmental protection agency under 7 USC 136 to 136y or the department of agriculture, food and trade and consumer protection under ch. 94, and which is labeled, designed or intended to prevent, destroy, repel or mitigate any pest or as a plant regulator, defoliant or desiccant.

SECTION 2330h. 101.583 (1m) of the statutes is amended to read:

101.583 (1m) Any employer with less than 10 employees and less than \$750,000 in gross sales in the most recent calendar or fiscal year, whichever the employer uses for income or franchise tax purposes, is not subject to the requirements of sub. (1).

SECTION 2330i. 101.586 of the statutes is amended to read:

101.586 Pesticide information requirements; employer or agricultural employer to employee. Within 72 hours of a request from an employee or employee representative, exclusive of weekends and legal holidays, an employer or agricultural employer shall provide the requesting employee or employee representative with access to the container label or the information required by the federal environmental protection agency or the department of agriculture, food and trade and consumer protection to be on the container label, for any pesticide with which the employee works or to which the employee is likely to be exposed.

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SECTION 2330j. 101.71 (6) (b) of the statutes is amended to read:

101.71 (6) (b). "Manufactured building" does not mean any manufactured home or mobile home under s. 101.94 16.36 or any building of open construction which is not subject to par. (a) 2.

SECTION 2330nb. Subchapter V (title) of chapter 101 of the statutes is repealed.

SECTION 2330nc. 101.90 of the statutes is repealed.

SECTION 2330nd. 101.91 of the statutes is renumbered 16.36, and 16.36 (intro.), as renumbered, is amended to read:

16.36 (title). Definitions for regulation of manufacturers of manufactured homes and mobile homes. (intro.) In ss. 101.90 to 101.96 16.361 to 16.365.

SECTION 2330ne. 101.92 of the statutes is renumbered 16.361, and 16.361 (3), (4), (6), (7) and (8), as renumbered, are amended to read:

16.361 (3). Shall review annually the rules adopted under ss. 101.90 to 101.96 16.36 to 16.365, and may revise rules upon recommendation by the advisory committee appointed under s. 101.96 16.365.

(4). Shall provide for announced or unannounced inspection of manufacturing facilities, processes, fabrication and assembly of manufactured homes and mobile homes to ensure compliance with the rules adopted under ss. 101.90 to 101.96 16.36 to 16.365.

(6). May enter into reciprocal agreements with other states regarding the design, construction, inspection and labeling of mobile homes where the laws or rules of other states meet the intent of ss. 101.90 to 101.96 16.36 to 16.365 and where the laws or rules are actually enforced.

(7). Shall establish within the division of safety and buildings housing a staff for the administration and enforcement of ss. 101.90 to 101.96 16.36 to 16.365.

(8). May revoke the license of any manufacturer who violates ss. 101.90 to 101.96 16.36 to 16.365 or any rules promulgated thereunder under those sections.

SECTION 2330nf. 101.925 of the statutes is renumbered 16.362, and 16.362 (1), as renumbered, is amended to read:

16.362 (1) DEFINITION. The definition of In this section, "smoke detector under s. 101.145 (1) (c) also applies to this section" has the meaning given in s. 101.145 (1) (c).

SECTION 2330ng. 101.93 (title) of the statutes is repealed.

SECTION 2330nh. 101.93 (1) to (3) of the statutes are renumbered 16.361 (9) to (11) and amended to read:

16.361 (9). The department shall Shall adopt rules relating to plumbing in the design and construction of manufactured homes and mobile homes. The rules

shall be consistent with s. 101.94 16.363 (1) to (3) and shall be reviewed annually. Vetoed
in Part

(10). The department shall Shall establish qualification requirements for and shall certify persons to perform inspections of the plumbing systems in manufactured homes and mobile homes.

(11). The department shall Shall review plans and specifications for approval of plumbing systems in manufactured homes and mobile homes.

SECTION 2330ni. 101.94 of the statutes is renumbered 16.363, and 16.363 (1), (3), (6), (7) and (8), as renumbered, are amended to read:

16.363 (1). Mobile homes manufactured, distributed, sold or offered for sale in this state shall conform to the code promulgated by the American national standards institute and identified as ANSI 119.1, including all revisions thereof in effect on August 28, 1973, and further revisions adopted by the department, the department of industry, labor and human relations and the department of health and social services. The department may establish standards in addition to those required under ANSI 119.1. This subsection applies to units manufactured or assembled after January 1, 1974, and prior to June 15, 1976.

(3). Each manufactured home or mobile home manufacturer shall submit to the department typical construction plans and specifications for review. The department shall, by its own inspectors whether inside or outside this state, perform sufficient inspections of manufacturing premises and manufactured units to ensure compliance with this section. The department may contract for inspection services, as provided in sub. (4), for inspections outside this state. Each manufactured home or mobile home, upon final assembly, shall display a label which shall be prescribed by and be available only from the department, or similar agency of other states where units are manufactured, providing reciprocal agreements have been executed and are effective between this state and such other states indicating that the manufactured home or mobile home meets the requirements of ss. 101.90 to 101.96 16.36 to 16.365 or the applicable laws of the state with which a reciprocal agreement has been executed. No manufactured home or mobile home which bears such label shall be required by any person to comply with any building, plumbing, heating or electrical code or any construction standards other than those promulgated under this section.

(6). Fees for review of plans, construction inspections, department labels and licensing of manufacturers shall be established by department rule under s. 101.19.

(7). The department shall hear and decide petitions brought under ss. 101.90 to 101.96 in the manner provided under s. 101.02 (6) (c) to (i) and (8) 16.36 to 16.365 for petitions concerning property.

(8) (a). A person who violates this subchapter ss. 16.36 to 16.365 or a rule or order issued under this subchapter those sections shall forfeit not more than

Vetoed in Part ~~\$1,000 for each violation. Each violation of this subchapter ss. 16.36 to 16.365 constitutes a separate violation with respect to each manufactured home or mobile home or with respect to each failure or refusal to allow or perform an act required by this subchapter ss. 16.36 to 16.365, except the maximum forfeiture under this subsection may not exceed \$1,000,000 for a related series of violations occurring within one year of the first violation.~~

~~(b) Any individual or a director, officer or agent of a corporation who knowingly and wilfully violates this subchapter ss. 16.36 to 16.365 in a manner which threatens the health or safety of a purchaser shall be fined not more than \$1,000 or imprisoned not more than one year or both.~~

~~SECTION 2330nj. 101.95 of the statutes is renumbered 16.364.~~

~~SECTION 2330nk. 101.96 of the statutes is renumbered 16.365 and amended to read:~~

~~**16.365 Advisory committee.** The department shall appoint an advisory committee of 5 members to review the rules and standards for manufactured homes and mobile homes and recommend changes. The committee shall be composed of 2 members representing the manufactured home or mobile home industry, 2 public members and one member from the department. The committee shall submit an annual report to the department, to the department of industry, labor and human relations and to the department of health and social services. The annual report shall include recommended changes in this subchapter ss. 16.36 to 16.365 reflecting amendments to 42 USC 5401 to 5425 and rules and regulations issued under 42 USC 5401 to 5425.~~

~~SECTION 2333. 103.10 (12) (b) of the statutes is amended to read:~~

~~103.10 (12) (b) An employee who believes his or her employer has violated sub. (11) (a) or (b) may, within 30 days after the violation occurs or the employee should reasonably have known that the violation occurred, whichever is later, file a complaint with the department alleging the violation. The Except as provided in s. 230.45 (1m), the department shall investigate the complaint and shall attempt to resolve the complaint by conference, conciliation or persuasion. If the complaint is not resolved and the department finds probable cause to believe a violation has occurred, the department shall proceed with notice and a hearing on the complaint as provided in ch. 227. The hearing shall be held within 60 days after the department receives the complaint.~~

Vetoed in Part ~~SECTION 2333ag. 103.48 of the statutes is created to read:~~

~~**103.48 Wage rates on state-funded private construction projects.** (1) In this section:~~

~~(a) "Agency" means an office, department, independent agency, authority, institution, association, society or other body in state government created or~~

~~authorized to be created by the constitution or any law, including the legislature and the courts.~~

~~(b) "Area" has the meaning given in s. 103.49 (1) (a).~~

~~(c) "Employee" means a person who is employed directly upon the site of a private construction project or who delivers to a private construction project mineral aggregate, such as sand, gravel or stone, that is incorporated into the private construction project by depositing the material substantially in place, directly or through spreaders, from the transporting vehicle. "Employee" does not include a person who is engaged in the processing or manufacture of materials or products or in the delivery of processed or manufactured materials or products by or for a commercial establishment that has a fixed place of business from which it regularly supplies processed or manufactured materials or products.~~

~~(d) "Hourly basic rate" has the meaning given in s. 103.49 (1) (b).~~

~~(e) "Prevailing hours of labor" has the meaning given in s. 103.49 (1) (c).~~

~~(f) "Prevailing wage rate" has the meaning given in s. 103.49 (1) (d).~~

~~(g) "Private construction project" means the construction, installation, remodeling or repair of any building, or any other construction project, to which ss. 103.49 and 103.50 do not apply.~~

~~(2) Any agency that provides financial assistance to any person for a private construction project shall require that the person that receives that financial assistance, and any subcontractor, agent or other person doing or contracting to do all or part of the work on that private construction project, pay to all employees the prevailing wage rate for all hours worked within the prevailing hours of labor and, for hours worked in excess of the prevailing hours of labor, 1.5 times the hourly basic rate of pay.~~

~~(3) Before providing financial assistance to any person for a private construction project, an agency shall request the department to ascertain the prevailing wage rates, prevailing hours of labor and hourly basic rates of pay in the area in which the private construction project is to be done for all trades and occupations required in the private construction project under contemplation. The department shall notify the agency of its determination within 30 days after the date of the request.~~

~~(4) Section 111.322 (2m) applies to discharge and other discriminatory acts arising in connection with any proceeding under this section.~~

~~SECTION 2333am. 103.50 (1) (am) of the statutes is created to read:~~

~~103.50 (1) (am) "Fringe benefits" means health and welfare benefits, vacation benefits, pension benefits and any other economic benefits, other than the hourly basic rate, provided for an employee by the employee's employer, whether paid directly to the~~

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employe or indirectly to a 3rd party for the benefit of the employe.

SECTION 2333b. 103.50 (6m) of the statutes is created to read:

103.50 (6m) FRINGE BENEFITS. A contractor, subcontractor or other person subject to sub. (2) shall do all of the following:

(a) Before beginning work on a highway construction contract, provide to the department of transportation a written statement that contains all of the following information:

1. Whether or not the contractor, subcontractor or other person pays employe fringe benefits by making payments to its employes directly or to a 3rd party for the benefit of the employes.

2. The name and address of any 3rd party to whom payments for fringe benefits are made.

(b) If fringe benefits are paid directly to an employe, upon payment provide to the employe a written accounting of the amount paid for each fringe benefit.

(c) Ensure that copies of payrolls furnished to the department of transportation under sub. (8) show whether or not, and the means by which, payments for fringe benefits were made.

SECTION 2333c. 103.50 (7) (b) of the statutes is amended to read:

103.50 (7) (b) Whoever induces any individual who seeks to be or is employed on any project subject to this section to give up or forego any part of the wages compensation to which he or she is entitled under the contract governing such project by threat not to employ, by threat of dismissal from such employment or by any other means is guilty of an offense under s. 946.15 (1).

SECTION 2333cm. 103.50 (8) of the statutes is amended to read:

103.50 (8) ENFORCEMENT AND PROSECUTION. The department of transportation shall require adherence to subs. (2) and (6) and (6m). The department of transportation may demand, and every contractor and subcontractor or other person subject to sub. (2) shall furnish, copies of payrolls and it may examine all records relating to hours of work and the wages and fringe benefits paid laborers and mechanics on the work to which this section is applicable applies. Upon request of the department of transportation or upon complaint of an alleged violation, the district attorney of the county in which the work is located shall make such investigation investigate as necessary and prosecute violations in a court of competent jurisdiction. Section 111.322 (2m) applies to discharge and other discriminatory acts arising in connection with any proceeding under this section.

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in Part

SECTION 2333cn. 103.64 (6) of the statutes is created to read:

103.64 (6) "School day" means a day on which the school where a child is or should be enrolled is in session.

SECTION 2333cp. 103.68 (1) of the statutes is amended to read:

103.68 (1) No minor under 16 shall may be employed or permitted to work at any gainful occupation other than domestic service or farm labor for more than 8 hours in any one day nor more than 48 hours nor more than 6 days in any one week, nor during such hours as he the minor is required under s. 118.15 (2) to attend school.

SECTION 2333cq. 103.68 (1m) of the statutes is created to read:

103.68 (1m) No minor 16 years of age or over may be employed or permitted to work at any gainful occupation other than domestic service or farm labor as follows:

(a) For more than 4 hours on a school day, nor more than 26 hours in a week in which there is a school day.

(b) Except in public exhibitions, as defined in s. 103.78, or in street trades, as defined in s. 103.21 (6), before 7 a.m. on a school day, nor after 11 p.m. on a night before a school day.

(c) For more than 10 hours on a nonschool day, nor more than 50 hours in a week in which there are no school days. A minor shall be paid one and one-half times the minor's regular rate of pay for all hours worked over 8 per day or over 40 per week.

(d) Except in public exhibitions, as defined in s. 103.78, or in street trades, as defined in s. 103.21 (6), before 6 a.m. on a nonschool day, nor after 12:30 a.m. on a night before a nonschool day.

SECTION 2333cr. 103.68 (2) of the statutes is renumbered 103.68 (2) (intro.) and amended to read:

103.68 (2) (intro.) No minor under sixteen shall 16 years of age may be employed or permitted to work in any gainful occupation other than domestic service or farm labor more than twenty-four hours in any one week, nor, except in domestic service, farm labor, or in public exhibitions as defined in s. 103.78, or in street trades as defined in s. 103.21, before seven A.M. nor after six P.M. as follows:

SECTION 2333cs. 103.68 (2) (a) to (d) of the statutes are created to read:

103.68 (2) (a) For more than 3 hours on a school day, nor more than 18 hours in any week in which there is a school day.

(b) Except in public exhibitions, as defined in s. 103.78, or in street trades, as defined in s. 103.21 (6), before 7 a.m. on a school day, nor after 7 p.m. on a night before a school day.

(c) For more than 8 hours on a nonschool day, nor more than 40 hours in a week in which there are no school days.

(d) Except in public exhibitions, as defined in s. 103.78, or in street trades, as defined in s. 103.21 (6), before 7 a.m. on a nonschool day, nor after 10 p.m. on a night before a nonschool day.

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in Part

Vetoed in Part SECTION 2333ct. 103.70 (1) of the statutes is amended to read:

103.70 (1) Except as otherwise provided in sub. (2) and in ss. 103.21 to 103.31 and 103.78, and as may be provided under s. 103.79, a minor, unless indentured as an apprentice in accordance with s. 106.01 or unless 12 years and over and engaged in agricultural pursuits, shall not be employed or permitted to work at any gainful occupation or employment unless there is first obtained from the department or a permit officer a written permit authorizing the employment of the minor within those periods of time stated in the permit, which shall not exceed the maximum hours prescribed by law, and, if school credit is being awarded for the minor's work, the minor, the employer, the minor's school principal and the minor's parent, guardian or legal custodian sign a training agreement that specifies the expectations, rights and responsibilities of all parties to the agreement. Based on this agreement, the employer, with the assistance of the teacher who is supervising the minor's work, shall conduct periodic performance evaluations of the minor's work.

SECTION 2333cu. 103.72 (3) of the statutes is created to read:

103.72 (3) (a) If the grade point average, school attendance or any other indicator of school performance of a minor is unsatisfactory to the minor's parent, guardian, legal custodian or school principal, the parent, guardian, legal custodian or school principal may request in writing that the department revoke the minor's child labor permit.

(b) Upon receipt of a request under par. (a), the department shall immediately, without notice, revoke the minor's child labor permit and shall, by registered mail, notify the minor and the minor's employer of the revocation.

(c) Upon receipt of a notice of revocation under par. (b), the minor's employer shall immediately return the revoked permit to the department and discontinue the employment of the minor.

Vetoed in Part SECTION 2333cx. 103.967 (5) of the statutes is repealed.

Vetoed in Part SECTION 2333cy. 103.968 of the statutes is repealed.

SECTION 2333d. 108.141 (1) (b) 1 of the statutes is amended to read:

108.141 (1) (b) 1. Has received, prior to such week, all of the regular benefits that were available to him under this chapter or any other state law, including dependents' allowances and benefits payable to federal civilian employees and ex-servicemen under 5 USC ch. 85, in his current benefit year that includes such week or is precluded from receiving regular benefits by reason of the law of another state which meets the requirement of ~~see~~ section 3304 (a) (7) of the internal revenue code ~~of 1954~~ or is precluded from receiving regular benefits by reason of a seasonal limitation in

the law of another state. An individual shall be deemed to have received all of the regular benefits that were available to him although as a result of a pending appeal under s. 108.09 or 108.10 he may subsequently be determined to be entitled to added regular benefits; or

SECTION 2333f. 108.141 (1) (h) of the statutes is amended to read:

108.141 (1) (h) "State law" means the unemployment compensation law of any state, approved by the U.S. secretary of labor under ~~s.~~ section 3304 of the internal revenue code ~~of 1954~~.

SECTION 2333h. 108.142 (1) (h) 1 of the statutes is amended to read:

108.142 (1) (h) 1. Has received, prior to that week, all of the regular benefits that were available to the individual under this chapter or any other state law, including dependents' allowances and benefits payable to federal civilian employees and ex-servicemen under 5 USC ch. 85, in his or her current benefit year that includes that week or is precluded from receiving regular benefits by reason of the law of another state which meets the requirement of section 3304 (a) (7) of the internal revenue code ~~of 1954~~ or is precluded from receiving regular benefits by reason of a seasonal limitation in the law of another state. An individual is deemed to have received all of the regular benefits that were available to the individual although as a result of a pending appeal under s. 108.09 or 108.10 the individual may subsequently be determined to be entitled to added regular benefits; or

SECTION 2333j. 108.142 (1) (i) of the statutes is amended to read:

108.142 (1) (i) "State law" means the unemployment compensation law of any state, approved by the U.S. secretary of labor under section 3304 of the internal revenue code ~~of 1954~~.

SECTION 2334. 108.161 (4) (d) of the statutes is amended to read:

108.161 (4) (d) Limiting the total amount which may be obligated during any fiscal year to the aggregate of all amounts credited under sub. (1), including amounts credited pursuant to sub. (8), ~~within that year and the 34 preceding fiscal years, reduced at the time of any obligation~~ by the sum of ~~any~~ the moneys obligated and charged against any of the amounts credited ~~within those 35 years~~.

SECTION 2335. 108.162 (3) of the statutes is amended to read:

108.162 (3) The amount obligated under this section during any fiscal year may not exceed the aggregate of all amounts credited under s. 108.161 (1), including amounts credited under s. 108.161 (8), ~~within that fiscal year and the 34 preceding fiscal years, reduced at the time of any obligation~~ by the sum of ~~any~~ the moneys obligated and charged against any of the amounts thus credited ~~within those 35 years~~.

Vetoed
in Part

~~SECTION 2335b. 109.09 (1) of the statutes is amended to read:~~

~~109.09 (1) The department shall investigate and attempt equitably to adjust controversies between employers and employees as to alleged wage claims. The department may receive and investigate any wage claim which is filed with the department, or assigned to the department under s. 109.10 (4), no later than 2 years after the date the wages are due. The department may, after receiving a wage claim, investigate any wages due from the employer against whom the claim is filed to any employee during the period commencing 2 years before the date the claim is filed. The department shall enforce this chapter and ss. 66.292, 66.293, 103.02, 103.48, 103.49, 103.82 and 104.12. In pursuance of this duty, it may take an assignment in trust for the assigning employee of any wage claim that it considers to be valid or any wage deficiency, such assignment to run to the department. The department may sue the employer on any wage claim or wage deficiency so assigned and ss. 109.03 (6) and 109.11 shall apply to such actions. Except for actions under s. 109.10, the department may refer such an action to the district attorney of the county in which the violation occurs for prosecution and collection and the district attorney shall commence an action in the circuit court having appropriate jurisdiction. Any number of wage claims or wage deficiencies against the same employer may be joined in a single proceeding, but the court may order separate trials or hearings. In such cases the taxable costs recovered shall be paid into the general fund.~~

SECTION 2335d. 110.20 (1) (a) of the statutes is renumbered 110.20 (1) (am) and amended to read:

110.20 (1) (am) "Federal act" means the federal clean air act, as amended, on May 11, 1980 (42 USC 7401 et seq.), and regulations issued by the federal environmental protection agency under that act.

SECTION 2335e. 110.20 (1) (ac) of the statutes is created to read:

110.20 (1) (ac) "Air pollution control equipment" has the meaning given in s. 144.42 (6) (a) 1.

SECTION 2335f. 110.20 (2) (b) of the statutes is renumbered 110.20 (2).

SECTION 2335g. 110.20 (3) (a) of the statutes is amended to read:

110.20 (3) (a) The inspection and maintenance program shall be designed to determine compliance with the emission limitations promulgated under s. 144.42 (2) and compliance with s. 144.42 (6).

SECTION 2335h. 110.20 (3) (b) of the statutes is repealed.

SECTION 2335i. 110.20 (3) (d) of the statutes is created to read:

110.20 (3) (d) The inspection and maintenance program shall be designed and operated to comply with the requirements of the federal act.

SECTION 2335j. 110.20 (6) of the statutes is repealed and recreated to read:

110.20 (6) MANDATORY TESTING AND INSPECTION.

(a) The program shall require an emissions test under sub. (11) as follows:

1. For a nonexempt vehicle required to be registered annually in this state, within 90 days prior to renewal of registration in the 2nd, 4th and 6th years after the nonexempt vehicle's model year and every year thereafter.

2. For a nonexempt vehicle required to be registered annually in this state, within the period of time specified by the department under sub. (9) (d) of registration other than renewal if the year of registration is at least 6 years after the nonexempt vehicle's model year.

3. For a nonexempt vehicle that is registered under s. 341.26 (2m) or is owned by the United States, at any time during the 2nd, 4th and 6th years following the nonexempt vehicle's model year and every year thereafter.

(b) The program shall require an air pollution control equipment inspection to determine compliance with s. 144.42 (6) as follows:

1. For a nonexempt vehicle required to be registered annually in this state and with a model year of 1975 or later, within 90 days prior to renewal of registration beginning in the 6th year after the nonexempt vehicle's model year and every 3rd year thereafter.

2. For a nonexempt vehicle required to be registered annually in this state and with a model year of 1975 or later, within the period of time specified by the department under sub. (9) (d) of registration if the year of registration other than renewal is at least 6 years after the nonexempt vehicle's model year.

3. For a nonexempt vehicle that is registered under s. 341.26 (2m) or is owned by the United States and that has a model year of 1975 or later, at any time during the 6th year after the nonexempt vehicle's model year and every 3rd year thereafter.

4. For a nonexempt vehicle with a model year of 1974 or earlier, at the time of application for a waiver under sub. (13).

SECTION 2335k. 110.20 (6m) of the statutes is repealed.

SECTION 2335L. 110.20 (8) (a) of the statutes is amended to read:

110.20 (8) (a) The emissions inspections test and equipment inspection of nonfleet vehicles shall be performed by persons under contract with the department. The contract shall require the contractor to operate inspection stations for a minimum of 5 years and shall provide for equitable compensation to the contractor if the operation of an inspection and maintenance program within any county is terminated within 5 years after the inspection and maintenance program in the county is begun. No officer, director or employee of the contractor may be an employee of the department or a person engaged in the business of selling, maintaining or repairing motor vehicles or of selling motor vehicle replacement or repair parts. The

department shall require the contractor to operate a sufficient number of inspection stations, permanent or mobile, to ensure public convenience in those counties identified under sub. (5).

SECTION 2335m. 110.20 (8) (f) of the statutes is amended to read:

110.20 (8) (f) When the department renews or renegotiates a contract under par. (a) in effect on August 1, 1987, the department shall require in the renewed or renegotiated contract that the contractor perform the inspections under sub. ~~(6m)~~ (6).

SECTION 2335n. 110.20 (9) (d) of the statutes is created to read:

110.20 (9) (d) Specify a period of time during which an emissions test or an air pollution control equipment inspection must be performed for a nonexempt vehicle subject to sub. (6) (a) 2 or (b) 2.

SECTION 2335nm. 110.20 (11) (a) of the statutes is amended to read:

110.20 (11) (a) The contractor shall perform the ~~idle test or engine restart idle test required under 40 CFR subpart W tests required under the federal act.~~ The tests shall include one of the approved short tests required by the federal act to determine compliance with applicable emission limitations for carbon monoxide and hydrocarbons. In addition, the contractor shall perform a loaded test if the ~~idle test or engine restart idle~~ approved short test shows that the motor vehicle does not comply with one or more applicable emissions limitations and the motor vehicle is suitable for loaded testing as determined by the department, unless the approved short test is a loaded test or the person presenting the vehicle for inspection refuses the loaded test. The department may require the contractor to provide information on the fuel efficiency of the motor vehicle as part of a loaded test.

SECTION 2335p. 110.20 (13) (a) of the statutes is amended to read:

110.20 (13) (a) ~~If the estimated cost of repairs and adjustments necessary to bring a vehicle inspected under sub. (6) into compliance with all applicable emissions limitations exceeds the repair cost limit or the model year of the vehicle is more than 10 years prior to the year of inspection, the department shall issue a waiver of compliance, valid for one year, if the owner presents satisfactory evidence to the department that a low emissions adjustment under par. (d) has been performed on the vehicle within 90 days prior to renewal of annual registration.~~ The department shall issue a waiver of compliance valid for one year without requiring a low emissions adjustment under ~~par. (d)~~ if the owner presents satisfactory evidence to the department that the actual costs of repairs performed on a vehicle in accordance with an inspection report under sub. (11) (b) exceeded the repair cost limit.

SECTION 2335qc. 110.20 (13) (b) of the statutes is amended to read:

110.20 (13) (b) ~~The Notwithstanding sub. (3) (a) and (d), the repair cost limit is \$55 \$200.~~

SECTION 2335r. 110.20 (13) (d) of the statutes is repealed.

SECTION 2335s. 110.20 (13) (e) of the statutes is repealed.

SECTION 2335t. 110.20 (14) (b) 2 of the statutes is amended to read:

110.20 (14) (b) 2. Has available the equipment and trained personnel required to perform ~~idle mode emissions tests and equipment~~ inspections in accordance with the procedures promulgated under ~~sub. subs. (6) and (9) (a) and s. 144.42 (6); and~~

SECTION 2335u. 110.20 (14) (c) of the statutes is amended to read:

110.20 (14) (c) A person holding a fleet emissions inspection station permit shall provide for the emissions test and equipment inspection of each fleet vehicle subject to inspection under sub. (6) and shall report the results of the inspection to the department as required by its rules. A person holding a fleet emissions inspection station permit may not certify compliance of nonfleet vehicles with ~~applicable emissions limitations.~~

SECTION 2335v. 110.21 of the statutes is amended to read:

110.21 Education and training related to motor vehicle emissions. The department shall conduct a program of public education related to the motor vehicle emission and equipment inspection and maintenance program established under s. 110.20 (6) ~~and the tampering inspection program under s. 110.20 (6m).~~ The program under s. 110.20 (6) may include a pilot project of motor vehicle emissions inspections for those owners who elect to present their motor vehicles for inspection.

SECTION 2336. 111.09 (title) of the statutes is amended to read:

111.09 (title) Rules, orders, transcripts, training programs and fees.

SECTION 2337. 111.09 (3) of the statutes is created to read:

111.09 (3) The commission may provide training programs to individuals and organizations on private sector collective bargaining, and on areas of management and labor cooperation directly or indirectly affecting private sector collective bargaining, and may charge a reasonable fee for participation in the programs.

~~SECTION 2339m. 111.322 (2m) (c) of the statutes is amended to read:~~

~~111.322 (2m) (c) The individual files a complaint or attempts to enforce a right under s. 66.292, 66.293, 103.48 or 103.49 or testifies or assists in any action or proceeding under s. 66.292, 66.293, 103.48 or 103.49.~~

~~SECTION 2339mb. 111.70 (3) (a) 2 of the statutes is amended to read:~~

Vetoed
in Part

Vetoed
in Part

Vetoed
in Part

~~111.70 (3) (a) 2. To initiate, create, dominate or interfere with the formation or administration of any labor or employee organization or contribute financial support to it, but the municipal employer shall not be is not prohibited from reimbursing its employees at their prevailing wage rate for the time spent conferring with the employees, officers or agents. Supervisors may remain members of the same labor organization of which their subordinates are members, but such supervisor shall not participate in determinations of the collective bargaining policies of such labor organization or resolution of grievances of employees. After January 1, 1974, said supervisors shall not remain members of such organizations.~~

SECTION 2347m. 111.70 (8) of the statutes is renumbered 111.70 (8) (b) and amended to read:

~~111.70 (8) (b) This subchapter does not preclude law enforcement supervisors employed by municipal employers other than 1st or 2nd class cities and counties having a population of 100,000 or more or fire fighting supervisors from organizing in separate units of supervisors for purposes the purpose of negotiating with their municipal employers.~~

~~(c) The commission shall by rule establish procedures for certification of such units of supervisors and the levels of supervisors to be included in the units. Supervisors may not be members of the same bargaining unit of which their subordinates are members. The commission may require that the representative in a of any supervisory unit shall be an organization that is a separate local entity from the representative of the nonsupervisory municipal employees, but such requirement does not prevent affiliation by a supervisory representative with the same parent state or national organization as the nonsupervisory municipal employee representative. In 1st class cities of the 1st class, this section applies to law enforcement supervisors. In counties having a population of 100,000 or more and 2nd class cities, this section applies to law enforcement supervisors. For such purposes of such application, the term "municipal employee" includes law enforcement such supervisors in cities of the 1st class.~~

SECTION 2350. 111.71 (5) of the statutes is amended to read:

111.71 (5) The commission shall, on a regular basis, provide training programs to prepare individuals for service as arbitrators or arbitration panel members under s. 111.70 (4) (cm). The commission shall engage in appropriate promotional and recruitment efforts to encourage participation in the training programs by individuals throughout the state, including at least 10 residents of each congressional district. The commission may also provide training programs to individuals and organizations on other aspects of collective bargaining, including on areas of management and labor cooperation directly or indirectly affecting collective bargaining. The commission may charge a reasonable fee for participation in the programs.

~~SECTION 2350m. 111.77 (8) of the statutes is renumbered 111.77 (8) (b).~~

~~SECTION 2350n. 111.77 (8) (a) of the statutes is created to read:~~

~~111.77 (8) (a) This section applies to law enforcement supervisors employed by a county having a population of 100,000 or more or by a 2nd class city. For purposes of such application, the term "municipal employee" includes such a supervisor.~~

~~SECTION 2351m. 111.91 (2) (i) of the statutes is created to read:~~

~~111.91 (2) (i) Creditable service to which s. 40.25 (7) (f) applies.~~

SECTION 2352. 111.94 (title) of the statutes is amended to read:

111.94 (title) Rules, transcripts, training programs, fees.

SECTION 2353. 111.94 (3) of the statutes is created to read:

111.94 (3) The commission may provide training programs to individuals and organizations on collective bargaining, including on areas of management and labor cooperation directly or indirectly affecting collective bargaining, and may charge a reasonable fee for participation in the programs.

SECTION 2358e. 114.33 (10) of the statutes is amended to read:

114.33 (10) Subject to the approval of the governor under this subsection, the secretary may sell at public or private sale property of whatever nature owned by the state and under the jurisdiction of the secretary when the secretary determines that the property is no longer necessary for the state's use for airport purposes and, if real property, the real property is not the subject of a petition under s. 16.375. The secretary 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 property should be sold, together with an application for the governor's approval of the sale. The governor shall investigate the proposed sale as he or she deems necessary and approve or disapprove the application. Upon approval and receipt of the full purchase price, the secretary shall by appropriate deed or other instrument transfer the property to the purchaser. The funds derived from the sale shall be deposited in the appropriate airport fund, and the expense incurred by the secretary in connection with the sale shall be paid from that fund.

SECTION 2358m. 114.35 (2) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

114.35 (2) The secretary may also use the funds provided by the state independent of the availability of federal funds to aid sponsors in the development of approved projects on the state system or joint projects and, for air marking and air navigation facilities, for Milwaukee airport promotion under sub. (3); and for

Vetoed
in Part

Vetoed
in Part

Vetoed
in Part

Vetoed in Part the purposes of 1991 Wisconsin Act (this act), section 9155 (5g) and (7i).

Vetoed in Part SECTION 2358n. 114.35 (2) of the statutes, as affected by 1989 Wisconsin Act 31 and 1991 Wisconsin Act (this act), is repealed and recreated to read:
114.35 (2) The secretary may also use the funds provided by the state independent of the availability of federal funds to aid sponsors in the development of approved projects on the state system or joint projects, for air marking and air navigation facilities, and for Milwaukee airport promotion under sub. (3).

SECTION 2358p. 114.35 (3) of the statutes is created to read:

114.35 (3) Annually, from the appropriation under s. 20.395 (2) (dg), the secretary shall award a grant of \$50,000 to General Mitchell international airport. The grant shall be used as follows:

(a) For promoting the use of the airport generally, \$37,500.

(b) For promoting the use of the airport by direct mail programs targeting northern Illinois markets, \$12,500.

SECTION 2359. 114.37 (2) (intro.) of the statutes is amended to read:

114.37 (2) ADMINISTRATION. (intro.) The department shall administer an advance land acquisition loan program to assist counties, cities, villages or towns a county, city, village, town or an owner of a public-use airport in acquiring land necessary for airport projects under s. 114.33. The department shall have all powers necessary and convenient to implement this section, including the following powers:

SECTION 2359g. 115.001 (8) of the statutes is amended to read:

115.001 (8) SCHOOL DISTRICT ADMINISTRATOR. "School district administrator" means the school district superintendent, supervising principal or other person who acts as the administrative head of a school district and who holds an administrator's license.

SECTION 2359m. 115.001 (10) of the statutes is amended to read:

115.001 (10) SCHOOL DISTRICT CLERK. "School district clerk" means the school district clerk of a 3-member school board elected by the electors in a common or union high school district, the school district clerk elected by the school board in a unified, common or union high school district having a school board of more than 3 members and the secretary-business manager clerk designated by the school board in a 1st class city school district.

Vetoed in Part SECTION 2363m. 115.28 (11) of the statutes is created to read:

115.28 (11) ADVANCED PLACEMENT EXAMINATIONS. From the appropriation under s. 20.255 (1) (fd), reimburse private high school pupils for 25% of the costs of advanced placement examinations, and, from the appropriation under s. 20.255 (2) (ap), reimburse school districts for 25% of the costs of advanced

placement examinations taken by public high school pupils.

Vetoed in Part

SECTION 2365. 115.28 (19) of the statutes is amended to read:

115.28 (19) FEDERAL DISCRETIONARY FUNDS. (a) Continue to award federal aid received under 20 USC 1411 (c) (1) (A) to any school district which received such funds in the 1982-83 school year in order to fund the educational costs associated with the transfer of handicapped pupils from a state institution. This paragraph does not apply after July 1, 1994 1992.

(b) Ensure that federal aid received under 20 USC 1411 (c) (1) (A) after July 1, 1994 1992, is not used to supplant or replace funding available from other sources.

SECTION 2365b. 115.28 (23) (d) of the statutes is created to read:

115.28 (23) (d) The minority group pupil scholarship program under s. 115.43.

SECTION 2366. 115.28 (30) of the statutes is created to read:

115.28 (30) VOCATIONAL STUDENT ORGANIZATIONS. (a) Give priority to assisting school boards to operate vocational student organizations for pupils pursuing related instruction.

(b) Provide in the division of instructional services, bureau for vocational education, consultation section, one full-time educational specialist in marketing and apprenticeship education and the following full-time administrative, leadership and vocational student organization educational consultants:

Vetoed in Part

1. Two in agriculture education.
2. Two in business education.
3. Two in technical education.
4. Two in family and consumer education.
5. One in marketing education.

Vetoed in Part

SECTION 2366p. 115.28 (32) of the statutes is created to read:

Vetoed in Part

115.28 (32) HEAD START COORDINATION. Annually, allocate \$50,000 from the appropriation under s. 20.255 (2) (dm) to Dane county head start to contract for an interagency specialist to coordinate statewide head start activities under 42 USC 9831 to 9852.

SECTION 2366s. 115.28 (33) of the statutes is created to read:

115.28 (33) CONSOLIDATION PLANNING GRANT. From the appropriation under s. 20.255 (1) (a), award a grant of \$25,000 in the 1991-92 school year to the school boards of any 2 school districts, for the purpose of supporting their consolidation planning efforts, if at least one of the school districts received no state aid under s. 121.08 in the 1990-91 school year and the 2 school boards established a committee to study the feasibility of consolidating the 2 school districts prior to June 1, 1991. If the school boards of the 2 school districts consolidate by July 1, 1994, the state superintendent shall ensure that, in each of the 1996

Vetoed in Part

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Vetoed in Part 97 and 1997-98 school years, the consolidated school district receives under ss. 121.08 and 121.085 at least 95% of the aid that it received under those sections in the previous school year.

Vetoed in Part SECTION 2367m. 115.30 (4m) of the statutes is created to read:

115.30 (4m). In addition to the report required under s. 15.04 (1) (d), annually by November 1 the state superintendent shall report to the legislature under s. 13.172 (2) on the condition of education in the public schools.

Vetoed in Part SECTION 2367r. 115.32 of the statutes is created to read:

115.32 Certification of athletic associations; appeals.
(1) The state superintendent shall certify school athletic associations. No athletic association may be certified unless it allows private schools to join the association and to participate as members of a conference during regular season play and in postseason tournaments. No public school or school district may be a member of an athletic association that is not certified under this subsection. Nothing in this subsection prevents an athletic association from adopting uniform rules governing its affairs, including suspending schools or their students from the athletic association for violations of those rules.

(2) A school board or governing body of a private school that is a member of an athletic association certified under sub. (1) may appeal to the state superintendent under s. 115.28 (5) any decision made by the governing body of the association that adversely affects the school district or private school. A school board or private school may not commence an action relating to a decision made by the governing body of a certified athletic association until the final decision of the state superintendent is issued.

SECTION 2368. 115.343 (1) of the statutes is amended to read:

115.343 (1) The department shall establish a morning milk program which shall provide for the payment under sub. (3) for beverages for all children who meet the criteria specified in sub. (2) and who are enrolled in a school in kindergarten to grade 5. The A school participating in the program shall offer each eligible child a half-pint of Wisconsin-produced whole milk, 2% milk, 1.5% milk, one percent milk, 0.5% milk, skim milk or chocolate milk on each day in which school is in session. If a child is allergic to milk or has metabolic disorders or other conditions which prohibit him or her from drinking milk, the child shall be offered juice as a substitute. Any school which that participates in the morning milk program under this section is encouraged to consider bids from local milk suppliers. Any such The school shall keep all information related to the identity of the pupils who receive a beverage under the morning milk program confidential. In this subsection, "Wisconsin-produced" means that all or part of the raw milk used by the milk processor was produced in this state.

SECTION 2369. 115.343 (2) (intro.) of the statutes is amended to read:

115.343 (2) (intro.) A child who is enrolled in a school in kindergarten prekindergarten classes to grade 5 is eligible to receive a beverage specified in sub. (1) if all of the following apply:

SECTION 2370. 115.343 (2) (b) of the statutes is amended to read:

115.343 (2) (b) The child meets the income eligibility standard for a free or reduced-price lunch in the federal school lunch program under 42 USC 1758 (b).

SECTION 2371. 115.343 (3) of the statutes is amended to read:

115.343 (3) The department shall make payments to schools for pay each participating school the full costs cost of beverages under sub. (1) served to children eligible under sub. (2) in the prior school year from the appropriation under s. 20.255 (2) (cp).

SECTION 2372. 115.343 (4) of the statutes is repealed and recreated to read:

115.343 (4) If the appropriation under s. 20.255 (2) (cp) in any fiscal year is insufficient to pay the full amount of aid under this section, state aid payments shall be prorated among the schools entitled to such aid.

SECTION 2373. 115.343 (5) of the statutes is amended to read:

115.343 (5) The department shall maintain a separate count of the beverages under sub. (1) served by schools for children who meet the eligibility criteria under sub. (2) and for any number of children who receive are served beverages under sub. (4) this section.

SECTION 2373m. 115.361 (1) of the statutes is amended to read:

115.361 (1) HEAD START SUPPLEMENT. From the appropriation under s. 20.255 (2) (dm), the state superintendent shall distribute funds to agencies determined by the state superintendent to be eligible for designation as head start agencies under 42 USC 9836 to provide comprehensive health, educational, nutritional, social and other services to economically disadvantaged children and their families. The state superintendent shall distribute the funds in a manner consistent with 42 USC 9831 to 9852 except that there is no matching fund requirement. The state superintendent shall give preference in funding under this subsection to an agency that is receiving federal funds under 42 USC 9831 to 9852. No funds Funds distributed under this subsection may be used to match available federal funds under 42 USC 9831 to 9852 only if the funds are used to secure additional federal funds for the purposes under this subsection.

SECTION 2374. 115.361 (2) (b) of the statutes is amended to read:

115.361 (2) (b) A school board contracting under par. (am) may apply to the state superintendent for a grant to help fund the costs of the program. The state

superintendent shall review the applications and determine which of the applicants will receive grants. A grant shall fund 100% of the cost of the classroom materials for the program and 80% of the costs of the contract, except that no grant may exceed \$50,000. Grants shall be awarded from the appropriations under s. 20.255 (2) (dm) and ~~(v) (fx)~~. Funds in the appropriation under s. 20.255 (2) ~~(v) (fx)~~ shall be fully utilized before a grant is awarded from the appropriation under s. 20.255 (2) (dm).

~~SECTION 2374g. 115.361 (3) (d) of the statutes is created to read:~~

Vetoed in Part 115.361 (3) (d) 1. The state superintendent shall appoint a council under s. 15.04 (1) (c) to advise the department concerning the administration of this subsection. The council shall consist of all of the following:

- a. The state superintendent or his or her designee.
- b. The secretary of health and social services or his or her designee.
- c. A member of the senate.
- d. A representative to the assembly, who is a member of a different party than the member of the senate appointed under subd. 1. c.
- e. A parent.
- f. Five representatives of nonprofit, community-based organizations, including a representative with expertise in child development, a representative with expertise in alcohol and other drug abuse prevention, a representative with expertise in minority issues, a representative from a fund-raising organization and a representative from an organization that conducts training sessions for the program under this subsection.
- g. A representative from a county department of social services.
- h. A principal of a school receiving a grant under this subsection.

2. The council shall review the department's rules relating to the program under this subsection, review applications for grants, make recommendations to the state superintendent regarding which schools should receive grants and the amount of each grant, evaluate the results of the funded proposals and advise the state superintendent on recommended changes to the program.

~~SECTION 2374m. 115.361 (5) (c) 1 of the statutes is repealed.~~

~~SECTION 2374s. 115.361 (8) of the statutes is repealed.~~

SECTION 2375. 115.362 (2) (a) (intro.) of the statutes is amended to read:

115.362 (2) (a) (intro.) The department shall award grants from the ~~appropriations~~ appropriation under s. 20.255 (2) ~~(fi) and (w) (fy)~~ to school districts for any of the following:

SECTION 2375m. 115.363 (1) (e) of the statutes is created to read:

115.363 (1) (e) Assist pupils who failed to score above the state minimum performance standard on the 3rd grade reading test under s. 121.02 (1) (r).

SECTION 2377g. 115.363 (3m) of the statutes is created to read:

115.363 (3m) In addition to the requirements under sub. (3), an application for a grant for a program under sub. (1) (e) shall include all of the following:

(a) A plan for improving the reading ability of the pupils described under sub. (1) (e).

(b) Information on the number, by school, of the pupils to be served by the program.

(c) A description of at least 3 indicators of performance that will be used to measure improvement in reading ability.

SECTION 2377r. 115.363 (4) (am) of the statutes is created to read:

115.363 (4) (am) A school board is eligible for a grant for a program under sub. (1) (e) if at least 20% of the pupils who took the 3rd grade reading test in either of the previous 2 school years failed to score above the state minimum performance standard. The state superintendent shall give preference in awarding grants under sub. (1) (e) to those school districts in which at least 20% of the pupils who took the 3rd grade reading test in each of the previous 3 school years failed to score above the state minimum performance standard.

SECTION 2379g. 115.363 (5) of the statutes is amended to read:

115.363 (5) Programs shall be funded on a 2-year basis. No program may be funded unless the state superintendent determines that a grant will not supplant funds otherwise available for the program. The state superintendent shall not award a grant for a program under sub. (1) (e) unless he or she is satisfied that the school district has met the objectives of its program. A grant may be used to augment existing programs.

SECTION 2379m. 115.375 (1) of the statutes is amended to read:

115.375 (1) (a) The environmental education board shall ~~provide advice and assistance to~~ consult with the state superintendent in identifying needs and establishing priorities for environmental education in public schools, including needs for teacher training, curriculum development and the development and dissemination of curriculum materials. The state superintendent shall seek the advice of the board in carrying out these activities.

(b) The board shall ~~provide advice and assistance to~~ consult with other state agencies, including the university of Wisconsin-extension, conservation and environmental groups, youth organizations and nature and environmental centers in identifying needs and establishing priorities for environmental education.

SECTION 2379r. 115.375 (2) (c) of the statutes is amended to read:

115.375 (2) (c) The board shall promulgate rules establishing the criteria and procedures for the awarding of grants for programs and projects under par. (b). The board shall use the priorities established by the state superintendent under sub. (1) for awarding grants if the amount in the appropriations under s. 20.255 (1) (cp) and (jr) in any fiscal year is insufficient to fund all applications under this subsection. The department shall assist the board in administering this section.

SECTION 2380. 115.38 of the statutes is created to read:

115.38 School performance report. (1) The state superintendent shall develop a school and school district performance report for use by school districts under sub. (2). The report shall include all of the following by school and by school district:

(a) Indicators of academic achievement, including the performance of pupils on the tests administered under s. 121.02 (1) (r) and (s), statewide assessment examinations and standardized tests.

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(b) Other indicators of school and school district performance, including dropout, attendance, retention in grade and graduation rates; numbers of suspensions and expulsions; percentage of pupils participating in extracurricular and community activities and advanced placement courses; percentage of graduates enrolled in postsecondary educational programs; and percentage of graduates entering the workforce.

(c) Any other information requested by the state superintendent, if requested of all school districts.

Vetoed
in Part

(2) Annually by January 1, each school board shall distribute to the parent or guardian of each pupil enrolled in the school district, or give to each pupil to bring home to his or her parent or guardian, a school and school district performance report that includes the information specified by the state superintendent under sub. (1).

(3) Annually, the state superintendent shall publish and distribute to the legislature under s. 13.172 (2) a summary of the reports under sub. (2).

SECTION 2380b. 115.392 (3) (a) and (b) of the statutes are repealed and recreated to read:

Vetoed
in Part

115.392 (2) (a) An interdisciplinary science, mathematics and technology education summer program, for pupils from at least 5 school districts, that involves collaboration among the school districts, an institution of higher education and a private organization. The program shall be designed to foster interaction among pupils, scientists, engineers, mathematicians and researchers in the applications of scientific and technical knowledge.

(b) An internship program with businesses, institutions of higher education or other agencies in which teachers and pupils conduct research in science, math-

ematics and technology fields related to their school courses.

Vetoed
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SECTION 2380d. 115.392 (2) (d) to (f) of the statutes are created to read:

115.392 (2) (d) An environmental scientist-in-residence program designed to assist teachers and pupils in applying science, mathematics and technology education to community environmental projects.

(e) An interdisciplinary program for pupils in the elementary grades involving laboratory and field experiences in basic research and experimental activities to stimulate an interest in science, mathematics and technology.

(f) A program designed to encourage girls and minority group pupils to pursue advanced studies and careers in science, mathematics, engineering, research and technology-related fields.

SECTION 2380f. 115.392 (4) (intro.) of the statutes is amended to read:

115.392 (4) (intro.) Projects shall be funded on an annual 18-month basis beginning on January 1 of even-numbered years and may be funded for a period of no more than 3 years twice. Private funds and in-kind contributions may be used to meet any matching fund requirement. No project may be funded unless the state superintendent determines that all of the following conditions have been met:

SECTION 2380h. 115.392 (6) of the statutes is amended to read:

115.392 (6) By August September 1 following each school year for which a grant is awarded the end of the 18-month grant period, each grant recipient shall submit a report to the state superintendent evaluating the effectiveness of the funded project in the previous school year. The report shall include an accounting of all expenditures made on behalf of the project.

SECTION 2380m. 115.40 of the statutes is created to read:

Vetoed
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115.40 Family involvement in education grants. (1) (a) A school board or board of control of a cooperative educational service agency, either individually or jointly with a nonprofit corporation, may apply to the state superintendent for a grant to develop a family involvement in education project designed to support any of the following:

1. A program that teaches parenting skills to parents of children in preschool programs and early elementary grades.

2. A school board plan to enhance communication between school personnel and parents of pupils enrolled in the school district, develop a program for parents to volunteer in the schools, provide instruction in parenting skills in the high school grades, provide parent training programs for parents, or allow the use of school district facilities for adult education programs.

(b) The state superintendent shall review the applications and determine which of the projects eligible for funding will receive grants.

Vetoed
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~~(2) Projects shall be funded on an annual basis and may be funded for a period of no more than 2 years. No project may be funded unless the state superintendent determines that all of the following conditions have been met:~~

~~(a) An award will not supplant funds otherwise available for the project.~~

~~(b) The application describes the method that will be used to evaluate the effectiveness of the project.~~

~~(c) There is a local commitment to maintain the project beyond the grant period, if the state superintendent determines that such a commitment is appropriate.~~

~~(d) The applicant authorizes the state superintendent to disseminate information about the results of the project.~~

~~(e) There is a matching fund contribution from the grant recipient of at least 20% of the cost of the project. Private funds and in-kind contributions may be used to meet the requirement of this paragraph.~~

~~(f) The grant recipient will coordinate the project with agencies providing similar services in the area.~~

~~(3) Amounts awarded under this section shall be paid from the appropriation under s. 20.255 (2) (bs) and may be paid in instalments.~~

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~~SECTION 2380p. 115.405 of the statutes is created to read:~~

~~115.405 Grants for community education programs.~~

~~(1) A school board operating high school grades may apply to the state superintendent for a grant to support the administrative costs of a community education program that provides educational, recreational, social and cultural activities for school district residents.~~

~~(2) In the 1992-93 school year, the state superintendent may award a grant to any applying school board to maintain or establish a community education program. The state superintendent shall give preference in awarding grants to those school districts that have existing community education programs. The amount of the grant shall be determined by the state superintendent, but may not exceed an amount equal to the number of high schools with community education programs multiplied by \$5,000.~~

~~(3) A school board is eligible for a grant under sub. (2) if the school district's community education program does all of the following:~~

~~(a) Encourages and enhances the involvement of school district residents in the program.~~

~~(b) Includes a procedure for assessing community needs and resources and a plan that specifies program objectives.~~

~~(c) Promotes a more efficient use of school district facilities.~~

~~(d) Provides for the coordination and cooperation of various community organizations.~~

~~(e) Provides leadership by individuals who are trained in community education.~~

~~(4) Grants under this section shall be awarded from the appropriation under s. 20.255 (2) (se).~~

~~(5) The state superintendent shall promulgate rules to implement and administer this section.~~

~~SECTION 2380t. 115.42 of the statutes is created to read:~~

~~115.42 Adolescent pregnancy prevention projects.~~

~~(1) Annually, the state superintendent shall allocate \$250,000 from the appropriation under s. 20.255 (2) (fg) to the school board operating under ch. 119 to establish an adolescent pregnancy prevention project in middle schools.~~

~~(2) Beginning in the 1992-93 school year, a school board, other than the school board operating under ch. 119, may apply to the state superintendent for a grant to establish a comprehensive pregnancy prevention project developed jointly with the department. The state superintendent shall award grants to school districts with high incidences of teenage pregnancy. Grants shall be awarded from the appropriation under s. 20.255 (2) (fg).~~

~~(3) A school board receiving a grant under this section shall do all of the following:~~

~~(a) Collaborate with community agencies that have experience discussing sexuality issues with adolescents in a culturally sensitive manner.~~

~~(b) Train teachers in adolescent pregnancy prevention strategies, including human growth and development and available community resources.~~

~~(c) Promote parental understanding of involvement in and responsibility for adolescent pregnancy prevention.~~

~~(d) Address in its project the academic, physical and mental health, social and recreational needs of adolescents served under the project. Such needs may be addressed through mentor programs, resource centers and other appropriate programs.~~

~~(e) Include instruction in all of the areas specified in s. 118.019 (2).~~

~~(f) Promote abstinence from early sexual activity by educating adolescents about the consequences of early pregnancy and parenting, building awareness of pressures to become sexually active and increasing self-confidence and assertiveness skills.~~

~~(4) A school board receiving a grant under this section may contract with public or private, nonsectarian organizations to provide any of the services for which a grant is awarded under this section.~~

~~(5) A school board receiving a grant under this section may not do any of the following:~~

~~(a) Use the funds received to supplant existing local funds.~~

~~(b) Spend more than 10% of the funds received on administrative services.~~

~~SECTION 2381. 115.43 (2) (b) of the statutes is amended to read:~~

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115.43 (2) (b) From the appropriation under s. 20.255 (1) (fz), award precollege scholarships, on a competitive basis, to minority group pupils who enroll in a vocational, technical and adult education school or in college or university classes or programs designed to improve academic skills that are essential for success in postsecondary school education. The state superintendent shall give preference to minority group pupils who are inadequately represented in the vocational, technical and adult education and university of Wisconsin system systems.

SECTION 2382. 115.44 (1) of the statutes is amended to read:

115.44 (1) The state superintendent shall establish an early identification program as part of the Wisconsin educational opportunity program under s. 115.28 (23). Early identification program costs shall be paid from the appropriation under s. 20.255 (1) (fw) (a). The early identification program shall assist minority and economically disadvantaged pupils in grades 8 to 12 in pursuing higher educational opportunities by providing direction toward attainment of career goals.

~~SECTION 2382d. 115.45 (3m) (a) 1m of the statutes is created to read:~~

~~115.45 (3m) (a) 1m. "Equalized valuation" has the meaning given in s. 121.004 (2).~~

~~SECTION 2382h. 115.45 (3m) (a) 3 of the statutes is created to read:~~

~~115.45 (3m) (a) 3. "Membership" has the meaning given in s. 121.004 (5).~~

~~SECTION 2382p. 115.45 (3m) (b) of the statutes is renumbered 115.45 (3m) (b) (intro.) and amended to read:~~

~~115.45 (3m) (b) (intro.) The state superintendent shall give priority in awarding grants under this section to the following programs:~~

~~1. Programs in existence on August 9, 1989, that have proven successful and to programs.~~

~~2. Programs established in school districts with a high number of dropouts and low-income pupils.~~

~~SECTION 2382t. 115.45 (3m) (b) 3 of the statutes is created to read:~~

~~115.45 (3m) (b) 3. Programs established in school districts which, in the previous school year, had at least 2,000 low-income pupils enrolled and in which the quotient of the school district's equalized valuation divided by its membership was no more than 110% of the statewide average.~~

SECTION 2383. 115.45 (9) (b) of the statutes is amended to read:

115.45 (9) (b) Of the amounts in the appropriation under s. 20.255 (2) (do), the The state superintendent shall allocate funds to may authorize a school districts district to use up to 8% of a grant to pay the costs of transporting pupils under par. (a).

SECTION 2384. 115.77 (3) (b) of the statutes is repealed.

SECTION 2386. 115.84 of the statutes is amended to read:

115.84 Local report. The school board, board of control or county handicapped children's education board maintaining special education programs or other services shall report annually to the department, and at such other times as it directs, such information as it requires. The report shall include the number of pupils instructed or provided service, their residence and the period of time each was instructed or otherwise served during the school year. Annually, on or before August 15, each board shall submit to the department an itemized statement on oath of all receipts and disbursements revenues and expenditures on account of such special education programs or other services during the preceding school year.

SECTION 2386m. 115.86 (5) (d) of the statutes is created to read:

115.86 (5) (d) Annually by October 1, the board and the school boards of the school districts participating in the county program shall submit a report to the state superintendent that specifies the portion of each school day that each pupil enrolled in the county program who is also enrolled in the school district of the pupil's residence spent in county program classes in the previous school year and the portion of the school day that the pupil spent in school district classes in the previous school year. The state superintendent shall develop guidelines for a full-time equivalency methodology. The state superintendent is not required to promulgate the guidelines as rules.

SECTION 2390. 115.88 (4) of the statutes is amended to read:

115.88 (4) HOSPITALS AND CONVALESCENT HOME AID. The full cost of special education for children in hospitals and convalescent homes for orthopedically disabled children shall be paid from the appropriation under s. 20.255 (2) (b). The supervision of such instruction shall be under the department and the school board of the school district in which the hospital or convalescent home is located. The school board of the district in which the hospital or convalescent home is located shall submit to the department an itemized statement of all receipts and disbursements revenues and expenditures for the actual cost of such instruction and any other information it requires.

SECTION 2392. 115.88 (7) of the statutes is amended to read:

115.88 (7) OFFSETTING RECEIPTS. In any school year, the following receipts revenues shall be deducted from costs aidable under this section before aids are calculated under this section:

(a) Any federal operational receipts revenues expended on costs aidable under this section.

(b) That portion of state tuition payments attributable to the special annual tuition rate under s. 121.83 (1) (c), regardless of the school year in which the services were provided. The tuition receipts revenues

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shall be allocated to the most appropriate part of a program.

SECTION 2395. 115.92 (2) (b) of the statutes is amended to read:

115.92 (2) (b) Annually, on or before August 15, each school board maintaining a program under this subchapter shall submit to the department an itemized statement on oath of all ~~receipts and disbursements~~ revenues and expenditures related to the program during the preceding school year.

SECTION 2397g. 115.995 (1) of the statutes is renumbered 115.995 and amended to read:

115.995 State aids. ~~Any school district operating a bilingual-bicultural education program during the school year under this subchapter is eligible to receive state aid equal to 63%. Upon receipt of the report under s. 115.993, if the state superintendent is satisfied that the bilingual-bicultural education program for the previous school year was maintained in accordance with this subchapter, the state superintendent shall certify to the department of administration in favor of the school district a sum equal to a percentage of the amount expended on limited-English speaking pupils by the school district during the preceding year for salaries of personnel participating in and attributable to bilingual-bicultural education programs under this subchapter, special books and equipment used in the bilingual-bicultural programs and other expenses approved by the state superintendent. The percentage shall be determined by dividing the amount in the appropriation under s. 20.255 (2) (cc) in the current school year by the total amount of aidable costs in the previous school year.~~

SECTION 2397r. 115.995 (2) of the statutes is repealed.

SECTION 2397w. 116.03 (3) of the statutes is amended to read:

116.03 (3) Approve service contracts with school districts, counties, other cooperative educational service agencies ~~and~~, school districts outside the agency, university of Wisconsin system institutions and centers and vocational, technical and adult education districts, but the contracts shall not extend beyond 3 years. If the service covered by the contract is offered by the agency within which the recipient of service is located the contract shall be subject to approval by the board of control of the agency. If the contract is for instructional telecommunications services, the board of control shall report to the educational communications board the terms and conditions of the contract. The board of control of an agency which borders another state may contract to provide services to an educational agency in the other state, but no aid received under s. 116.08 may be used to provide such services. No board of control may use federal funds for any program which provides services outside this state without the approval of the state superintendent.

~~SECTION 2399g. 118.019 (7) of the statutes is created to read:~~

~~118.019 (7) TEACHER TRAINING. From the appropriation under s. 20.255 (2) (fo), the department shall award grants, using request-for-proposal procedures, to cooperative educational service agencies, school boards, accredited institutions of higher education and private, nonprofit organizations to provide training in human growth and development instruction. The department may award grants to school boards to fund the cost of providing substitute teachers for those teachers who are participating in such training.~~

SECTION 2400. 118.125 (1) (a) of the statutes is amended to read:

118.125 (1) (a) "Behavioral records" means those pupil records which include psychological tests, personality evaluations, records of conversations, any written statement relating specifically to an individual pupil's behavior, tests relating specifically to achievement or measurement of ability, the pupil's physical health records other than his or her immunization records, peace officers' records obtained under s. 48.396 (1m) and any other pupil records that are not progress records.

SECTION 2401. 118.125 (2) (d) of the statutes is amended to read:

118.125 (2) (d) Pupil records may be made available to persons employed by the school district which the pupil attends who are required by the department under s. 115.28 (7) to hold a ~~certificate, license or permit~~ and other school district officials who have been determined by the school board to have legitimate educational interests. Peace officers' records obtained under s. 48.396 (1m) may be made available under this paragraph only for the purposes of s. 118.127 (2) and only to those designated personnel involved in alcohol and other drug abuse programs.

SECTION 2402. 118.125 (2) (e) of the statutes is amended to read:

118.125 (2) (e) Upon the written permission of an adult pupil, or the parent or guardian of a minor pupil, the school shall make available to the person named in the permission the pupil's progress records or such portions of his behavioral records as determined by the person authorizing the release. Peace officers' records obtained under s. 48.396 (1m) may not be made available under this paragraph unless specifically identified by the adult pupil or by the parent or guardian of a minor pupil in the written permission.

SECTION 2402m. 118.125 (2m) (a) of the statutes is amended to read:

118.125 (2m) CONFIDENTIALITY OF PUPIL PHYSICAL HEALTH RECORDS. (a) Except as provided in par. (b), any pupil record that relates to a pupil's physical health and that is not a pupil physical health record shall be treated as a patient health care record under ss. 146.81 to ~~146.83~~ 146.84.

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SECTION 2403. 118.125 (3) of the statutes is amended to read:

118.125 (3) MAINTENANCE OF RECORDS. Each school board shall adopt rules in writing specifying the content of pupil records and the time during which pupil records shall be maintained. No behavioral records may be maintained for more than one year after the pupil ceases to be enrolled in the school, unless the pupil specifies in writing that his or her behavioral records may be maintained for a longer period. A pupil's progress records shall be maintained for at least 5 years after the pupil ceases to be enrolled in the school. A school district board may maintain the records on microfilm or in such form as the school board deems appropriate. A school board shall maintain peace officers' records obtained under s. 48.396 (1m) separately from a pupil's other pupil records. Rules adopted under this subsection shall be published by the school board as a class 1 notice under ch. 985.

SECTION 2404. 118.127 of the statutes is created to read:

118.127 Peace officers' records. (1) Upon receipt of information from peace officers' records obtained under s. 48.396 (1m), the school district administrator shall notify any pupil named in the records, and the parent or guardian of any minor pupil named in the records, of the information.

(2) A school district may use information from peace officers' records obtained under s. 48.396 (1m) only for the purpose of providing alcohol and other drug abuse programs for pupils enrolled in the school district.

SECTION 2406. 118.15 (1) (b) of the statutes is amended to read:

118.15 (1) (b) Upon the child's request of the school board and with the written approval of the child's parent or guardian, any child who is 16 years of age or over and a child at risk, as defined in s. 118.153 (1) (a), may attend, in lieu of high school or on a part-time basis, a vocational, technical and adult education school. ~~Where such a request is made and approved by the school board, the~~ if the child and his or her parent or guardian agree, in writing, that the child will participate in a program leading to the child's high school graduation. The district board of the vocational, technical and adult education district in which the child resides ~~must shall~~ admit the child and ~~must enter into the contract specified in sub. (2).~~ Every vocational, technical and adult education district board ~~must shall~~ offer day class programs satisfactory to meet the requirements of this paragraph and ~~sub. (2) s. 118.33 (3m)~~ as a condition to the receipt of any state aid.

SECTION 2407. 118.15 (1) (c) of the statutes is amended to read:

118.15 (1) (c) 1. Upon the child's request and with the written approval of the child's parent or guardian, any child who is 16 years of age may be excused by the

school board from regular school attendance if the child and his or her parent or guardian agree, in writing, that the child will participate in a program or curriculum modification under par. ~~(b) or~~ (d) leading to the child's high school graduation.

2. Upon the child's request and with the written approval of the child's parent or guardian, any child who is 17 years of age or over may be excused by the school board from regular school attendance if the child and his or her parent or guardian agree, in writing, that the child will participate in a program or curriculum modification under par. ~~(b) or~~ (d) leading to the child's high school graduation or leading to a high school equivalency diploma under s. 115.29 (4).

3. Prior to a child's admission to a program leading to the child's high school graduation or a high school equivalency program under par. (b) or subd. 1 or 2, the child, his or her parent or guardian, the school board and a representative of the high school equivalency program or program leading to the child's high school graduation shall enter into a written agreement. The written agreement shall state the services to be provided, the time period needed to complete the high school equivalency program or program leading to the child's high school graduation and how the performance of the pupil will be monitored. The agreement shall be monitored by the school board on a regular basis, but in no case shall the agreement be monitored less frequently than once per semester. If the school board determines that a child is not complying with the agreement, the school board shall notify the child, his or her parent or guardian and the high school equivalency program or program leading to the child's high school graduation that the agreement may be modified or suspended in 30 days.

SECTION 2408. 118.15 (2) (a) of the statutes is renumbered 118.15 (2) (a) (intro.) and amended to read:

118.15 (2) (a) (intro.) If the determination is made under sub. (1) (b) for a child to attend a vocational, technical and adult education school, the district board governing the vocational, technical and adult education school shall establish appropriate vocational and technical courses in accordance with ~~par. (b) + s. 118.33 (3m)~~ and the school board of the district ~~and the district board governing shall pay the vocational, technical and adult education school shall enter into a contract for such attendance.~~ district board an amount calculated as follows:

SECTION 2409g. 118.15 (2) (a) 1 to 4 of the statutes are created to read:

118.15 (2) (a) 1. Divide the number of credit hours of instruction scheduled by the vocational, technical and adult education district for the pupil by 30.

2. Multiply the quotient under subd. 1 by the statewide average instructional cost for general education programs in the vocational, technical and adult education system in the previous school year, as determined

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by the board of vocational, technical and adult education.

3. Multiply the quotient under subd. 1 by any additional costs associated with direct student support services, as determined jointly by the state superintendent and the state director of the vocational, technical and adult education system.

4. Add the product under subd. 2 to the product under subd. 3.

SECTION 2410. 118.15 (2) (b) of the statutes is repealed.

SECTION 2411. 118.15 (2) (c) of the statutes is amended to read:

118.15 (2) (c) Pupils attending a vocational, technical and adult education school under this subsection may receive general education subjects at the vocational, technical and adult education school and shall be counted as pupils enrolled in the high school for all purposes including computing state aid for the school district ~~and contractual payments therefor. Payments by the school district under par. (a) shall be deemed costs of operation and maintenance. No state aid may be paid to the vocational, technical and adult education district for pupils attending the vocational, technical and adult education school under this subsection.~~

SECTION 2411m. 118.153 (1) (am) of the statutes is created to read:

118.153 (1) (am) "Children at risk" does not include children who satisfy all of the criteria under s. 119.82 (1) (a).

SECTION 2413m. 118.153 (4) (b) of the statutes is amended to read:

118.153 (4) (b) Except as provided under par. (d), if upon receipt of a school board's annual report under par. (a) the state superintendent determines that any 3 of the conditions listed under par. (c) existed in the school district in the previous school year, the school district shall receive from the appropriation under s. 20.255 (2) (bc), for each pupil enrolled in the school district's program for children at risk, additional state aid in an amount equal to 10% of the school district's average per pupil aids provided under ss. s. 20.143 (1) (bs), 1989 stats., in the previous school year and ss. 20.255 (2) (ac), ~~(ad), (an), and (q)~~ and 20.835 (7) (a) in the previous school year.

SECTION 2414. 118.163 (3) of the statutes is created to read:

118.163 (3) An ordinance enacted by a county under sub. (2) is applicable in that part of any city or village located in the county and in any town located in the county, unless the city, village or town has enacted an ordinance under sub. (2).

SECTION 2424m. 118.33 (3m) of the statutes is created to read:

118.33 (3m) A course taken at a vocational, technical and adult education school by a child attending the school part-time or in lieu of high school under s.

118.15 (1) (b) does not fulfill any of the high school graduation requirements under sub. (1) (a) unless the state superintendent has approved the course for that purpose.

SECTION 2424p. 118.34 of the statutes is created to read:

118.34 Technical preparation programs. (1) In cooperation with a vocational, technical and adult education district board, each school board shall establish a technical preparation program in each public high school located in the school district. The program shall consist of a sequence of courses, approved by the council under sub. (2), designed to allow high school pupils to gain advanced standing in the vocational, technical and adult education district's associate degree program upon graduation from high school.

(2) The vocational, technical and adult education district director shall appoint a technical preparation council to coordinate the establishment of the technical preparation programs. The council shall consist of 12 members, ~~including 2 high school administrators, 2 high school vocational teachers and 2 high school teachers of academic subjects. The district director shall appoint the 2 high school administrators from nominations made by professional advisory committees of each cooperative educational service agency located in whole or in part within the vocational, technical and adult education district. The district director shall appoint the 4 high school teachers from a list consisting of 2 teachers from each school district recommended by the labor organization that is certified or recognized to represent the teachers of the school district under subch. IV of ch. III, if any.~~

(3) The department and the board of vocational, technical and adult education shall provide technical assistance to school boards to develop technical preparation programs in each high school. Annually, the school board shall evaluate its program and report the results to the state superintendent and the board of vocational, technical and adult education.

SECTION 2425. 118.37 of the statutes is created to read:

118.37 Postsecondary enrollment options program.

(1) **DEFINITION.** In this section, "institution of higher education" means a center or institution within the university of Wisconsin system, a vocational, technical and adult education school or a private, nonprofit institution of higher education located in this state.

(2) **ENROLLMENT IN INSTITUTION OF HIGHER EDUCATION; APPLICATION.** (a) Beginning in the 1992-93 school year, any public school pupil enrolled in the 11th or 12th grade who is not attending a vocational, technical and adult education school under s. 118.15 (1) (b) may enroll in an institution of higher education for the purpose of taking one or more nonsectarian courses at the institution of higher education, subject to par. (b). The pupil shall submit an application to

Vetoed
in Part

the institution of higher education in the previous school semester. The pupil shall indicate on the application whether he or she will be taking the course or courses for high school credit or postsecondary credit. The pupil shall also specify on the application that if he or she is admitted the institution of higher education may disclose the pupil's grades, the courses that he or she is taking and his or her attendance record to the public school in which the pupil is enrolled.

(b) Paragraph (a) applies to a private institution of higher education only if the private institution of higher education has notified the state superintendent of its intent to participate in the program under this section by September 1 of the previous school year.

(3) NOTIFICATION OF SCHOOL BOARD; DETERMINATION OF HIGH SCHOOL CREDIT. (a) A pupil who intends to enroll in an institution of higher education under this section shall notify the school board of the school district in which he or she is enrolled of that intention no later than March 1 if the pupil intends to enroll in the fall semester, and no later than October 1 if the pupil intends to enroll in the spring semester. The notice shall include the titles of the courses in which the pupil intends to enroll and the number of credits of each course, and shall specify whether the pupil will be taking the courses for high school or postsecondary credit.

Vetoed in Part (b) If the pupil specifies in the notice under par. (a) that he or she intends to take a course at an institution of higher education for high school credit, the school board shall determine whether the course is comparable to a course offered in the school district, and whether the course satisfies any of the high school graduation requirements under s. 118.33 and the number of high school credits to award the pupil for the course, if any. The state superintendent shall develop guidelines to assist school districts in making the determinations. The school board shall notify the pupil of its determinations, in writing, before the end of the semester in which it received the notice under par. (a). If the pupil disagrees with the school board's decision regarding comparability of courses, satisfaction of high school graduation requirements or the number of high school credits to be awarded, the pupil may appeal the school board's decision to the state superintendent within 30 days after the decision. The state superintendent's decision shall be final and is not subject to review under subch. III of ch. 227.

Vetoed in Part (3m) SCHOOL DISTRICT DUTY TO OFFER COMPARABLE COURSE. (a) Except as provided under par. (b), whenever the number of pupils attending an institution of higher education under this section and enrolled in a course that is not comparable to a course offered in the school district is equal to or greater than the number of pupils normally required for the school board to offer a course, as determined by the school board, the school board shall offer the course in the next school year.

(b) The state superintendent may waive the requirement under par. (a) if he or she determines that the

requirement would impose too great a cost because of the lack of equipment or space. Vetoed in Part

(4) ADMISSION TO INSTITUTION OF HIGHER EDUCATION; NOTIFICATION. (a) An institution of higher education may admit a pupil under this section only if it has space available. A pupil may attend a vocational, technical and adult education school under this section only if he or she is a resident of this state.

(am) A pupil may attend an institution of higher education under this section only if the institution of higher education complies with s. 118.13 (1).

(b) If an institution of higher education admits a pupil, it shall notify the school board of the school district in which the pupil is enrolled, in writing, within 30 days after the beginning of classes at the institution of higher education. The notification shall include the course or courses in which the pupil is enrolled.

(c) If a pupil is not admitted to attend the course that he or she specified in the notice under sub. (3) (a) but is admitted to attend a different course, the pupil shall immediately notify the school board of the school district in which he or she is enrolled and the school board shall inform the pupil of its determinations under sub. (3) (b) regarding the course to which the pupil was admitted as soon as practicable.

(d) A pupil taking one or more courses for high school credit at an institution of higher education under this section may not take more than the equivalent of 15 credit hours in any academic semester.

(5) PAYMENT. Within 30 days after the end of the semester, the school board of the school district in which a pupil attending an institution of higher education under this section is enrolled shall pay the institution of higher education, on behalf of the pupil, the following amount for any course that is taken for high school credit and that is not comparable to a course offered in the school district. Vetoed in Part

(a) If the pupil is attending a center or institution within the university of Wisconsin system, the actual cost of tuition, fees, books and other necessary materials directly related to the course.

(b) If the student is attending a vocational, technical and adult education school, the actual cost of tuition, fees, books and other necessary materials directly related to the course.

(c) If the pupil is attending a private institution of higher education, the lesser of the following:

1. The actual cost of tuition, fees, books and other necessary materials directly related to the course.

2. An amount determined by dividing the state total net cost of the general fund in the previous school year by the state total membership in the previous school year, dividing that quotient by the statewide average number of high school credits taken by full-time pupils in the previous school year, as determined by the state superintendent, and multiplying that quotient by the number of high school credits taken by the pupil at the private institution of higher education, as determined under sub. (3) (b). In this

subdivision, "net cost" has the meaning given in s. 121.004 (6), and "membership" has the meaning given in s. 121.004 (5).

(6) RESPONSIBILITY OF PUPIL FOR TUITION AND FEES.

Vetoed in Part (a) A pupil taking a course at an institution of higher education for high school credit under this section is not responsible for any portion of the tuition and fees for the course if the school board, or the state superintendent on appeal under sub. (3) (b), has determined that the course is not comparable to a course offered in the school district.

Vetoed in Part (b) A pupil taking a course at an institution of higher education for high school credit under this section is responsible for the tuition and fees for the course if the school board has determined that the course is comparable to a course offered in the school district, unless the state superintendent reverses the school board's decision on appeal under sub. (3) (b).

(c) A pupil taking a course at an institution of higher education for postsecondary credit under this section is responsible for the tuition and fees for the course.

Vetoed in Part (7g) TRANSPORTATION. The parent or guardian of a pupil who is attending an institution of higher education under this section and is taking a course for high school credit that is not comparable to a course offered in the school district may apply to the state superintendent for reimbursement of the cost of transporting the pupil between the high school in which the pupil is enrolled and the institution of higher education that the pupil is attending if the pupil and the pupil's parent or guardian are unable to pay the cost of such transportation. The state superintendent shall determine the reimbursement amount and shall pay the amount from the appropriation under s. 20.255 (2) (cw). The state superintendent shall give preference under this subsection to those pupils who are eligible for a free or reduced-price lunch under 42 USC 1758 (b).

Vetoed in Part (7r) STATE AID. Annually by June 15, a school board may apply to the state superintendent for reimbursement of the payments made to institutions of higher education under sub. (5). The state superintendent shall determine the reimbursement amount and shall pay the amount from the appropriation under s. 20.255 (2) (eo). If the appropriation under s. 20.255 (2) (eo) in any year is insufficient to pay the full amount of aid under this subsection, state aid payments shall be prorated among the school districts entitled to such aid.

(8) PROGRAM INFORMATION. Annually by October 1, each school board shall provide information about the program under this section to all pupils enrolled in the school district in the 9th, 10th and 11th grades.

Vetoed in Part (9) RULES. The state superintendent shall promulgate rules to implement and administer this section, including rules establishing criteria for determining reimbursement amounts under subs. (7g) and (7r).

SECTION 2427. 119.04 (1) of the statutes is amended to read:

119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.03 (3) (c), 115.01 (1) and (2), 115.28 (15), ~~115.32~~, 115.33, 115.34, 115.343, 115.345, 115.361, ~~115.38 (2), 115.405~~, 115.45, 118.01 to 118.04, 118.06, 118.07, 118.10, 118.12, 118.125 to 118.14, 118.15, 118.153, 118.16, 118.162, 118.163, 118.18, 118.19 (3) (b) and (7), 118.20, 118.24 (2) (c) to (f), 118.255, 118.258, 118.30 to 118.35, 118.37, 120.12 (5), (15), (16), (17), (18), (19) and (20) and (21), 120.125 and 120.13 (1), (2) (b) to (g), (14), (17) to (19), (26) and (34) are applicable to a 1st class city school district and board. **Vetoed in Part**

SECTION 2427c. 119.10 (1) of the statutes is amended to read:

119.10 (1) The board is a continuing body. Any unfinished business before the board or any of its standing or special committees on the 4th Monday in April shall be considered as pending before the board newly organized on such date. At its annual April meeting, after the election of the new board president and the designation of the clerk, the ~~secretary-business manager of the board~~ clerk shall report to the board items of business pending before the board as a whole. After the annual April meeting, unless otherwise directed by the board, the ~~secretary-business manager~~ clerk shall report items of business which had been pending before committees of the board to the corresponding committees of the board appointed by the new president. Matters thus reported may be acted upon by the board in the same manner and with the same effect as if the board had not been newly organized.

SECTION 2427e. 119.10 (2) of the statutes is amended to read:

119.10 (2) Annually on the 4th Monday in April, or on the next day if the 4th Monday is a legal holiday, the board shall hold its organizational meeting and shall elect a president from among its members to serve for one year and until a successor is chosen and shall designate an individual to serve as clerk. In the absence or during the disability of the board president, the board shall elect an acting president. The board president shall appoint standing committees to serve for one year.

SECTION 2427g. 119.10 (6) of the statutes is amended to read:

119.10 (6) All elections or appointments by the board shall be by roll call vote which shall be entered by the ~~secretary-business manager~~ clerk in the minutes and printed proceedings of the board.

SECTION 2427n. 119.12 (2) of the statutes is amended to read:

119.12 (2) In any action or proceeding in which the board is a defendant, service of any summons, writ, pleading or other papers served in commencing the action or proceeding upon the board president, and

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the superintendent of schools and the ~~secretary business manager~~ constitutes service upon the entire board. It is sufficient to serve on such ~~3~~ 2 officers any notice required by law to be served upon the board.

Vetoed
in Part

~~SECTION 2427b. 119.16 (1) of the statutes is created to read:~~

~~119.16 (1) FOUR-YEAR-OLD KINDERGARTEN. The board shall ensure that the number of pupils enrolled in 4-year-old kindergarten programs in the school district does not decrease from the number enrolled in such programs in the 1990-91 school year.~~

SECTION 2427p. 119.34 (title) and (1) to (3) of the statutes are repealed.

SECTION 2427r. 119.34 (4) of the statutes is renumbered 119.32 (6) and amended to read:

119.32 (6) The ~~secretary business manager~~ superintendent of schools shall take an annual census of all persons between the ages of 4 and 20 residing in the city and at the same time shall collect such additional statistics and information relating to schools and the population entitled to school privileges in the city as the board directs. The census may be estimated by using statistically significant sampling techniques that have been approved by the state superintendent.

SECTION 2427w. 119.36 of the statutes is amended to read:

119.36 (title) Dismissal of superintendent of schools. By a two-thirds vote of the members-elect and upon compliance with this section, the board may remove from office the superintendent of schools ~~or the secretary business manager~~ for a misdemeanor in office, incompetency or inattention to the duties of his office. Notice in writing of the charges against the accused and of the time and place of hearing and acting upon the charges shall be served upon the accused at least 5 days before the time of hearing and before any action is taken by the board on the charges. On demand, the accused shall be heard by himself or counsel. Both the board and the accused may produce witnesses who shall be sworn by the board president and shall give testimony subject to the penalty for perjury.

SECTION 2427y. 119.42 (1) of the statutes is amended to read:

119.42 (1) In this section, "teacher" has the meaning given under s. 40.02 (55), but excludes the superintendent of schools, deputy superintendent of schools, associate superintendent of schools, ~~secretary business manager of the board~~, executive assistant to the superintendent of schools, assistant to the superintendent of schools, community superintendent, division director and department director.

SECTION 2428e. 119.50 of the statutes is amended to read:

119.50 Disbursement of moneys. (1) All moneys received by or raised in the city for school purposes shall be paid over to the city treasurer. Such moneys shall be disbursed by the city treasurer on the written order of the ~~secretary business manager~~ superintendent

of schools, countersigned by the auditing officer of the city.

(2) The board may provide by resolution for the payment of all persons employed by the board upon monthly payrolls and for the manner in which such payrolls shall be certified, audited, approved and payment made thereon. Such payrolls shall be certified by the board president and the ~~secretary business manager~~ superintendent of schools, and countersigned by the auditing officer of the city.

(3) The ~~secretary business manager~~ superintendent of schools shall keep separate accounts of all money raised and apportioned for 1st class city school district purposes. The money shall be disbursed in accordance with this section and s. 66.042 (5) and shall be paid from the proper funds.

SECTION 2428m. 119.66 of the statutes is amended to read:

119.66 Interest in contracts forbidden. During the term for which elected or appointed and for 2 years after the expiration of the term, no member of the board may be employed by the board or by the department of employee trust funds in any capacity for which a salary or emolument is provided by the board or the department of employee trust funds. No board member, superintendent of schools, assistant superintendent, ~~secretary business manager~~, other assistant, teacher or other employe of the board may have any interest in the purchase or sale of property by the city for the use or convenience of the schools. No contract made in violation of this section is valid. Any consideration paid by the city for a purchase or sale prohibited by this section may be recovered in an action at law in the name of the city. Any person violating this section shall be removed from any position held under this chapter.

SECTION 2428s. 119.68 (1) of the statutes is amended to read:

119.68 (1) All claims against the city or board shall be audited for sufficiency of funds by the auditing officer of the city. The ~~secretary business manager~~ superintendent of schools shall furnish the auditing officer of the city, a complete list of the claims. Before a warrant is issued therefor, the auditing officer of the city shall countersign it. Within 20 days after each regular or special meeting of the board at which salaries and accounts are voted on and allowed, the ~~secretary business manager~~ superintendent of schools shall make and file with the auditing officer of the city, statements of the condition of the funds for the support of the schools and of the financial transactions of the board during the period next preceding any such statement.

SECTION 2429g. 119.71 (2) of the statutes is amended to read:

119.71 (2) From the appropriation under s. 20.255 (2) (ec), the state superintendent shall pay to the board \$3,627,000 \$4,184,700 in the 1989-90 1991-92 school year.

SECTION 2430d. 119.72 (5) of the statutes is amended to read:

119.72 (5) From the appropriation under s. 20.255 (2) (ec), the state superintendent ~~annually~~ shall pay to the board ~~\$739,000~~ \$824,200 for the program under this section in the 1991-92 school year.

SECTION 2431d. 119.74 of the statutes is repealed and recreated to read:

119.74 Extended-day elementary grade, 4-year-old kindergarten and alcohol and other drug abuse programs. From the appropriation under s. 20.255 (2) (ec), the state superintendent shall pay to the board the following amounts for the following programs in the 1991-92 school year:

(1) For extended-day preschool to grade 6 programs, \$385,000.

(2) For 4-year-old kindergarten programs, \$100,000.

(3) For alcohol and other drug abuse programs at 68th street school, \$49,500.

SECTION 2434d. 119.75 (2) (a) of the statutes is amended to read:

119.75 (2) (a) From the appropriation under s. 20.255 (2) (ec), the state superintendent shall pay to the board ~~\$374,000~~ \$803,900 in the ~~1989-90~~ 1991-92 school year.

SECTION 2436d. 119.78 (2) of the statutes is amended to read:

119.78 (2) From the appropriation under s. 20.255 (2) (ec), the state superintendent shall pay to the board ~~\$160,000~~ \$148,600 in the ~~1989-90~~ 1991-92 school year to fund the family resource center under sub. (1).

SECTION 2437d. 119.80 of the statutes is repealed and recreated to read:

119.80 Spending plan. ~~(1) By January 1, 1992, the governor and the state superintendent shall submit to the joint committee on finance, and to the appropriate standing committees in each house of the legislature under s. 13.172 (3), a joint proposal for the expenditure of the funds in the appropriation under s. 20.255 (2) (ec) in the 1992-93 school year, other than the funds specified under s. 119.82 (3). Within 30 days after receiving the proposal, each such standing committee may submit written recommendations on the proposal to the joint committee on finance.~~

Vetoed in Part

~~(2) The joint committee on finance shall schedule a meeting to approve, modify or disapprove the plan.~~

~~(3) Any change to a proposal approved by the joint committee on finance is subject to the committee's review and approval.~~

SECTION 2438m. 119.82 of the statutes is created to read:

119.82 Alternative educational programs for learnfare pupils. (1) (a) Upon the request of the child or the child's parent or guardian, the board shall provide an alternative educational program for any child

who resides in the city and satisfies all of the following:

1. Is at least 13 years of age but not more than 18 years of age.

2. Is receiving aid to families with dependent children under s. 49.19.

3. Has been or is being sanctioned under s. 49.50 (7) (h) or is subject to the monthly attendance requirement under s. HSS 201.195 (4) (b) 2, Wis. admin. code.

(b) Programs under par. (a) shall be designed to meet the high school graduation requirements under s. 118.33.

(2) The board shall contract with private, non-profit, nonsectarian agencies located in the school district to provide the programs under sub. (1) to 50% of the children described under sub. (1). The board shall pay each contracting agency, for each full-time equivalent pupil served by the agency, an amount equal to at least 80% of the average per pupil cost for the school district.

(3) From the appropriation under s. 20.255 (2) (ec), the state superintendent shall pay to the board \$504,100 in the 1991-92 school year ~~and \$504,100 in the 1992-93 school year~~ for the programs under sub. (1).

Vetoed in Part

~~(4) (a) By September 1, 1992, the board and each county department receiving aid under s. 46.62 shall provide the state superintendent with the data necessary to evaluate whether programs provided under sub. (1) and services provided under s. 46.62 have been effective in reducing the number of pupils sanctioned under s. 49.50 (7) (h) and in improving attendance rates.~~

Vetoed in Part

~~(b) The state superintendent shall compile the data under par. (a) and submit a report to the chief clerk of each house of the legislature for distribution to the appropriate standing committees under s. 13.172 (3) by January 1, 1993. The report shall include an evaluation of whether the programs and services have been effective.~~

(5) The board shall use aid received under s. 121.08 to continue funding for children participating in a program under this section.

SECTION 2438p. 119.85 of the statutes is created to read:

Vetoed in Part

119.85 Management restructuring programs. (1) The state superintendent shall allocate the money in the appropriation under s. 20.255 (2) (ds) to the board. The board shall use the funds to award grants to public schools in the city for management restructuring programs.

(2) A school is eligible for a grant under this section if all of the following apply:

(a) At least two-thirds of its entire staff, the school principal and a majority of the parents of pupils enrolled in the school agree to participate in the program.

Vetoed in Part (b) The school develops a plan that describes the educational needs of the pupils enrolled in the school and the specific educational needs of the school, including objectives relating to improving or maintaining objectives that have been attained.

(3) The superintendent of schools shall award grants to schools based on the plans under sub. (2) (b). The amount of each grant shall be determined by multiplying the school's enrollment by 100.

(4) A school receiving a grant under this section shall establish a management council. The number of council members shall be determined by the school principal in consultation with the staff, but may not exceed 20. The council shall consist of the school principal, teachers, at least one of whom is designated by a labor organization that is certified by the employment relations commission or recognized by the employer to represent the teachers assigned to the school, representatives of staff members who are licensed by the department, representatives of staff members who are not licensed by the department, parents of pupils who are enrolled in the school and pupils who are enrolled in the school. The majority of the members of the council shall be teachers.

(5) The management council established under sub. (4) shall serve as the primary leadership body for the school, shall plan, oversee and design the school's improvement plan and shall ensure that school staff receive training in school-based management.

SECTION 2439. 120.12 (17) of the statutes is amended to read:

120.12 (17) UNIVERSITY OF WISCONSIN SYSTEM TUITION. Pay the tuition of any pupil enrolled in the school district and attending a center or institution within the university of Wisconsin system if the pupil is not participating in the program under s. 118.37, the course the pupil is attending at the university is not offered in the school district and the pupil will receive high school credit for the course.

SECTION 2439m. 120.12 (21) of the statutes is created to read:

120.12 (21) CONSIDERATION OF EFFECTS ON HISTORIC PROPERTIES. (a) In the earliest stage of planning any action related to the following, determine if its proposed action will affect any historic property that is a listed property, as defined under s. 44.31 (4), or that is on the list of locally designated historic places under s. 44.45:

1. Long-range planning for facilities development.
2. Razing any historic property that it owns.

(b) Notify the state historic preservation officer of any proposed action that the school board determines under par. (a) would affect any historic property.

SECTION 2440. 120.125 (4) (a) of the statutes is amended to read:

120.125 (4) (a) That Except as provided under s. 121.545 (2), that the school board is not responsible for providing transportation to or from the before-and after-school day care program.

SECTION 2440c. 120.13 (2) (dm) of the statutes, as created by 1991 Wisconsin Act 336, is repealed.

SECTION 2440d. 120.13 (2) (g) of the statutes is amended to read:

120.13 (2) (g) Every self-insured plan under par. (b) shall comply with ss. 631.90, 631.93 (2) and, 632.87 (5), 632.895 (9) and 632.896.

SECTION 2441. 120.13 (26) of the statutes is amended to read:

120.13 (26) CONTRACTS WITH PRIVATE EDUCATION SERVICES. Upon the approval of the state superintendent and applicable for school years 1980-81 to 1990-91, contract with private education services for pupils who need concurrent education and treatment services, the educational portion of which is not available in the schools in which the pupils are enrolled. Private education services provided under this subsection may not include religious or sectarian teachings or instruction.

SECTION 2443. 120.13 (30) of the statutes is repealed.

SECTION 2444. 121.004 (3) of the statutes is amended to read:

121.004 (3) FUND. "Fund" is an independent accounting entity with its own assets, liabilities, fund balances, receipts, and disbursements, as prescribed under s. 115.28 (13).

SECTION 2445. 121.004 (4) of the statutes is amended to read:

121.004 (4) GROSS COST. The "gross cost" of a fund means the sum of all nonduplicative expenditures from and other financing uses of that fund.

SECTION 2446. 121.004 (6) of the statutes is amended to read:

121.004 (6) NET COST. The "net cost" of a fund means the gross cost of that fund minus all nonduplicative receipts revenues and other financing sources of that fund except property taxes and state general aids aid. In this subsection, "nonduplicative receipts revenues" includes federal financial assistance under 20 USC 236 to 245, to the extent permitted under federal law and regulations, multiplied by 50% in the 1981-82 school year, 75% in the 1982-83 school year and 100% in every school year thereafter.

SECTION 2446m. 121.004 (7) (c) of the statutes is created to read:

121.004 (7) (c) A 5-year-old enrolled in a day care center under s. 119.72 shall be counted as provided under par. (c). A 4-year-old enrolled in a day care center under s. 119.72 shall be counted as one-half pupil.

SECTION 2448. 121.02 (1) (m) of the statutes, as affected by 1985 Wisconsin Act 29 and 1987 Wisconsin Act 27, is amended to read:

121.02 (1) (m) Provide access to an education for employment program that offers various routes to occupational success, including specific job preparation, technical preparation and college preparation.

Vetoed in Part

Vetoed in Part

Vetoed in Part ~~and that has been approved by the state superintendent.~~

SECTION 2454. 121.05 (1) (a) 5 of the statutes is created to read:

121.05 (1) (a) 5. Pupils attending an institution of higher education under s. 118.37.

Vetoed in Part ~~SECTION 2454m. 121.05 (1) (a) 9 of the statutes is created to read:~~

~~121.05 (1) (a) 9. Children enrolled in a day care center under s. 119.72.~~

SECTION 2456. 121.05 (1) (d) of the statutes is amended to read:

121.05 (1) (d) ~~In school years 1980-81 to 1990-91, the~~ The number of pupils for whom contracts with private education services are entered into under s. 120.13 (26).

SECTION 2459c. 121.07 (6) (b) of the statutes is renumbered 121.07 (6) (b) (intro.) and amended to read:

121.07 (6) (b) (intro.) The "primary ceiling cost per member" shall be \$4,335 ~~in the 1989-90 school year and \$4,660 in each school year thereafter~~ the amount determined as follows, except as provided in s. 121.23-;

SECTION 2459d. 121.07 (6) (b) 1 and 2 of the statutes are created to read:

121.07 (6) (b) 1. In the 1991-92 school year, \$4,965.

Vetoed in Part 2. ~~Beginning~~ In the 1992-93 school year, an amount determined by multiplying the primary ceiling cost per member in the previous school year by the rate certified under s. 73.03 (46) and adding the result to the primary ceiling cost per member in the previous school year.

SECTION 2460d. 121.085 (1) of the statutes is amended to read:

121.085 (1) Except as provided under sub. (1m), the department of ~~development, under s. 560.18~~ administration, under s. 16.40 (20), 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 the amount calculated under this section and paid under s. ~~560.18~~ 16.40 (20), 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 the amount calculated under this section and paid under s. ~~560.18~~ 16.40 (20), with the full value of the taxable property of the school district calculated and certified as provided in s. 121.06.

SECTION 2460h. 121.085 (1m) of the statutes is amended to read:

121.085 (1m) No aid calculated under this section and paid under s. ~~560.18~~ 16.40 (20) may be paid to any school district unless a city or village located within the school district verifies to the department of revenue that it has adopted a resolution under s. 66.46 (4) (gm).

SECTION 2460p. 121.10 (1) (b) of the statutes is amended to read:

121.10 (1) (b) "State aid" means the sum of payments provided to a school district under ss. 16.40 (20) and 121.08 and 560.18.

SECTION 2460t. 121.105 (1) of the statutes is amended to read:

121.105 (1) In this section "state aid" means the sum of the payments provided to a school district under this section and ss. 16.40 (20), 121.08, 121.10, 121.85, and 121.86 and 560.18. In the 1991-92 school year, "state aid" includes the payment provided to a school district under s. 560.18, 1989 stats.

SECTION 2461m. 121.105 (2) (a) of the statutes is amended to read:

121.105 (2) (a) Beginning in the ~~1985-86~~ 1991-92 school year, if a school district would receive less than ~~90%~~ 85% of the state aid for the current school year than it received as state aid in the previous school year, its state aid for the current school year shall be increased to an amount equal to ~~90%~~ 85% of the state aid received in the previous school year. The additional aid shall be paid from the appropriation under s. 20.255 (2) (ba).

SECTION 2466. 121.135 (2) (a) 1 of the statutes is amended to read:

121.135 (2) (a) 1. "Additional general aid" means the amount of ~~additional aid that a school district would receive~~ determined by calculating the percentage of a school district's shared costs that would be paid under ss. 16.40 (20) and 121.08 and 560.18 if its membership included each pupil who is a resident of the school district and solely enrolled in a special education program provided by a county handicapped children's education board and the school district's shared costs were increased by the costs of the county handicapped children's education board program for all pupils participating in the county handicapped children's education board program who are residents of the school district, and multiplying the costs of the county handicapped children's education board program by that percentage.

SECTION 2467. 121.135 (2) (a) 2 of the statutes is amended to read:

121.135 (2) (a) 2. "Costs of the county handicapped children's education board program" means the gross cost of the county handicapped children's education board program minus all nonduplicative ~~receipts~~ revenues and other financing sources except property

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taxes and state aid paid under this section in the previous school year.

Vetoed
in Part

~~SECTION 2467m. 121.41 (1) of the statutes is amended to read:~~

~~121.41 (1) STATE AID. To promote a uniformly effective driver education program among high school and vocational, technical and adult education school pupils, each school district operating high school grades, each county handicapped children's education board which provides the substantial equivalent of a high school education and each vocational, technical and adult education district shall receive \$50 \$100 for each pupil of high school age who completes a course in driver education approved by the department, but in no case may the state aid exceed the actual cost of instruction. If the appropriation under s. 20.255 (2) (r) is inadequate in any year to provide \$50 \$100 per pupil, the state aid shall be prorated after the appropriation for administration is deducted. Such state aid shall be paid at the same time as the state aid under s. 121.08 is paid.~~

SECTION 2468. 121.545 of the statutes is renumbered 121.545 (1) and amended to read:

121.545 (1) The parent or guardian of a pupil who attends a public or private school and who is not required to be transported under s. 121.54 may contract with the school board of the district for transportation under this ~~section~~ subsection. The school board of the district may provide transportation under this ~~section~~ subsection to a pupil not required to be transported under s. 121.54, if requested to do so by the parent or guardian of the pupil and if the parent or guardian agrees to pay to the school board a fee sufficient to reimburse the board for the costs incurred in providing such transportation. State aid shall not be provided for transportation under this ~~section~~ subsection.

SECTION 2469. 121.545 (2) of the statutes is created to read:

121.545 (2) A school board may provide transportation for children residing in the school district to or from, or both, a before- and after-school day care program under s. 120.125, a prekindergarten class under s. 120.13 (13), a day care program under s. 120.13 (14) or any other day care program or prekindergarten class. The school board may charge a fee for the cost of providing such transportation. The school board may waive the fee or any portion of the fee for any person who is unable to pay the fee. State aid shall not be provided for transportation under this subsection.

SECTION 2470c. 121.555 (2) (c) 5 of the statutes is amended to read:

121.555 (2) (c) 5. Notwithstanding ss. 111.321, 111.322 and ~~111.325~~ 111.335, may not be a person convicted within a 2-year period of reckless driving under s. 346.62 or a local ordinance in conformity with s. 346.62 (2) or a law of a federally recognized American Indian tribe or band in this state in conformity with s. 346.62 (2), operating a motor vehicle

while under the influence of an intoxicant or of a controlled substance under s. 346.63 (1) or (5) or a local ordinance in conformity therewith or a law of a federally recognized American Indian tribe or band in this state in conformity with s. 346.63 (1) or (5), a violation of s. 346.63 (2) or (6), a violation of s. 346.63 (1m), 1985 stats., a refusal to submit to testing under s. 343.305 (9) (d) or any of the offenses enumerated under s. 343.31 (1) or (2), or 2 or more offenses under s. 346.63 (7) or a local ordinance in conformity therewith or a law of a federally recognized American Indian tribe or band in this state in conformity with s. 346.63 (7), or a conviction of a law of another jurisdiction, as those terms are defined in s. 340.01 (9r) and (41m), respectively, which would be counted under s. 343.307 or a law prohibiting reckless or careless driving, as those or substantially similar terms are used in that jurisdiction's laws. Upon request of the operator or school, the department shall certify whether the operator meets this requirement.

SECTION 2472. 121.83 (1) (a) (intro.) of the statutes is amended to read:

121.83 (1) (a) (intro.) The net school cost for a school year is the sum of the net cost of the general fund, the net cost of the debt service fund, all tuition ~~receipts~~ revenues under this subchapter and special transfer aid under s. 121.85 (6) (b) 2 and 3 for that school year for the agency of service, except as follows:

SECTION 2472g. 121.85 (6) (a) 1 of the statutes is amended to read:

121.85 (6) (a) 1. Divide the state aid received in the current school year under ss. 16.40 (20) and 121.08 ~~and 560.18~~ by the membership used to compute state aid to the school district for the current school year.

~~SECTION 2473g. 121.85 (8) of the statutes is renumbered 121.85 (8) (a) and amended to read:~~

~~121.85 (8) (a) Pupils transferring schools under this section shall be subject to the same rules and regulations as resident pupils and shall have the responsibilities, privileges and rights of resident pupils in the school district or attendance area. Subject to this subsection paragraph, a pupil transferring schools under either sub. (3) (a) or (b) has the right to complete his or her education at the elementary, middle or high school to which he or she transfers so long as full funding therefor is available under s. 20.255 (2) (ac).~~

~~SECTION 2473h. 121.85 (8) (b) of the statutes is created to read:~~

~~121.85 (8) (b) For a pupil transferred under sub. (3) (a), the school district of attendance may not screen the pupil under s. 115.80 (2), provide for the evaluation of the pupil under s. 115.80 (3), provide for the development of an individualized education plan for the pupil under s. 115.80 (4) or provide a placement for the pupil under s. 115.80 (4m) without the approval of the school district of residence.~~

SECTION 2473i. 121.86 (2) (a) 1 of the statutes is amended to read:

Vetoed
in Part

121.86 (2) (a) 1. Divide the state aid received in the current school year under ss. 16.40 (20) and 121.08 and 560.18 by the membership used to compute state aid to the school district for the current school year.

SECTION 2474m. 125.02 (15) of the statutes is amended to read:

125.02 (15) "Primary ~~American~~ source of supply" means the manufacturer, the rectifier, ~~the owner of intoxicating liquor at the time it becomes a marketable product or the exclusive agent of any such person who, if the product cannot be secured directly from the manufacturer by American wholesalers, is the source closest to the manufacturer in the channel of commerce from whom the product can be secured by American wholesalers, or who, if the product can be secured directly from the manufacturer by American wholesalers, is designated by the manufacturer or rectifier.~~

SECTION 2485b. 125.04 (3) (g) (intro.) of the statutes is amended to read:

125.04 (3) (g) *Publication of application for license.* (intro.) The municipal clerk shall publish each application for a Class "A", Class "B", "Class A" or, "Class B" or "Class C" license, except licenses under ss. 125.26 (6) and 125.51 (10), prior to its issuance in a newspaper according to the following conditions:

Vetoed in Part SECTION 2485m. 125.04 (5) (c) of the statutes is amended to read:

125.04 (5) (c) *Corporations.* No license or permit may be issued to any corporation unless the corporation meets the qualifications under pars. (a) 1 and 4 and (b), unless the agent of the corporation appointed under sub. (6) and the officers and directors of the corporation meet the qualifications of pars. (a) 1 and 3 and (b) and unless the agent of the corporation appointed under sub. (6) meets the qualification under par. (a) 2. The requirement that the corporation meet the qualifications under pars. (a) 1 and (b) does not apply if the corporation has terminated its relationship with all of the individuals whose actions directly contributed to the conviction. The requirement that the agent of a corporation meet the qualification under par. (a) 2 does not apply if, on June 30, 1990, the corporation held a valid license or permit for the premises for which issuance of a license or permit is sought.

SECTION 2487. 125.04 (5) (d) 3 of the statutes is created to read:

125.04 (5) (d) 3. Paragraph (a) 4 does not apply to any of the following:

- a. Applicants for operators' licenses under s. 125.17.
- b. Applicants for managers' licenses under s. 125.18.
- c. Applicants for temporary Class "B" licenses under s. 125.26 (6) who are not required to hold a seller's permit under subch. III of ch. 77.

d. Applicants for temporary "Class B" licenses under s. 125.51 (10) who are not required to hold a seller's permit under subch. III of ch. 77.

SECTION 2487c. 125.05 (1) (a) 3m of the statutes is created to read:

125.05 (1) (a) 3m. "Shall 'Class C' licenses (restaurants) be issued for the retail sale of wine for consumption on the premises where sold?"

SECTION 2487e. 125.07 (3) (a) 6m of the statutes is created to read:

125.07 (3) (a) 6m. Premises operating under both a "Class C" license and a restaurant permit.

Vetoed in Part SECTION 2487m. 125.07 (4) (e) of the statutes is created to read:

125.07 (4) (e) 1. In this paragraph, "defendant" means a person found guilty of violating sub. (4) who is 18, 19 or 20 years of age.

2. After ordering a penalty under par. (bs) or (c), the circuit court, with the agreement of the defendant, may enter an additional order staying the execution of the penalty order and suspending or modifying the penalty imposed. The order under this subdivision shall require the defendant to do any of the following:

a. Submit to an alcohol abuse assessment that conforms to the criteria specified under s. 48.547 (4) and that is conducted by an approved treatment facility. The order shall designate an approved treatment facility to conduct the alcohol abuse assessment and shall specify the date by which the assessment must be completed.

b. Participate in an outpatient alcohol abuse treatment program at an approved treatment facility, if an alcohol abuse assessment conducted under subd. 2. a recommends treatment.

c. Participate in a court-approved alcohol abuse education program.

3. If the approved treatment facility, with the written informed consent of the defendant, notifies the agency primarily responsible for providing services to the defendant that the defendant has submitted to an assessment under subd. 2. a. and that the defendant does not need treatment or education, the circuit court shall notify the defendant of whether or not the penalty will be reinstated.

4. If the defendant completes the alcohol abuse treatment program or court-approved alcohol abuse education program, the approved treatment facility or court-approved alcohol abuse education program shall, with the written informed consent of the defendant, notify the agency primarily responsible for providing services to the defendant that the defendant has complied with the order and the circuit court shall notify the defendant of whether or not the penalty will be reinstated. If the court has ordered the suspension of the defendant's operating privilege under par. (bs) or (c), the court may order the secretary of transportation to reinstate the operating privilege of the defendant if he or she completes the alcohol abuse

Vetoed ~~Treatment program or court-approved alcohol abuse in Part education program.~~

~~5. If an approved treatment facility or court-approved alcohol abuse education program, with the written informed consent of the defendant, notifies the agency primarily responsible for providing services to the defendant that the defendant is not participating in the program or that the defendant has not satisfactorily completed a recommended alcohol abuse treatment program or an education program, the circuit court shall hold a hearing to determine whether the penalties under par. (bs) or (c) should be imposed.~~

SECTION 2488. 125.085 (2) of the statutes is amended to read:

125.085 (2) USE. No card other than the identification card authorized under this section may be recognized as an official identification card in this state. In place of an official identification card, documentary proof ~~under s. 125.07 (7) of age~~ may be substituted.

SECTION 2489. 125.085 (3) (a) (title) of the statutes is repealed.

SECTION 2490. 125.085 (3) (b) (title) of the statutes is repealed.

SECTION 2491. 125.085 (3) (b) (intro.) of the statutes is amended to read:

125.085 (3) (b) (intro.) Any underage person who does any of the following is ~~subject to the penalties under ss. 48.344 and 125.07 (4) (c) and (d) guilty of a violation:~~

SECTION 2492. 125.085 (3) (b) 5 of the statutes is repealed.

SECTION 2493. 125.085 (3) (bd) of the statutes is created to read:

125.085 (3) (bd) Any underage person who violates par. (b) is subject to a forfeiture of not less than \$100 nor more than \$500, suspension of the person's operating privilege under s. 343.30 (6) (bm), participation in a supervised work program under par. (bh) or any combination of these penalties.

SECTION 2494. 125.085 (3) (bh) of the statutes is created to read:

125.085 (3) (bh) 1. If the court orders a person to participate in a supervised work program under par. (bd), the court shall set standards for the program within the budgetary limits established by the county board of supervisors. The program may provide the person with reasonable compensation reflecting the market value of the work performed, or it may consist of uncompensated community service work, and shall be administered by the county department under s. 46.215 or 46.22 or a community agency approved by the court.

2. The supervised work program shall be of a constructive nature designed to promote the person's rehabilitation, shall be appropriate to the person's age level and physical ability and shall be combined with counseling from an agency staff member or other qualified person. The program may not conflict with

the person's regular attendance at school. The amount of work required shall be reasonably related to the seriousness of the person's offense.

SECTION 2495. 125.085 (3) (bp) of the statutes is created to read:

125.085 (3) (bp) When a court suspends a person's operating privilege under par. (bd), the department of transportation may not disclose information concerning or relating to the suspension to any person other than a court, district attorney, county corporation counsel, city, village or town attorney, law enforcement agency or the person whose operating privilege is suspended. A person entitled to receive information under this paragraph may not disclose the information to any other person or agency.

SECTION 2496. 125.085 (3) (bt) of the statutes is created to read:

125.085 (3) (bt) A person who is under 18 years of age on the date of disposition is subject to s. 48.344 unless proceedings have been instituted against the person in a court of civil or criminal jurisdiction after dismissal of the citation under s. 48.344 (3).

SECTION 2497. 125.085 (3) (c) (title) of the statutes is repealed.

SECTION 2497c. 125.10 (4) of the statutes is amended to read:

125.10 (4) REGULATION OF CLOSED RETAIL PREMISES. A municipality may not prohibit the permittee, licensee, employees, salespersons, employees of wholesalers licensed under s. 125.28 (1) or 125.54 (1) or service personnel from being present on premises operated under a Class "A", ~~Class "B"~~, "Class A" or "Class C" license or under a Class "B" or "Class B" license or permit during hours when the premises are not open for business if those persons are performing job-related activities.

~~SECTION 2497e. 125.12 (3) of the statutes is amended to read:~~

~~125.12 (3) REFUSALS BY LOCAL AUTHORITIES TO RENEW LICENSES. A municipality issuing licenses under this chapter may refuse to renew a license for the causes provided in sub. (2) (a). A municipality issuing licenses under this chapter may refuse to renew the Class "B", "Class B" or "Class C" license of a person who fails to comply with an order to abate the violation of a private sewage system ordinance adopted under s. 59.065 if the private sewage system serves the licensed premises. Prior to the time for the renewal of the license, the municipal governing body or a duly authorized committee of a city council shall notify the licensee in writing of the municipality's intention not to renew the license and provide the licensee with an opportunity for a hearing. The notice shall state the reasons for the intended action. The hearing shall be conducted as provided in sub. (2) (b) and judicial review shall be as provided in sub. (2) (d). If the hearing is held before a committee of a city council, the committee shall make a report and recommendation as provided under sub. (2) (b) 3 and the city council~~

**Vetoed
in Part**

Vetoed in Part shall follow the procedure specified under that subdivision in making its determination.

SECTION 2497f. 125.12 (5) of the statutes is amended to read:

125.12 (5) ~~REVOCATIONS OR SUSPENSIONS OF, OR REFUSALS TO RENEW, PERMITS BY THE DEPARTMENT. The department may, after notice and an opportunity for hearing, revoke, suspend or refuse to renew any retail permit issued by it for the causes provided in sub. (4) and any other permit issued by it under this chapter for any violation of this chapter or ch. 139. The department may, after notice and an opportunity for hearing, refuse to renew a permit issued under s. 125.27 (1) or 125.51 (5) (a) or (b) to a person who fails to comply with an order to abate the violation of a private sewage system ordinance adopted under s. 59.065 if the private sewage system serves the premises covered by the permit. A revocation, suspension or refusal to renew is a contested case under ch. 227.~~

SECTION 2497g. 125.12 (6) of the statutes is created to read:

125.12 (6) ~~REFUSALS TO ISSUE LICENSES AND PERMITS; PRIVATE SEWAGE SYSTEM ORDINANCES. (a) A municipality issuing licenses under this chapter may refuse to issue a Class "B" license, except for a temporary Class "B" license under s. 125.26 (6), a "Class B" license, except for a temporary "Class B" license under s. 125.51 (10), or a "Class C" license to a person who fails to comply with an order to abate the violation of a private sewage system ordinance adopted under s. 59.065 if the private sewage system serves the premises on which the alcohol beverages would be sold under the license.~~

~~(b) The department may refuse to issue a permit under s. 125.27 (1) or 125.51 (5) (a) or (b) to a person who fails to comply with an order to abate the violation of a private sewage system ordinance adopted under s. 59.065 if the private sewage system serves the premises on which alcohol beverages would be sold under the ordinance.~~

SECTION 2497gm. 125.17 (6) (a) (intro.) of the statutes, as created by 1989 Wisconsin Act 253, is amended to read:

125.17 (6) (a) (intro.) Except as provided in par. (b), no municipal governing body may issue an operator's license unless the applicant has successfully completed a responsible beverage server training course at any location that is offered by a vocational, technical and adult education district and that conforms to curriculum guidelines specified by the board of vocational, technical and adult education or a comparable training course that is approved by the educational approval board or unless the applicant fulfills one of the following requirements:

SECTION 2497gn. 125.17 (6) (a) 2 of the statutes, as created by 1989 Wisconsin Act 253, is amended to read:

125.17 (6) (a) 2. Within the past 2 years, the person held a Class "A", ~~Class "B",~~ "Class A" or "Class C" license or a Class "B" or "Class B" license or permit or a manager's or operator's license.

SECTION 2497h. 125.32 (3m) of the statutes is created to read:

125.32 (3m) **LIMITATIONS ON OTHER BUSINESS; CLASS "B" PREMISES.** No Class "B" license or permit may be granted for any premises where any other business is conducted in connection with the premises, except that this restriction does not apply if the premises for which the Class "B" license or permit is issued is connected to premises where other business is conducted by a secondary doorway that serves as a safety exit and is not the primary entrance to the Class "B" premises. No other business may be conducted on premises operating under a Class "B" license or permit. These restrictions do not apply to any of the following:

- (a) A hotel.
- (b) A restaurant, whether or not it is a part of or located in any mercantile establishment.
- (c) A combination grocery store and tavern.
- (d) A combination sporting goods store and tavern in towns, villages and 4th class cities.
- (e) A combination novelty store and tavern.
- (f) A bowling alley or recreation premises.
- (g) A club, society or lodge that has been in existence for 6 months or more prior to the date of filing application for the Class "B" license or permit.

SECTION 2497ig. 125.33 (2) (m) of the statutes is created to read:

125.33 (2) (m) Purchase products from a Class "B" licensee or permittee.

SECTION 2497im. 125.33 (2) (n) of the statutes is created to read:

125.33 (2) (n) 1. Provide, in this state, reasonable business entertainment that is deductible under section 162 of the internal revenue code to a Class "B" licensee or permittee by doing any of the following:

- a. Providing tickets or free admissions to athletic events, concerts or similar activities.
- b. Providing food and beverages and paying for local ground transportation in connection with activities described in subd. 1. a. and business meetings.

2. Notwithstanding subd. 1, no brewer or wholesaler may provide business entertainment to a Class "B" licensee or permittee under subd. 1 in one day that has a value exceeding \$75.

SECTION 2497jad. 125.51 (1) (a) of the statutes is amended to read:

125.51 (1) (a) Every municipal governing body may grant and issue "Class A" and "Class B" licenses for retail sales of intoxicating liquor, and "Class C" licenses for retail sales of wine, from premises within the municipality to persons entitled to a license under this chapter as the issuing municipal governing body

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deems proper and may authorize an official or body of the municipality to issue temporary "Class B" licenses under sub. (10). No "Class B" license may be issued to a winery under sub. (3) (am) unless the winery has been issued a permit under s. 125.53 and the winery is capable of producing at least 5,000 gallons of wine per year in no more than 2 locations.

SECTION 2497jag. 125.51 (3m) of the statutes is created to read:

125.51 (3m) RETAIL "CLASS C" LICENSES. (a) In this subsection "barroom" means a room that is primarily used for the sale or consumption of alcohol beverages.

(b) A "Class C" license authorizes the retail sale of wine by the glass or in an opened original container for consumption on the premises where sold.

(c) A "Class C" license may be issued to a person qualified under s. 125.04 (5) for a restaurant in which the sale of alcohol beverages accounts for less than 50% of gross receipts and which does not have a barroom if the municipality's quota under sub. (4) prohibits the municipality from issuing a "Class B" license to that person. A "Class C" license may not be issued to a foreign corporation or a person acting as agent for or in the employ of another.

(d) A "Class C" license shall particularly describe the premises for which it is issued.

(e) The annual fee for a "Class C" license shall be determined by the municipal governing body issuing the license. The fee shall not exceed \$100 and shall be the same for all "Class C" licenses.

SECTION 2497jb. 125.51 (4) (ru) of the statutes is created to read:

125.51 (4) (ru) Notwithstanding the quota of a town, a town board may issue a license for restaurants, refreshment areas and shops in Iowa county that are situated on the same premises as a house that is open for public touring and that was constructed on a rock outcropping that is at least 60 feet high, if the premises consist of at least 200 acres of land that is adjacent to STH 23.

SECTION 2497jc. 125.51 (4) (um) of the statutes is created to read:

125.51 (4) (um) Notwithstanding the quota of a town, a town board may issue a license for a resort that is located in the town of Delta in Bayfield county on property that is contiguous to a lake.

SECTION 2497k. 125.51 (4) (v) of the statutes is created to read:

125.51 (4) (v) Notwithstanding its quota, a village may issue a license for a hotel containing a restaurant that was established in 1989 and that is located on USH 12 in Sauk county within one-quarter mile of a dog track.

SECTION 2497p. 125.51 (4) (w) of the statutes is created to read:

125.51 (4) (w) Notwithstanding its quota, a city may issue a license for a hotel and restaurant that were

established in 1972 and that are located on CTH "A" in Sauk county.

SECTION 2497q. 125.51 (4) (wm) of the statutes is created to read:

125.51 (4) (wm) Notwithstanding the quota of a municipality, its governing body may issue a license for a supper club that occupies a former movie theater that is located within one block of the intersection of USH 53 with STH 121 in the county seat of Trempealeau county.

SECTION 2497a. 125.51 (4) (x) of the statutes is created to read:

125.51 (4) (x) Notwithstanding the quota of a municipality, its governing body may issue a license for a golf course that is located on CTH "X" in the town of Sigel in Chippewa county.

SECTION 2497w. 125.51 (4) (y) of the statutes is created to read:

125.51 (4) (y) Notwithstanding the quota of a municipality, its governing body may issue a license for a store located on Main street on Madeline Island in the town of La Pointe in Ashland county.

SECTION 2497y. 125.51 (4) (z) of the statutes is created to read:

125.51 (4) (z) Notwithstanding the quota of a municipality, its governing body may issue a license for a restaurant that is located on STH 13 in the city of Bayfield in Bayfield county.

SECTION 2497zm. 125.51 (8) of the statutes is amended to read:

125.51 (8) CONNECTING PREMISES. Except in the case of hotels, no person may hold both a "Class A" intoxicating liquor license and either a "Class B" intoxicating liquor license or permit, a Class "B" fermented malt beverages license or permit may not be issued or a "Class C" license for the same premises or for connecting premises. Except for hotels, if either class type of license or permit is issued for the same or connecting premises already covered by the other class type of license or permit, the license or permit last issued is void. If both licenses or permits are issued simultaneously, both are void.

SECTION 2498. 125.52 (4) of the statutes is amended to read:

125.52 (4) TERM OF PERMIT. Manufacturers' and rectifiers' permits issued under sub. (1) shall expire on July 1 of each year. Limited manufacturers' permits issued under sub. (2) shall expire on August 1 of each even-numbered year.

SECTION 2498a. 125.58 (1) of the statutes is amended to read:

125.58 (1) The department shall issue out-of-state shippers' permits which authorize persons located outside this state to sell or ship intoxicating liquor into this state. Except as provided under sub. (4), intoxicating liquor may be shipped into this state only to a person holding a manufacturer's, rectifier's, wholesaler's, industrial alcohol or medicinal alcohol permit. Except as provided under sub. (4), a separate out-of-

Vetoed
in Part

Vetoed
in Part

state shipper's permit is required for each location from which any intoxicating liquor is sold or shipped into this state, including the location from which the invoices are issued for the sales or shipments. Any person holding an out-of-state shipper's permit issued under this section may solicit orders for sales or shipments by the permittee without obtaining the sales solicitation permit required by s. 125.65, but every agent, salesperson or other representative who solicits orders for sales or shipments by an out-of-state shipper shall first obtain a permit for soliciting orders under s. 125.65. No holder of an out-of-state shipper's permit issued under this section may sell intoxicating liquor in this state or ship intoxicating liquor into this state unless the out-of-state shipper is the primary source of supply for that intoxicating liquor.

SECTION 2498aac. 125.68 (1) (title), (a) (intro.) and 3 and (b) of the statutes are amended to read:

125.68 (1) (title) MANAGERS' LICENSES; "CLASS B" AND "CLASS C" PREMISES. (a) (intro.) If a municipal governing body elects to issue managers' licenses under s. 125.18, no person may manage premises operating under a "Class B" license or permit or a "Class C" license unless the person is the licensee or permittee, an agent of a corporation appointed as required by s. 125.04 (6) or the holder of a manager's license. A manager's license issued in respect to a vessel under s. 125.51 (5) (c) is valid outside the municipality that issues it. A person manages ~~"Class B"~~ premises if that person has responsibility or authority for:

3. The daily operations of the ~~"Class B"~~ premises.

(b) The municipal governing body may, by ordinance, define factors in addition to those listed in par. (a) which constitute management of ~~"Class B"~~ premises.

SECTION 2498aaf. 125.68 (2) of the statutes is amended to read:

125.68 (2) (title) OPERATORS' LICENSES; "CLASS A", "CLASS B" OR "CLASS C" PREMISES. Except as provided under s. 125.07 (3) (a) 10, no premises operated under a "Class A" or "Class C" license or under a "Class B" license or permit may be open for business unless there is upon the premises either the licensee or permittee, the agent named in the license or permit if the licensee or permittee is a corporation, or some person who has an operator's license and who is responsible for the acts of all persons selling or serving any intoxicating liquor to customers. An operator's license issued in respect to a vessel under s. 125.51 (5) (c) is valid outside the municipality that issues it. For the purpose of this subsection, any person holding a manager's license issued under s. 125.18 or any member of the licensee's or permittee's immediate family who has attained the age of 18 shall be considered the holder of an operator's license. No person, including a member of the licensee's or permittee's immediate family, other than the licensee, permittee or agent may

serve or sell alcohol beverages in any place operated under a "Class A" or "Class C" license or under a "Class B" license or permit unless he or she has an operator's license or is at least 18 years of age and is under the immediate supervision of the licensee, permittee or agent or a person holding an operator's license, who is on the premises at the time of the service.

SECTION 2498aag. 125.68 (2m) (a) of the statutes is amended to read:

125.68 (2m) (a) No person may allow another to use his or her "Class A" or ~~"Class B"~~ "Class C" license or "Class B" license or permit to sell alcohol beverages.

SECTION 2498aah. 125.68 (4) (c) (title) of the statutes is amended to read:

125.68 (4) (c) (title) *"Class B" and "Class C" retailers.*

SECTION 2498aaj. 125.68 (4) (c) 1 of the statutes is amended to read:

125.68 (4) (c) 1. No premises for which a "Class B" license or permit or a "Class C" license has been issued may remain open between the hours of 2 a.m. and 6 a.m., except as otherwise provided in this subdivision and subd. 4. On January 1 premises operating under a "Class B" license or permit are not required to close. On Saturday and Sunday, no premises may remain open between 2:30 a.m. and 6 a.m. This subdivision does not apply to a "Class B" license issued to a winery under s. 125.51 (3) (am).

SECTION 2498aak. 125.68 (5) of the statutes is amended to read:

125.68 (5) RESTAURANT SANITATION RULES. No applicant may obtain a "Class B" license or permit or a "Class C" license unless the premises complies with the rules promulgated by the department of health and social services governing sanitation in restaurants. However, the department of health and social services may not restrict the serving of cheese without charge in individual portions to customers as permitted by s. 50.50 (5).

SECTION 2498aam. 125.68 (8) (a) 3 of the statutes is amended to read:

125.68 (8) (a) 3. Possessing diluted intoxicating liquor or refilled original containers on any premises covered by a "Class A" or "Class C" license or "Class B" license or permit.

SECTION 2498aan. 125.69 (1) (b) 1 of the statutes is amended to read:

125.69 (1) (b) 1. Except as provided under subds. 2 to 4, no intoxicating liquor manufacturer, rectifier or wholesaler may hold any direct or indirect interest in any "Class B" license or permit or establishment or "Class C" license or establishment and no "Class B" licensee or permittee or "Class C" licensee may hold any direct or indirect interest in a wholesale permit or establishment.

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SECTION 2498ad. 125.69 (5) of the statutes is amended to read:

125.69 (5) (title) SOURCE OF SUPPLY. No wholesaler may purchase intoxicating liquor for resale unless he or she purchases it either from the primary ~~American~~ source of supply for the brand of intoxicating liquor sought to be sold or from a wholesaler within this state who holds a permit issued under this chapter. No wholesaler may sell intoxicating liquor purchased by the wholesaler to any other licensee or permittee under this chapter if the intoxicating liquor has not been purchased by the wholesaler from the primary ~~American~~ source of supply or from a wholesaler within the state holding a permit issued under this chapter.

SECTION 2498b. 127.01 (1) of the statutes is renumbered 127.01 (1g).

SECTION 2498c. 127.01 (1) of the statutes is created to read:

127.01 (1) "Affiliate" means any officer, director or partner of a warehouse keeper or grain dealer, any firm or corporation owned or operated by an officer, director or partner of a warehouse keeper or grain dealer and any person acting as agent for a warehouse keeper or grain dealer, who is engaged in the business of buying grain from, or contracting for the growing of grain by, a producer on behalf of a warehouse keeper or grain dealer.

SECTION 2498d. 127.01 (1r) of the statutes is created to read:

127.01 (1r) "Audited financial statement" means a financial statement on which an independent certified public accountant, or a public accountant, who holds a certificate of authority under ch. 442, has expressed an opinion in accordance with generally accepted accounting principles and has conducted an audit in accordance with generally accepted auditing standards.

SECTION 2498e. 127.01 (5) of the statutes is repealed.

SECTION 2498f. 127.01 (5d) of the statutes is created to read:

127.01 (5d) "Class A grain dealer" means any of the following:

(a) A person engaged in the business of buying grain from or selling grain for producers for introduction into commercial channels, who is not an exempt dealer or a Class B or Class C grain dealer.

(b) A feeder of livestock or poultry or a producer that expends \$400,000 or more annually for the purchase of grain from producers or a person that buys grain from producers only in connection with or incidental to the operation of a feed mill or other manufacturing operation and that expends \$400,000 or more annually for the purchase of grain from producers.

SECTION 2498g. 127.01 (5p) of the statutes is created to read:

127.01 (5p) "Class B grain dealer" means a person that buys grain from producers only in connection

with or incidental to the operation of a feed mill or other manufacturing operation and that expends less than \$400,000 annually for the purchase of grain from producers.

SECTION 2498h. 127.01 (5t) of the statutes is created to read:

127.01 (5t) "Class C grain dealer" means a feeder of livestock or poultry or a producer that expends less than \$400,000 annually for the purchase of grain from producers solely for his or her own use as a feed or seed or a producer that is engaged solely in selling grain that he or she has produced.

SECTION 2498p. 127.01 (6) of the statutes is amended to read:

127.01 (6) "Current assets" means cash and assets, including trade or investment items, which that may be readily converted into cash in the ordinary course of business within one year after the date of the balance sheet.

SECTION 2498r. 127.01 (7) of the statutes is amended to read:

127.01 (7) "Current liabilities" means those liabilities which that are due and payable within a period of one year after the date of the balance sheet.

~~SECTION 2500d. 127.01 (10) of the statutes is amended to read:~~

~~127.01 (10) "Department" means the department of agriculture, food and trade and consumer protection.~~

SECTION 2500db. 127.01 (19) (intro.) of the statutes is amended to read:

127.01 (19) (intro.) "Grain dealer" means ~~any person engaged in the business of buying grain from or selling grain for producers. This term a Class A grain dealer, Class B grain dealer, Class C grain dealer or exempt grain dealer.~~ "Grain dealer" does not include:

SECTION 2500dc. 127.01 (19) (a) of the statutes is repealed.

SECTION 2500dd. 127.01 (19) (b) of the statutes is repealed.

SECTION 2500de. 127.01 (26) of the statutes is amended to read:

127.01 (26) "Statement of ~~changes in financial condition~~ cash flows" means a report that summarizes the financing and investing activities of an entity, including funds cash generated from operations and changes in working capital cash during the period that is covered by the report.

SECTION 2500df. 127.01 (27) of the statutes is renumbered 127.01 (25m) and amended to read:

127.01 (25m) "~~Verified Reviewed~~ financial statement" means a financial statement prepared that is reported on by an independent certified public accountant holding, or a public accountant who holds a certificate of authority under ch. 442 which, in accordance with generally accepted accounting principles applicable to reviewed statements but that is not certified audited by the accountant.

Vetoed
in Part

SECTION 2500dg. 127.03 (1) of the statutes is amended to read:

127.03 (1) (title) REQUIREMENT. No person may act as a grain dealer unless the person obtains an annual grain dealer's certificate of registration issued by the department. The requirements of this section do not apply to ~~an exempt~~ a Class C grain dealer unless the Class C grain dealer registers voluntarily or to an exempt grain dealer.

SECTION 2500dh. 127.03 (3) of the statutes is repealed and recreated to read:

127.03 (3) REGISTRATION FEES. (a) The fee for an annual grain dealer's certificate of registration shall be as follows:

1. For a Class A grain dealer, \$400, plus a surcharge of \$250 if the grain dealer's financial statement is not audited.

2. For a Class B grain dealer, \$175.

3. For a Class C grain dealer, \$50.

(b) In addition to the fee specified under par. (a), if a grain dealer operates more than one truck, the grain dealer shall pay an additional registration fee of \$10 for each additional truck that he or she uses for dealing in grain.

(c) All fees received under this subsection shall be deposited in the appropriation under s. 20.115 (1) (jm).

SECTION 2500di. 127.03 (5) of the statutes is amended to read:

127.03 (5) DISPLAY. A grain dealer shall display prominently a copy of the annual grain dealer's certificate of registration on each truck used for dealing in grain operated by the grain dealer and at the grain dealer's permanent business address, if he or she is required to maintain a permanent business address under s. 127.10 (6).

SECTION 2500dj. 127.06 (title) of the statutes is amended to read:

127.06 (title) Financial statement; warehouse keepers and grain dealers.

SECTION 2500dk. 127.06 (1) (a) of the statutes is amended to read:

127.06 (1) (a) Except as provided in par. (c), each warehouse keeper and each Class A grain dealer shall file with the department a financial statement with his or her initial application for a certificate of registration filed pursuant to under s. 127.02 (2). ~~Financial statements filed with applications that are filed on or after September 1, 1985, or 127.03 (2).~~ If a warehouse keeper's warehouses have a combined storage capacity of less than 500,000 bushels, the financial statement of that warehouse keeper shall be ~~certified or verified~~ audited or reviewed. If a warehouse keeper's warehouses have a combined storage capacity of 500,000 bushels or more, the financial statement of that warehouse keeper shall be audited. If a Class A grain dealer buys or sells less than \$2,000,000 of grain

during the grain dealer's fiscal year, the financial statement of that grain dealer shall be audited or reviewed. If a Class A grain dealer buys or sells \$2,000,000 or more of grain during the grain dealer's fiscal year, the financial statement of that grain dealer shall be audited. All financial statements must shall conform to the requirements under sub. (2).

SECTION 2500dm. 127.06 (1) (b) of the statutes is amended to read:

127.06 (1) (b) Except as provided in par. (c), each registered warehouse keeper and each Class A grain dealer shall file a financial statement with the department annually, on or before the 15th day of the 4th month after the close of the warehouse keeper's or grain dealer's fiscal year, or as otherwise required by the department. ~~Financial statements filed under this paragraph for fiscal years ending on or after September 1, 1985, shall be certified or verified~~ A financial statement filed under this paragraph shall be audited or reviewed as specified in par. (a). All financial statements ~~must~~ shall conform to the requirements under sub. (2).

SECTION 2500dn. 127.06 (1) (d) of the statutes is amended to read:

127.06 (1) (d) Notwithstanding par. (c), the department may require any warehouse keeper or Class A grain dealer to file a financial statement or interim statement at any time the department deems it necessary.

SECTION 2500dp. 127.06 (2) of the statutes is renumbered 127.06 (2) (a) and amended to read:

127.06 (2) (a) ~~A~~ Except as provided in par. (b), a financial statement shall consist of a balance sheet, income statement, equity statement, statement of ~~changes in financial condition~~ cash flows, notes to financial statements and other information required by the department, and shall be prepared in conformity with generally accepted accounting principles. ~~A~~ Except as provided in par. (b), a warehouse keeper's financial statement shall disclose, separately and clearly, the warehouse keeper's obligations to depositors in the form of negotiable and nonnegotiable warehouse receipts, scale tickets and collateral warehouse receipts. ~~Except as provided in par. (b), a grain dealer's financial statement shall disclose, separately and clearly, the grain dealer's obligations to producers in the form of scale tickets, receipts, settlement sheets and contracts for grain purchased from producers.~~ All reviewed financial statements shall be sworn to by the warehouse keeper or grain dealer filing the statement.

SECTION 2500dq. 127.06 (2) (b) of the statutes is created to read:

127.06 (2) (b) A warehouse keeper or a Class A grain dealer that has not previously engaged in those businesses may file an initial financial statement, consisting of an opening balance sheet and notes to that

balance sheet, prepared in conformity with generally accepted accounting principles.

SECTION 2500dr. 127.07 (title) of the statutes is amended to read:

127.07 (title) Warehouse keeper's and grain dealer's bond or security.

SECTION 2500ds. 127.07 (1) of the statutes is amended to read:

127.07 (1) **PERMISSIVE BOND.** Any warehouse keeper or grain dealer may maintain a bond ensuring the warehouse keeper's or grain dealer's faithful performance of his or her duties as a warehouse keeper or a grain dealer.

SECTION 2500dt. 127.07 (2) of the statutes is amended to read:

127.07 (2) (title) **REQUIRED BOND FOR WAREHOUSE KEEPERS AND GRAIN DEALERS CLAIMING TO BE BONDED.** No warehouse keeper or grain dealer may claim to be a bonded warehouse keeper or bonded grain dealer unless the warehouse keeper or grain dealer files supplementary reports and financial statements with the department in accordance with sub. (5) and s. 127.06 (1) and maintains a bond on file with the department complying with minimum bonding requirements under sub. (6).

SECTION 2500du. 127.07 (3) (title) of the statutes is amended to read:

127.07 (3) (title) **REQUIRED BOND OR SECURITY; WAREHOUSE KEEPERS AND GRAIN DEALERS FAILING TO MEET MINIMUM FINANCIAL STANDARDS.**

SECTION 2500dun. 127.07 (3) (a) (intro.) of the statutes is amended to read:

127.07 (3) (a) (intro.) No person may act as a warehouse keeper or Class A grain dealer without maintaining compliance with the minimum financial standards under sub. (4) unless the warehouse keeper or grain dealer:

SECTION 2500dv. 127.07 (4) (a) (intro.) of the statutes is amended to read:

127.07 (4) (a) (title) **Warehouse keepers.** (intro.) The minimum financial standards for a warehouse keeper are met if the warehouse keeper maintains ~~both~~ all of the following:

SECTION 2500dx. 127.07 (4) (a) 1. (intro.) of the statutes is renumbered 127.07 (4) (a) 1 and amended to read:

127.07 (4) (a) 1. A minimum ratio of current assets to current liabilities ~~as follows: of 1.25 to 1 on the annual financial statement under s. 127.06 (1) (b).~~

SECTION 2500dy. 127.07 (4) (a) 1. a. of the statutes is repealed.

SECTION 2500dz. 127.07 (4) (a) 1. b. of the statutes is repealed.

SECTION 2500eb. 127.07 (4) (a) 1. c. of the statutes is repealed.

SECTION 2500ec. 127.07 (4) (a) 2 of the statutes is renumbered 127.07 (4) (a) 3 and amended to read:

127.07 (4) (a) 3. Equity ~~of \$25,000~~ that is equal to \$50,000 or the product obtained by multiplying the bushel capacity of the warehouse by 10 cents, whichever is greater.

SECTION 2500ed. 127.07 (4) (a) 2 of the statutes is created to read:

127.07 (4) (a) 2. A minimum ratio of current assets to current liabilities of 1.0 to 1.0 at all times of the year other than the end of the warehouse keeper's fiscal year.

SECTION 2500ee. 127.07 (4) (b) of the statutes is renumbered 127.07 (4) (c) and amended to read:

127.07 (4) (c) **Notification requirement.** A warehouse keeper or Class A grain dealer shall immediately notify the department whenever the warehouse keeper or grain dealer knows or has reason to know that he or she is not meeting the financial standards under this subsection.

SECTION 2500ef. 127.07 (4) (b) of the statutes is created to read:

127.07 (4) (b) **Class A grain dealers.** The minimum financial standards for a Class A grain dealer are met if the grain dealer maintains all of the following:

1. A minimum ratio of current assets to current liabilities on the annual financial statement under s. 127.06 (1) (b) as follows:

- a. Before September 1, 1992, a ratio of 1.1 to 1.
- b. Beginning on September 1, 1992, and ending on August 31, 1994, a ratio of 1.2 to 1.
- c. On and after September 1, 1994, a ratio of 1.25 to 1.

2. A minimum ratio of current assets to current liabilities of 1.0 to 1.0 at all times of the year other than the end of the grain dealer's fiscal year.

3. Equity that is equal to \$10,000 or 5% of the dollar amount that the grain dealer paid during the grain dealer's last completed fiscal year for grain purchased from producers, whichever is greater, but a grain dealer is not required to have an equity that is more than \$500,000.

SECTION 2500eg. 127.07 (5) of the statutes is renumbered 127.07 (5) (a).

SECTION 2500eh. 127.07 (5) (a) (title) of the statutes is created to read:

127.07 (5) (a) (title) **Warehouse keepers.**

SECTION 2500ei. 127.07 (5) (b) of the statutes is created to read:

127.07 (5) (b) **Grain dealers.** A grain dealer's supplementary report that is required to be filed under sub. (2) or (3) shall be filed with the department on or before the 10th day of each month and it shall state all of the following:

1. The total number of bushels of grain, and the total purchase cost of each type of grain, purchased during the previous month.

2. The total number of bushels purchased of each type of grain for which the grain dealer has not yet

paid, and the amount remaining to be paid for each type of grain.

SECTION 2500ej. 127.07 (6) (a) 1 of the statutes is amended to read:

127.07 (6) (a) 1. Made payable to the department for the benefit of depositors or for the benefit of producers selling grain to a grain dealer.

SECTION 2500ek. 127.07 (6) (a) 4 of the statutes is amended to read:

127.07 (6) (a) 4. Continuing and subject to cancellation only upon 90 days' written notice to the department. A bond may not be canceled by a warehouse keeper, grain dealer or surety company except on 90 days' written notice to the department, served in person or by certified mail.

SECTION 2500em. 127.07 (6) (b) (title) of the statutes is amended to read:

127.07 (6) (b) (title) *Amount of bond; warehouse keepers.*

SECTION 2500en. 127.07 (6) (c) of the statutes is created to read:

127.07 (6) (c) *Amount of bond; grain dealers.* The amount of a grain dealer's bond filed with the department under this section shall be in a principal amount, to the next highest \$1,000, equal to 10% of the aggregate dollar amount paid by the grain dealer to producers for grain purchased from them during the grain dealer's last completed fiscal year or, in the case of a grain dealer that has been engaged in business as a grain dealer for less than one year or that has not previously engaged in business as a grain dealer, 10% of the dollar amount estimated by the department to be paid by the grain dealer to producers for grain purchased from them during the next year. The bond may not be less than \$25,000 and is not required to be more than \$100,000.

SECTION 2500eo. 127.07 (7) (a) 1. (intro.) of the statutes is amended to read:

127.07 (7) (a) 1. (intro.) Evidenced by a private surety agreement assigning sufficient security to the department for the benefit of depositors or for the benefit of producers selling grain to a grain dealer. The surety agreement shall:

SECTION 2500ep. 127.07 (7) (b) (title) of the statutes is amended to read:

127.07 (7) (b) (title) *Amount of security; warehouse keepers.*

SECTION 2500eq. 127.07 (7) (c) of the statutes is created to read:

127.07 (7) (c) *Amount of security; grain dealers.* The amount of a grain dealer's security filed with the department under this section shall be in a principal amount, to the next highest \$1,000, equal to 10% of the aggregate dollar amount paid by the grain dealer to producers for grain purchased from them during the grain dealer's last completed fiscal year or, in the case of a grain dealer that has been engaged in business as a grain dealer for less than one year or that has

not previously engaged in business as a grain dealer, 10% of the dollar amount estimated by the department to be paid by the grain dealer to producers for grain purchased from them during the next year. The security may not be less than \$25,000 and is not required to be more than \$100,000.

SECTION 2500er. 127.07 (8) of the statutes is amended to read:

127.07 (8) (title) **REPLACEMENT OF A CANCELED BOND.** (a) *Notification.* If the department receives a notice of cancellation of a bond filed under sub. (2) or (3), the department shall notify the warehouse keeper or grain dealer in writing as to the amount and terms of any replacement bond ~~which~~ that must be filed with the department to comply with this section. Notice shall be served by certified mail or by personal service.

(b) *Replacement bond.* A warehouse keeper or grain dealer shall obtain and file a satisfactory replacement bond with the department, according to the terms of the notice under par. (a), within 30 days after receipt of the notice from the department. If a warehouse keeper or grain dealer fails to obtain and file a replacement bond according to the terms of the department notice within 30 days after receipt of the notice, the department shall by a summary special order summarily suspend the warehouse keeper's or grain dealer's certificate of registration. If a warehouse keeper or grain dealer fails to obtain and file a replacement bond according to the terms of the department notice within 60 days after the receipt of the notice, the department shall by a summary special order summarily revoke the warehouse keeper's or grain dealer's certificate of registration. A summary special order issued under this paragraph is subject to the conditions under s. 127.17 (1) (b) 2 and 3.

SECTION 2500es. 127.07 (9) of the statutes is amended to read:

127.07 (9) **ADDITIONAL BOND OR SECURITY.** (a) *Notification.* If the department determines that the amount of a bond or security filed under sub. (2) or (3) does not meet the minimum requirements under sub. (6) or (7), the department shall notify the warehouse keeper or grain dealer in writing as to the amount and terms of any additional bond or security that is required. Notice shall be served by certified mail or personal service.

(b) *Additional bond or security.* A warehouse keeper or grain dealer shall obtain and file satisfactory additional bond or security with the department, according to the terms of the notice under par. (a), within 30 days after receipt of the notice from the department. If a warehouse keeper or grain dealer fails to obtain and file additional bond or security according to the terms of the department notice within 30 days after receipt of the notice, the department shall by a summary special order summarily suspend the warehouse keeper's or grain dealer's certificate of registration. If a warehouse keeper or grain dealer

fails to obtain and file additional bond or security according to the terms of the department notice within 60 days after receipt of the notice, the department shall by a summary special order summarily revoke the warehouse keeper's or grain dealer's certificate of registration. A summary special order issued under this paragraph is subject to the conditions under s. 127.17 (1) (b) 2 and 3.

SECTION 2500et. 127.07 (9m) of the statutes is created to read:

127.07 (9m) INTERIM SECURITY. While an initial financial statement under s. 127.06 (2) (b) is being prepared by a warehouse keeper or grain dealer that has not previously engaged in those businesses, or while a notice under sub. (8) (a) to file a replacement bond or a notice under sub. (9) (a) to file an additional bond or security is pending, the department may require the warehouse keeper or grain dealer to file with the department a bond or security, including a bond that does not meet the requirements of sub. (6) or security that does not meet the requirements of sub. (7), in the interim until the warehouse keeper or grain dealer files a bond that meets the requirements under sub. (6) and, if applicable, the notice under sub. (8) (a) or (9) (a) or until the warehouse keeper or grain dealer files security that meets the requirements under sub. (7) and, if applicable, the notice under sub. (9) (a). The department may reject any bond or security filed under this subsection that the department finds unacceptable.

SECTION 2500eu. 127.07 (10) of the statutes is amended to read:

127.07 (10) REMOVAL OF BOND OR SECURITY REQUIREMENT. A warehouse keeper or grain dealer who has filed a bond or security under sub. (3) is required to maintain the bond or security until the department releases him or her from the requirement. A warehouse keeper or grain dealer may petition the department at any time for removal of the requirement that a bond or security be maintained. If the department is satisfied, based on 2 successive annual financial statements, that the warehouse keeper or grain dealer has demonstrated compliance with the minimum financial standards, the department may release the warehouse keeper or grain dealer from the obligation to maintain a bond or security.

SECTION 2500ev. 127.10 (6) of the statutes is created to read:

127.10 (6) PERMANENT BUSINESS LOCATION. (a) A Class A grain dealer and Class B grain dealer shall maintain a permanent business address at which the grain dealer may be readily contacted during business hours. A grain dealer's permanent business address shall be provided to every producer from whom the grain dealer buys grain or for whom the grain dealer sells grain.

(b) Any grain dealer under par. (a) who purchases grain under a deferred price contract shall have business hours that begin at 9:30 a.m. and that continue until 1:30 p.m. each week day. The business hours

that are required under this paragraph shall be prominently posted at the business location.

SECTION 2500ew. 127.105 of the statutes is created to read:

127.105 Liability of warehouse keepers and grain dealers. (1) A warehouse keeper or grain dealer is liable to a producer if a subsidiary or affiliate of the warehouse keeper or grain dealer fails to pay the producer in full, in cash and according to the terms of the contract between the subsidiary or affiliate and the producer, amounts owed to the producer by the subsidiary or affiliate.

(2) Any corporation or cooperative that owns, controls or acts as a warehouse keeper or grain dealer is liable to a producer if the warehouse keeper or grain dealer fails to pay in full, in cash and according to the terms of the contract between the warehouse keeper or grain dealer and the producer, amounts owed to the producer by the warehouse keeper or grain dealer.

(3) The department may commence an action in the circuit court for the county in which the warehouse keeper or grain dealer is located to enforce this section.

SECTION 2500ex. 127.13 (title) of the statutes is amended to read:

127.13 (title) Enforcement procedures.

SECTION 2500ey. 127.13 (1) of the statutes is amended to read:

127.13 (1) AUTHORITY OF DEPARTMENT. The department may investigate or inspect a warehouse keeper or grain dealer's operation at any time deemed necessary to determine qualifications for a certificate of registration, compliance with this chapter or rules promulgated under this chapter, the sufficiency of grain on hand to meet obligations to depositors or the ability of the grain dealer or warehouse keeper to make payment for grain when due. In connection with an investigation, the department may require a grain dealer or warehouse keeper to file a sworn or ~~certified~~ audited statement of business operations and financial ~~condition~~ position, including a current daily position statement.

SECTION 2500ez. 127.17 (4) (a) of the statutes is amended to read:

127.17 (4) (a) *Forfeitures.* The department may commence an action to recover a forfeiture of not less than ~~\$400~~ \$250 nor more than \$5,000 for each violation of this chapter or any rules promulgated or special orders issued under this chapter.

~~SECTION 2500fb. Chapter 130 (title) of the statutes is created to read:~~

~~CHAPTER 130~~

~~CONSUMER PROTECTION~~

~~SECTION 2500fd. 130.01 of the statutes is created to read:~~

~~**130.01 Definitions.** In this chapter:~~

~~(1) "Business" includes any business, except that of banks, savings and loan associations, insurance companies and public utilities other than public utilities or~~

**Vetoed
in Part**

Vetoed
in Part

portions of public utility businesses whose associated trade and advertising practices are exempt from regulation by the public service commission under s. 196.195, 196.202 or 196.203 or by other action of the commission.

(2) "Department" means the department of justice.

(3) "Documents" includes books, papers, accounts, records and correspondence.

(4) "Products" includes all articles and commodities in general use.

SECTION 2500ff. 130.02 of the statutes is created to read:

130.02 Power to conduct hearings; secure evidence; witness fees. (1) The department or any of its authorized agents may, in relation to any matter under this chapter and under ss. 100.18 and 100.20, conduct hearings, administer oaths, issue subpoenas and take testimony.

(2) The witnesses and officers who subpoena them shall be entitled to the fees allowed in courts of record. Such fees shall be audited and paid by the state in the same manner as other expenses of the department are audited and paid. No witness subpoenaed at the instance of any party other than the department shall be entitled to payment of fees by the state, unless the department certifies that the testimony of such witness was material.

(3) Any person who shall unlawfully fail to attend as a witness or refuse to testify may be coerced as provided in s. 885.12.

(4) A record of all hearings shall be kept in the office of the department. All hearings shall be public.

SECTION 2500fh. 130.03 of the statutes is created to read:

130.03 Reports to department; inspections. (1) The department may, by rule or order, require persons engaged in business to file with the department, at such time and in such manner as the department may direct, sworn or unsworn reports or sworn or unsworn answers in writing to specific questions, as to any matter under this chapter that the department may investigate.

(2) The department or any of its authorized agents may have access to and may copy any document, or any part thereof, which is in the possession or under the control of any person engaged in business, if such document, or such part thereof, is relevant to any matter under this chapter that the department may investigate.

(3) No person shall refuse or fail to render any report or answer required under this section at such time and in such manner as the department may prescribe. No person shall refuse, neglect or fail to submit, for the purpose of inspection or copying, any document demanded under this section. No person shall wilfully make any false entry or statement in any report or answer required or document demanded under this section. No person shall wilfully fail to

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in Part

make full and true entries and statements in any report or answer required or document demanded under this section. No person shall, for the purpose of embarrassing the department in the conduct of any investigation, hearing or proceeding, remove out of the state or mutilate or alter any document. No person shall, except through judicial process, resist or obstruct any official or subordinate of the department in the exercise of his or her lawful authority.

SECTION 2500fi. 130.04 of the statutes is created to read:

130.04 Preliminary investigation. (1) The department may, at any time, conduct a preliminary investigation to determine whether to begin a hearing or proceeding under this chapter or under ss. 100.18 or 100.20.

(2) The authority contained in ss. 130.02 and 130.03 may be used in the conduct of a preliminary investigation.

SECTION 2500fl. 130.05 of the statutes is created to read:

130.05 Immunity; perjury. (1) No person may be excused from testifying or rendering a report or answer or producing or submitting a document, in response to a demand made under s. 130.02 or 130.03, upon the ground or for the reason that the testimony or report or answer or document required of him or her may tend to incriminate him or her or subject him or her to a penalty or forfeiture. No natural person may be prosecuted or subjected to any penalty or forfeiture for or on account of testifying or rendering a report or answer or producing or submitting a document, in response to a demand made under s. 130.02 or 130.03, and no testimony so given or report or answer so rendered or document so produced or submitted may be received against him or her in any criminal action, investigation or proceeding, except that no natural person so testifying may be exempt from prosecution and punishment for perjury committed by him or her in so testifying or for misrepresentation or concealment committed by him or her in so rendering a report or answer or so producing or submitting a document.

(2) The immunity provided under sub. (1) is subject to the restrictions under s. 972.085.

SECTION 2500fn. 130.06 of the statutes is created to read:

130.06 Hearings; rules; service; procedure; revocation. (1) Rules shall be promulgated as prescribed in ch. 227.

(2) The department, in any matter relating to issuing, revoking or amending an order relating to named persons, except as provided in sub. (3), shall serve upon the person complained against a complaint in the name of the department and a notice of a public hearing thereon to be held not sooner than 10 days after such service. The person complained against shall be entitled to be heard in person, or by agent or

Vetoed in Part attorney, and shall be entitled to process to compel the attendance of witnesses.

(3) The department, after acting pursuant to s. 130.28, 130.30, 130.31 or 130.32 to order the sale or distribution of any substance, article, furnishing, fabric, product or related material ceased, shall give written notice of its finding to the manufacturer, seller or other person responsible for placing the item in the channels of trade in this state. After such notice no person may sell, remove or otherwise dispose of such item except as directed by the department. Any person affected by such notice may demand a prompt hearing to determine the validity of the department's findings. The hearing, if requested, shall be held as expeditiously as possible but not later than 30 days after notice. A request for hearing does not operate to stay enforcement of the order during the pendency of the hearing. The person petitioning for a hearing shall be entitled to the same rights specified under sub. (2).

(4) The department shall serve a copy of any order upon the person against whom the order is issued.

(5) Complaint, notice, order or other process of the department may be served as may be a summons, and a subpoena as provided by s. 885.03, and either may be served by registered mail to an address furnished by the person or concern to either the department or the secretary of state. Service may be proved by affidavit. Service in any event may be also by registered mail addressed to the person or concern and proved by the post-office return receipt, in which case the time of service is the date borne by the receipt.

(6) The testimony presented and the proceedings at hearings shall be taken by a stenographic reporter or otherwise recorded and when necessary shall be transcribed. The attorney general or his or her designated representative shall make his or her findings and determination thereon. The department shall make rules of procedure and practice not inconsistent with any law governing such procedure or practice.

Vetoed in Part SECTION 2500fo. 130.20 (1) (a) of the statutes, as affected by 1991 Wisconsin Act ... (this act), is amended to read:

130.20 (1) (a) "Dwelling unit" means a dwelling, as defined under s. 101.61, a manufactured building, as defined under s. 101.71 or a manufactured home or mobile home, as defined under s. 101.91 16.36.

Vetoed in Part SECTION 2500fp. 130.34 of the statutes is created to read:

130.34 Penalties. (1) Any person who violates any provision of this chapter for which no specific penalty is prescribed shall be fined not more than \$200 or imprisoned in the county jail for not more than 6 months or both.

(2) Any person who violates s. 130.15 shall, for each offense, be fined not less than \$25 nor more than \$5,000 or imprisoned in the county jail for not more than one year or both.

(3) Any person who violates s. 130.08 is subject to a forfeiture of not less than \$50 nor more than \$200 for each violation. **Vetoed in Part**

(4) The department or any district attorney may commence an action in the name of the state to recover a civil forfeiture to the state of not less than \$100 nor more than \$10,000 for each violation of an injunction issued under s. 130.08.

(5) Any person violating s. 130.08 shall be fined not less than \$500 nor more than \$5,000 or imprisoned for not more than one year or both for each offense. Each unlawful advertisement published, printed or mailed on separate days or in separate publications, handbills or direct mailings is a separate violation of s. 130.08.

SECTION 2500g. 133.03 (4) of the statutes is created to read:

133.03 (4) This section does not apply to ambulance service contracted for under ss. 59.07 (41), 60.565, 61.64 and 62.133.

SECTION 2500hd. 134.70 (title) and (1) to (12) of the statutes are renumbered 130.18 (title) and (1) to (12). **Vetoed in Part**

SECTION 2500hf. 134.70 (13) of the statutes is renumbered 130.18 (13), and 130.18 (13) (b) 1. (intro.) and 2, as renumbered, are amended to read:

130.18 (13) (b) 1. (intro.) A fitness center may establish proof of financial responsibility required under par. (a) by maintaining any of the following commitments approved by the department of justice in an amount not less than \$25,000, subject to subd. 2.

2. The commitment described in subd. 1 shall be established in favor of or made payable to the state, for the benefit of any buyer who does not receive a refund under sub. (11) (a). The fitness center shall file with the department of justice any agreement, instrument or other document necessary to enforce the commitment against the fitness center or any relevant 3rd party, or both.

SECTION 2500hh. 134.70 (14) of the statutes is renumbered 130.18 (14).

SECTION 2500hj. 134.70 (15) (a) of the statutes is renumbered 130.18 (15) (a), and 130.18 (15) (a) (intro.), as renumbered, is amended to read:

130.18 (15) (a) (intro.) The department of agriculture, trade and consumer protection and the department of justice shall cooperatively investigate violations of this section or s. 134.705 (2) or (4). The department of justice may on behalf of the state:

SECTION 2500hm. 134.70 (15) (am) of the statutes is renumbered 130.18 (15) (am) and amended to read:

130.18 (15) (am) The department of justice may bring an action in circuit court to recover on a financial commitment maintained under sub. (13) against a fitness center or relevant 3rd party, or both, on behalf of any buyer who does not receive a refund due under sub. (11) (a).

SECTION 2500hp. 134.70 (15) (b) of the statutes is renumbered 130.18 (15) (b).

Vetoed
in Part

~~SECTION 2500jd. 134.705 (1) (c) of the statutes is amended to read:~~

~~134.705 (1) (c) "Fitness center" has the meaning given under s. ~~134.70~~ 130.18 (1) (c).~~

~~SECTION 2500jf. 134.705 (4) of the statutes is amended to read:~~

~~134.705 (4) A fitness center shall post a notice or notices on its premises stating the requirements of sub. (2) and the penalty for a violation of sub. (2) under s. ~~134.70~~ 130.18 (15) (a). The notice shall comply with the rules promulgated by the department under sub. (5) (d).~~

~~SECTION 2500jh. 134.705 (7) of the statutes is amended to read:~~

~~134.705 (7) A violation of sub. (2) or (4) is subject to s. ~~134.70~~ 130.18 (15) (a). This subsection or s. ~~134.70~~ 130.18 (15) (a) does not preclude a person injured as a result of a violation of this section from pursuing any other available equitable or legal relief.~~

~~SECTION 2503db. 134.83 (title) and (1) to (4) of the statutes are renumbered 130.14 (title) and (1) to (4).~~

~~SECTION 2503dd. 134.83 (5) of the statutes is renumbered 130.14 (5), and 130.14 (5) (intro.), as renumbered, is amended to read:~~

~~130.14 (5) (intro.) The department of justice or any district attorney may on behalf of the state.~~

~~SECTION 2503df. 134.83 (6) of the statutes is repealed.~~

~~SECTION 2503dg. 134.83 (7) and (8) of the statutes are renumbered 130.14 (7) and (8).~~

~~SECTION 2503h. 134.99 (1) of the statutes is amended to read:~~

~~134.99 (1) Whoever is concerned in the commission of a violation of this chapter, except s. ~~134.83~~, for which a forfeiture is imposed is a principal and may be charged with and convicted of the violation although he or she did not directly commit it and although the person who directly committed it has not been convicted of the violation.~~

~~SECTION 2503pg. 136.04 (title) of the statutes is amended to read:~~

~~**136.04 (title) Powers of the department of justice.**~~

~~SECTION 2503pl. 136.04 (1) of the statutes is amended to read:~~

~~136.04 (1) The department of agriculture, trade and consumer protection justice may adopt such rules as may be required to carry out the purposes of this chapter.~~

~~SECTION 2503pk. 136.04 (2) of the statutes is amended to read:~~

~~136.04 (2) The department of agriculture, trade and consumer protection justice after public hearing may promulgate rules and issue general or special orders to carry out the purposes of this chapter and to determine and prohibit unfair trade practices in business or~~

~~unfair methods of competition in business pursuant to s. ~~100.20~~ (2) to (4) and (3).~~

Vetoed
in Part

SECTION 2503r. 138.09 (7) (c) 1 of the statutes is amended to read:

138.09 (7) (c) 1. Where the interest is precomputed, the interest may be calculated on the assumption that all scheduled payments will be made when due and the effect of prepayment is governed by the provision on rebate upon prepayment. If a loan is prepaid out of the proceeds of a new loan made under this section, the principal of such new loan may include any unpaid charges on the prior loan which have accrued within 60 days before the making of the new loan, unless the prior loan was precomputed in which event the principal of the new loan may include the balance remaining after making the required rebate plus any accrued charges.

SECTION 2503t. 138.09 (7) (e) 1 of the statutes is amended to read:

138.09 (7) (e) 1. With respect to a precomputed loan which is scheduled to be repaid in substantially equal instalments, the parties may agree to a delinquency charge on any instalment not paid in full on or before the 10th day after its scheduled or deferred due date, in an amount not to exceed 3% 5% of the unpaid amount of the instalment. The delinquency charge may be collected only once on any one instalment but may be collected when due or at any time thereafter.

SECTION 2504. 138.09 (7) (i) 2 of the statutes is amended to read:

138.09 (7) (i) 2. An amount sufficient to cover the fee for filing the termination statement required by s. 409.404 on loans secured by merchandise other than a motor vehicle or a boat; and

SECTION 2505. 138.09 (7) (i) 3 of the statutes is amended to read:

138.09 (7) (i) 3. On motor vehicle loans, the actual filing fee required for filing with the department of transportation under ch. 342 or, on boat loans, the filing fee required for filing with the department of natural resources under ch. 30.

SECTION 2506. 138.12 (6) (b) of the statutes is amended to read:

138.12 (6) (b) Every licensee shall preserve its records of such premium finance transactions, including cards used in a card system, for at least 3 years after making the final entry in respect to any premium finance agreement. The preservation of records in photographic form or other form authorized under s. 220.285 shall constitute compliance with this requirement.

SECTION 2507. 139.05 (4) of the statutes is amended to read:

139.05 (4) In order to insure ensure the payment of all state occupational taxes imposed by law on malt beverages the tax under s. 139.02 together with all interest and penalties thereon, all persons required to

make returns and payment of such tax shall first either deposit with the secretary security in the amount, and of a type, determined by the secretary or enter into a surety bond with corporate surety, both bond and surety to be approved by the secretary. Subject to the limitations hereinafter specified, the amount of the bond required of any taxpayer shall be fixed by the secretary and may be increased or reduced by him at any time. In fixing the amount the The secretary shall require a bond in total amount equal to twice the taxpayer's estimated maximum monthly excise tax, ascertained in such manner as the secretary deems proper. In any event, and the secretary may increase or reduce the amount of the bond, except that the amount of such bond required of any one taxpayer shall not be less than \$1,000 nor more than \$100,000. These bonds shall be filed with the secretary. The state shall not pay interest on security placed with the secretary.

SECTION 2508. 139.06 (1) (a) of the statutes is amended to read:

139.06 (1) (a) The taxes imposed under s. 139.03 (intro.) on intoxicating liquor at the rates under s. 139.03 (2m) shall be paid ~~4 times annually on an estimated basis. The estimated payment shall be made, and a return filed, on February 15, May 15, August 15 and November 15 for calendar quarters beginning on the first day of the month before the month during which the payment is due. The estimated payment shall be based on the expected actual tax liability for the calendar quarter for which the payment is made to, and a monthly return filed with, the department of revenue on or before the 15th of the month following the month in which the tax liability is incurred.~~ An administrative fee of 3 cents per gallon on intoxicating liquor taxed at the rates under s. 139.03 (2m) is imposed, shall be paid along with estimated the taxes and shall be deposited in the appropriation under s. 20.566 (1) (ha). The taxpayer shall adjust the amount of each payment to reflect the amount by which the payment for the previous quarter is greater than or less than the actual tax liability and administrative fee liability for that previous quarter.

SECTION 2509. 139.06 (1) (d) of the statutes is repealed.

SECTION 2510. 139.092 of the statutes is repealed and recreated to read:

139.092 Audits; additional assessments; refunds. Sections 71.74 (1), (2), (10), (11), (13) and (14), 71.75 (2), (4) to (6) and (10), 71.77 and 71.80 (12) as they apply to the taxes under ch. 71 apply to the taxes under this subchapter.

SECTION 2511. 139.094 of the statutes is repealed and recreated to read:

139.094 Appeals. Sections 71.88 (1) (a) and (2) (a), 71.89 and 71.90 as they apply to the taxes under ch. 71 apply to the taxes under this subchapter.

SECTION 2512. 139.11 (1) of the statutes is amended to read:

139.11 (1) **PRESERVATION OF RECORDS.** Every person who manufactures, rectifies, distributes, imports, transports, stores, warehouses or sells intoxicating liquor or fermented malt beverages shall keep complete and accurate records of all such liquor or malt beverages purchased, sold, manufactured, rectified, brewed, fermented, distilled, produced, stored, warehoused, imported or transported within this state. Such records shall be of a kind and in the form prescribed by the secretary and shall be safely preserved ~~for 2 years in such manner as to insure permanency and to ensure accessibility for inspection by the secretary.~~

SECTION 2512m. 139.11 (4) of the statutes is amended to read:

139.11 (4) **CONFIDENTIALITY.** Sections 71.78 (1) and (4) to (9) and 71.83 (2) (a) 3, relating to confidentiality of income, franchise and gift tax returns, apply to any information obtained from any person on a fermented malt beverage or intoxicating liquor tax return, report, schedule, exhibit or other document or from an audit report relating to any of those documents, except that the department of revenue shall publish brewery production and sales statistics and shall publish or permit the publication of statistics on the total number of gallons of the types and brands of intoxicating liquor sold in this state.

SECTION 2513. 139.115 of the statutes is created to read:

139.115 Collection. Sections 71.91 (1) (a) and (c) and (2) to (7) and 71.92 as they apply to the taxes under ch. 71 apply to the taxes under this subchapter.

SECTION 2514. 139.12 of the statutes is repealed.

~~SECTION 2514m. 139.31 (1) (a) and (b) of the statutes are amended to read:~~

~~139.31 (1) (a) On cigarettes weighing not more than 3 pounds per thousand, 15 20 mills on each cigarette.
(b) On cigarettes weighing more than 3 pounds per thousand, 30 40 mills on each cigarette.~~

SECTION 2515. 139.315 (1) of the statutes is amended to read:

139.315 (1) **INVENTORY TAX IMPOSED.** On the effective date of any increase in the sum of the rates under s. 139.31 (1) (a) and (c) or in the sum of the rates under s. 139.31 (1) (b) and (d), an inventory tax is imposed upon cigarettes held, ~~except by a retailer,~~ in inventory for sale or resale on which the cigarette tax has been paid at the prior rate and upon unaffixed stamps in the possession of distributors. Any person, ~~except a retailer,~~ who is in possession of any such cigarettes or unaffixed stamps is liable for payment of the tax imposed under this section. Any person liable for this tax shall determine the number of cigarettes and unaffixed stamps in the person's possession on the effective date of the increase, and by the 15th day after the effective date of the increase the person shall file with the department a return on a form provided by the department and shall by that date pay to the department the tax due.

Vetoed
in Part

Vetoed
in Part

~~SECTION 2516. 139.32 (5) of the statutes is amended to read:~~

~~139.32(5) Manufacturers and distributors having a permit from the secretary may purchase stamps at a discount of 2.0% 0.3 mill per cigarette.~~

SECTION 2517. 139.33 (5) of the statutes is repealed.

SECTION 2518. 139.34 (1) (c) of the statutes is amended to read:

139.34 (1) (c) Subject to ss. 111.321, 111.322 and 111.335, no permit under this section may be granted to any person ~~who~~ to whom any of the following applies:

1. ~~Has~~ The person has been convicted of a misdemeanor, not involving chs. 340 to 349, at least 3 times;

2. ~~Has~~ The person has been convicted of a felony, unless pardoned;

3. ~~Is~~ The person is addicted to the use of a controlled substance under ch. 161;

4. ~~Has~~ The person has income which comes principally from gambling, or ~~who~~ has been convicted of 2 or more gambling offenses;

5. ~~Has~~ The person has been guilty of crimes relating to prostitution; ~~or,~~

6. ~~Has~~ The person has been guilty of crimes relating to loaning money or anything of value to persons holding licenses or permits pursuant to ch. 125.

SECTION 2519. 139.34 (1) (c) 7 of the statutes is created to read:

139.34 (1) (c) 7. The person does not hold a permit under s. 77.52 (7), if the person is a retailer.

SECTION 2520. 139.355 of the statutes is created to read:

139.355 Appeals. Sections 71.88 (1) (a) and (2) (a), 71.89 and 71.90 as they apply to the taxes under ch. 71 apply to the taxes under this subchapter.

SECTION 2521. 139.36 (title) of the statutes is amended to read:

139.36 (title) Refunds for unusable stamps.

SECTION 2522. 139.365 of the statutes is created to read:

139.365 Other refunds. Section 71.75 (2), (4) to (6) and (10) as it applies to the taxes under ch. 71 applies to the taxes under this subchapter. Section 71.74 (13) as it applies to the refund of taxes under ch. 71 applies to the refund of taxes under this subchapter.

SECTION 2523. 139.38 (1) of the statutes is amended to read:

139.38 (1) Every manufacturer located out of the state shall keep records of all sales of cigarettes shipped into this state. Every manufacturer located in the state shall keep records of production, sales and withdrawals of cigarettes. Every distributor shall keep records of purchases and sales of cigarettes. Every manufacturer and distributor holding a permit from the secretary with the right to purchase and apply

stamps shall also keep records of purchases and disposition of stamps. Every jobber, multiple retailer and vending machine operator shall keep records of all purchases and disposition of cigarettes. Every warehouse operator shall keep records of receipts and withdrawals of cigarettes. All such records shall be accurate and complete and be kept in a manner prescribed by the secretary. These records shall be preserved on the premises described in the permit or license ~~for 2 years~~ in such a manner as to ~~insure~~ ensure permanency and accessibility for inspection at reasonable hours by authorized personnel of the department.

SECTION 2523m. 139.38 (6) of the statutes is amended to read:

139.38 (6) Sections 71.78 (1) and (4) to (9) and 71.83 (2) (a) 3, relating to confidentiality of income, franchise and gift tax returns, apply to any information obtained from any person on a cigarette tax return, report, schedule, exhibit or other document or from an audit report pertaining to the same.

SECTION 2524. 139.39 (6) of the statutes is created to read:

139.39 (6) Sections 71.74 (1), (2), (10), (11) and (14), 71.77, 71.80 (12), 71.91 (1) (a) and (c) and (2) to (7) and 71.92 as they apply to the taxes under ch. 71 apply to the taxes under this subchapter. Section 71.74 (13) as it applies to the collection of the taxes under ch. 71 applies to the collection of the taxes under this subchapter.

SECTION 2525. 139.77 (7) of the statutes is amended to read:

139.77 (7) The department may recover the amount of any tax due and unpaid, interest and any penalty in a civil action. The collection of the tax, interest or penalty is not a bar to any prosecution under s. 139.85 (1).

SECTION 2526. 139.78 (5) of the statutes is repealed.

SECTION 2527. 139.82 (1) of the statutes is amended to read:

139.82 (1) Every manufacturer located out of the state shall keep records of all sales of tobacco products shipped into this state. Every manufacturer located in this state shall keep records of production, sales and withdrawals of tobacco products. Every distributor shall keep records of purchases and sales of tobacco products. Every subjobber shall keep records of all purchases and disposition of tobacco products. Every warehouse operator shall keep records of receipts and withdrawals of tobacco products. All records shall be accurate and complete and be kept in a manner prescribed by the department. These records shall be preserved on the premises described in the permit ~~for 2 years~~ in such a manner as to ensure permanency and accessibility for inspection at reasonable hours by authorized personnel of the department.

SECTION 2527m. 139.82 (6) of the statutes is amended to read:

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139.82 (6) Sections 71.78 (1) and (4) to (9) and 71.83 (2) (a) 3, relating to confidentiality of income, franchise and gift tax returns, apply to any information obtained from any person on a tobacco product tax return, report, schedule, exhibit or other document or from an audit report pertaining to the same.

SECTION 2528. 139.83 of the statutes is amended to read:

139.83 Administration and enforcement. Sections 139.355, 139.365, 139.39 and 139.40, as they apply to the tax under subch. II, apply to the administration and enforcement of this subchapter.

SECTION 2529. 139.85 of the statutes is renumbered 139.85 (1).

SECTION 2530. 139.85 (2) of the statutes is created to read:

139.85 (2) If a person fails to file any return required under s. 139.77 (1) by the due date, unless the person shows that that failure was due to reasonable cause and not due to neglect, the department shall add to the amount of tax required to be shown on that return 5% of the amount of the tax if the failure is for not more than one month and an additional 5% of the tax for each additional month or fraction of a month during which the failure continues, but not more than 25% of the tax. For purposes of this subsection, the amount of tax required to be shown on the return shall be reduced by the amount of tax that is paid on or before the due date and by the amount of any credit against the tax that may be claimed on the return.

SECTION 2531. 139.87 (1) of the statutes is repealed.

SECTION 2532. 139.87 (2) of the statutes is amended to read:

139.87 (2) "Dealer" means a person who in violation of ch. 161 possesses, manufactures, produces, ships, transports, delivers, imports, sells or transfers to another person more than 42.5 grams of marijuana, more than 14 grams of mushrooms containing psilocin or psilocybin, more than 100 milligrams of any material containing lysergic acid diethylamide or more than 7 grams of any other schedule I controlled substance or schedule II controlled substance or, if the substance is not sold by weight but in a manufactured dosage form, 150 milligrams of a controlled substance. "Dealer" does not include a person who lawfully possesses marijuana or another controlled substance.

SECTION 2533. 139.87 (5) of the statutes is created to read:

139.87 (5) "Schedule I controlled substance" means a substance listed in s. 161.14.

SECTION 2534. 139.87 (6) of the statutes is created to read:

139.87 (6) "Schedule II controlled substance" means a substance listed in s. 161.16.

SECTION 2535. 139.88 (1g) of the statutes is created to read:

139.88 (1g) Per gram or part of a gram of mushrooms or parts of mushrooms containing psilocin or psilocybin, whether pure or impure, measured when in the dealer's possession, \$10.

SECTION 2536. 139.88 (1r) of the statutes is created to read:

139.88 (1r) Per 100 milligrams or part of 100 milligrams of any material containing lysergic acid diethylamide, whether pure or impure, measured when in the dealer's possession, \$100.

SECTION 2537. 139.88 (2) of the statutes is amended to read:

139.88 (2) Per gram or part of a gram of other schedule I controlled substances or schedule II controlled substances, whether pure or impure, measured when in the dealer's possession, \$200.

SECTION 2538. 139.88 (3) of the statutes is repealed.

SECTION 2539. 139.89 of the statutes is amended to read:

139.89 Proof of payment. The department shall create a uniform system of providing, affixing and displaying stamps, labels or other evidence that the tax under s. 139.88 has been paid. Stamps or other evidence of payment shall be sold at face value. No dealer may possess any schedule I controlled substance or schedule II controlled substance unless the tax under s. 139.88 has been paid on it, as evidenced by a stamp or other official evidence issued by the department. The tax under this subchapter is due and payable immediately upon acquisition or possessing of the ~~marijuana or schedule I controlled substance or schedule II controlled substance~~ in this state, and the department at that time has a lien on all of the taxpayer's property. Late payments are subject to interest at the rate of 1% per month or part of a month. No person may transfer to another person a stamp or other evidence of payment.

SECTION 2540. 139.91 of the statutes is amended to read:

139.91 Confidentiality. The department may not reveal facts obtained in administering this subchapter, except that the department may publish statistics that do not reveal the identities of dealers. Dealers may not be required to provide any identifying information in connection with the purchase of stamps. No information obtained by the department may be used against a dealer in any criminal proceeding unless that information has been independently obtained, except in connection with a proceeding involving possession of ~~untaxed marijuana or schedule I controlled substances or schedule II controlled substances~~ on which the tax has not been paid or in connection with taxes due under s. 139.88 from the dealer.

SECTION 2541. 139.95 of the statutes is amended to read:

139.95 Penalties. (1) Any dealer who possesses ~~marijuana or a schedule I controlled substance or schedule II controlled substance~~ that does not bear

evidence that the tax under s. 139.88 has been paid shall pay, in addition to the tax under s. 139.88, a penalty equal to the tax due. The department shall collect penalties under this subchapter in the same manner as it collects the tax under this subchapter.

(2) A dealer who possesses ~~marijuana~~ or a schedule I controlled substance or schedule II controlled substance that does not bear evidence that the tax under s. 139.88 has been paid may be fined not more than \$10,000 or imprisoned for not more than 5 years or both.

(3) Any person who falsely or fraudulently makes, alters or counterfeits any stamp or procures or causes the same to be done or who knowingly utters, publishes, passes or tenders as true any false, altered or counterfeit stamp or who affixes a counterfeit stamp to ~~marijuana~~ or a schedule I controlled substance or schedule II controlled substance or who possesses ~~marijuana~~ or a schedule I controlled substance or schedule II controlled substance to which a false, altered or counterfeit stamp is affixed may be fined not more than \$10,000 or imprisoned for not less than one year nor more than 10 years or both.

SECTION 2542g. 140.03 (3) of the statutes is amended to read:

140.03 (3) PRIMARY HEALTH CARE SERVICES GRANTS. From the appropriation under s. 20.435 (1) ~~(ch)~~ (cp), the department shall allocate up to \$1,000,000 ~~\$750,000~~ in each fiscal year 1990-91 as grants to

SECTION 2542j. 140.05 (17) (d) 2. (figure) of the statutes is amended to read:

Figure: 140.05 (17) (d) 2

<u>Establishment</u>	<u>Annual permit fee</u>
Public swimming pool	\$ 90
Recreational and educational camp	50
Campground, <u>or</u> camping resort <u>or</u> mobile home park	
home park	
With 1 to 25 sites	70
With 26 to 50 sites	90
With 51 to 100 sites	110
With over 100 sites	125

Vetoed in Part SECTION 2542m. 140.77 (2) of the statutes is amended to read:

140.77 (2) The pesticide review board shall appoint a council not to exceed 6 members of technical or professional experts composed of one representative each from the department of agriculture, food and trade ~~and consumer protection~~, department of health and social services, department of natural resources, college of agricultural and life sciences of the university of Wisconsin, water resources center of the university of Wisconsin, school of natural resources of the university of Wisconsin, and in addition 3 public members appointed by the governor and confirmed by the senate for staggered 3-year terms who shall be techni-

cal or professional experts in the use of pesticides, one of whom shall be a representative of the pesticide industry, one of whom shall be a representative of the agricultural industry and one of whom shall be a person of broad knowledge and experience in the conservation and wise use of natural resources. The council shall generally assist the review board and shall assist particularly in obtaining scientific data and coordinating pesticide regulatory, enforcement, research and educational functions of the state.

SECTION 2542j. 140.05 (17) (a) of the statutes is amended to read:

140.05 (17) (a) The department or a village, city or county granted agent status under s. 50.535 (2) shall issue permits to and regulate campgrounds and camping resorts, recreational and educational camps, ~~mobile home parks~~ and public swimming pools. No person, state or local government who has not been issued a permit under this subsection may conduct, maintain, manage or operate a campground and camping resort, recreational camp and educational camp, ~~mobile home park~~ or public swimming pool, as defined by departmental rule.

Vetoed in Part SECTION 2543. 140.77 (2) of the statutes is amended to read:

SECTION 2543. 140.85 (1) of the statutes is renumbered 140.85 (1) (intro.) and amended to read:

140.85 (1) (title) DEFINITIONS (intro.). In this section, "community-based" ~~"community-based"~~

(a) "Community-based residential facility" has the meaning specified in s. 50.01 (1g).

SECTION 2544. 140.85 (1) (b) of the statutes is created to read:

140.85 (1) (b) "Total monthly charges" means the total amount paid per month, including the basic monthly rate plus any additional fees, by a resident of a community-based residential facility for care, treatment and services provided by that community-based residential facility as a primary function of that community-based residential facility or provided by another community-based residential facility that provides care, treatment or services for the resident.

SECTION 2545. 140.85 (2) (intro.) (except 140.85 (2) (title)) of the statutes is repealed.

SECTION 2546. 140.85 (2) (a) of the statutes is renumbered 140.85 (2) (b) and amended to read:

140.85 (2) (b) Such fees shall be paid to the department by the community-based residential facility ~~on or before October 1 for the ensuing year before the department may issue a license under s. 50.03 (4) (a) 1.~~ A community-based residential facility that wishes to renew a license issued under s. 50.03 (4) (a) 1 shall pay the fee under par. (a) by the renewal date of the license. A new community-based residential facility shall pay the fees fee under this subsection no later than 30 days before the opening of the facility.

SECTION 2547. 140.85 (2) (a) of the statutes is created to read:

140.85 (2) (a) The annual fee for a community-based residential facility is \$75, plus an annual fee of \$10 per resident, based on the number of residents that the facility is licensed to serve.

SECTION 2548. 140.85 (2) (b) of the statutes is renumbered 140.85 (2) (c) and amended to read:

140.85 (2) (c) ~~Any A community-based residential facility that wishes to renew a license issued under s. 50.03 (4) (a) 1 and that fails to submit the annual fee prior to October 1 the renewal date of the license, or a new community-based residential facility subject to this section that fails to submit the annual fee by 30 days prior to the opening of a the new community-based residential facility subject to this section, shall pay an additional fee of \$10 per day for every day after the deadline that the facility does not pay the fee.~~

SECTION 2549. 140.85 (3) of the statutes is amended to read:

140.85 (3) EXEMPTION. Community-based residential facilities ~~licensed for 20 or fewer residents where the total monthly charges for each resident do not exceed the monthly state supplemental payment rate under s. 49.177 (3s) that is in effect at the time the fee under sub. (2) is assessed are exempt from this section.~~

SECTION 2550b. 140.87 of the statutes is amended to read:

140.87 Grant for dental services. From the appropriation under s. 20.435 (1) (a), the department shall allocate up to ~~\$125,000~~ \$1,700,000 in state fiscal year

~~1989-90 1991-92~~ and up to ~~\$500,000~~ \$2,300,000 in state fiscal year ~~1990-91 1992-93~~ to the Marquette university school of dentistry for the provision of dental services by the Marquette university school of dentistry in clinics in the city of Milwaukee.

SECTION 2552s. 144.025 (2) (L) of the statutes is amended to read:

144.025 (2) (L) The department shall promulgate rules establishing an examining program for the certification of operators of waterworks, wastewater treatment plants and septage servicing vehicles operated under a license issued under s. 146.20 (3), setting such standards as the department finds necessary to accomplish the purposes of this chapter, including requirements for continuing education. The department may charge applicants a fee for certification. All moneys collected under this paragraph for the certification of operators of waterworks, wastewater treatment plants and septage servicing vehicles shall be credited to the appropriation under s. 20.370 (2) (bL). No person may operate a waterworks, wastewater treatment plant or septage servicing vehicle without a valid certificate issued under this paragraph. The department may suspend or revoke a certificate issued under this paragraph for a violation of any statute or rule relating to the operation of a waterworks or wastewater treatment plant or to septage servicing, for failure to fulfill the continuing education requirements or as provided under s. ~~144.245~~ 145.245 (3). The owner of any wastewater treatment plant shall be, or shall employ, an operator certified under this paragraph who shall be responsible for plant operations, unless the department by rule provides otherwise. In this paragraph, "wastewater treatment plant" means a system or plant used to treat industrial wastewater, domestic wastewater or any combination of industrial wastewater and domestic wastewater.

SECTION 2553. 144.025 (2) (n) of the statutes is renumbered 144.965 and amended to read:

144.965 (title) Gifts and grants. The department may accept gifts and grants from any private or public source for any purpose ~~under its jurisdiction relating to its environmental quality functions~~ and may expend or use such gifts and grants for the purposes for which received.

~~SECTION 2553d. 144.025 (2) (u) of the statutes is amended to read:~~

~~144.025 (2) (u) Under the procedure specified in par. (v), the department, in consultation with the department of agriculture, food and trade and consumer protection, may order or cause the abatement of pollution which the department has determined to be significant and caused by a nonpoint source, as defined in s. 144.25 (2) (b), including pollution which causes the violation of a water quality standard, pollution which significantly impairs aquatic habitat or organisms, pollution which restricts navigation due to sedimentation, pollution which is deleterious to human health or pollution which otherwise signifi-~~

Vetoed
in Part

Vetoed in Part ~~cantly impairs water quality, but not including any pollution caused primarily by animal waste.~~

~~SECTION 2553f. 144.025 (2) (v) 1 of the statutes is amended to read:~~

~~144.025 (2) (v) 1. If the department determines under par. (u) that significant pollution is caused by a nonpoint source, the department shall send a written notice of intent to issue an order to abate the pollution to the person whom the department determines to be responsible for the nonpoint source, to the department of agriculture, food and trade and consumer protection and to the land conservation committee created under s. 92.06 in every county in which the nonpoint source is located. The notice shall describe the department's findings and intent, and shall include a date by which that person is required to abate the pollution. That date shall be at least one year after the date of the notice unless the department determines that the pollution is causing or will cause severe water quality degradation that could be mitigated or prevented by abatement action taken in less than one year. In its determination under this paragraph, the department shall consider the nature of the actual or potential damage caused by the pollution and the feasibility of measures to abate that pollution.~~

~~SECTION 2553h. 144.025 (2) (v) 2. (intro.) of the statutes is amended to read:~~

~~144.025 (2) (v) 2. (intro.) If the nonpoint source which is the subject of a notice under subd. 1 is agricultural, the department of agriculture, food and trade and consumer protection shall do all of the following:~~

~~SECTION 2553j. 144.025 (2) (v) 2. a. of the statutes is amended to read:~~

~~144.025 (2) (v) 2. a. Upon receipt of the notice and in cooperation with the land conservation committee, provide to the person whom the department has determined to be responsible for the nonpoint source a listing of management practices which, if followed, would reduce pollution to an amount which the department of natural resources determines to be acceptable. The list shall, with reasonable limits, set forth all of the options which are available to the person to reduce pollution to that amount of pollution, and shall include an explanation of financial aids and technical assistance which may be available to the person for the abatement of pollution from the department of agriculture, food and trade and consumer protection under s. 92.14 and from other sources.~~

~~SECTION 2553l. 144.025 (2) (v) 2. b. of the statutes is amended to read:~~

~~144.025 (2) (v) 2. b. Issue a report to the department within one year after the date of the notice which describes the actions taken by the person whom the department has determined to be responsible for the nonpoint source and a recommendation as to whether the department should issue an order to abate the pollution caused by that nonpoint source. Notwithstanding subd. 1, the department may not issue an order to~~

~~abate that pollution until the department receives that report unless the department determines that the pollution is causing or will cause severe water quality degradation which could be mitigated or prevented by abatement action taken in less than one year and unless the department of agriculture, food and trade and consumer protection files a concurring determination in writing with the department within 30 days after receiving notice of the department's determination.~~

~~SECTION 2554. 144.026 (3) (d) and (e) of the statutes are repealed.~~

~~SECTION 2554b. 144.027 (1) (e) 1 of the statutes is amended to read:~~

~~144.027 (1) (e) 1. Approved by the department of agriculture, food and trade and consumer protection for grade A milk production under s. 97.24; or~~

~~SECTION 2554f. 144.027 (4m) (a) of the statutes is amended to read:~~

~~144.027 (4m) (a) In order to be eligible for an award under this section, the annual family income of the landowner or lessee of property on which is located a contaminated water supply may not exceed \$32,000 or 125% of the county median income for the county in which the residence is located, whichever is greater \$45,000.~~

~~SECTION 2554fg. 144.027 (4m) (b) of the statutes is amended to read:~~

~~144.027 (4m) (b) Except as provided under par. (d), annual family income shall be based upon the adjusted gross income of the landowner or lessee and the landowner's or lessee's spouse, if any, as computed for Wisconsin income or franchise tax purposes for the taxable year prior to the year in which the claim is made. The county median income shall be determined based upon the most recent statistics published by the federal department of housing and urban development for the year prior to the year of the enforcement order.~~

~~SECTION 2554fr. 144.027 (4m) (c) of the statutes is amended to read:~~

~~144.027 (4m) (c) In order to be eligible for an award under this section, the claimant shall submit a copy of the designated income or franchise tax returns for the taxable year prior to the year in which the claim is made together with the application under sub. (5). The claimant shall submit a copy of the landowner's or lessee's Wisconsin franchise tax return, joint Wisconsin income tax return or, if filing separately, the landowner's or lessee's separate Wisconsin income tax return and the separate Wisconsin income tax return of his or her spouse, if any.~~

~~SECTION 2554g. 144.027 (7) (intro.) of the statutes is renumbered 144.027 (7) (a) and amended to read:~~

~~144.027 (7) (a) If the department finds that the claimant meets all the requirements of this section and rules promulgated under this section and that the pri-~~

Vetoed in Part

Vetoed in Part

vate water supply is contaminated, the department shall issue an award. The award may not pay more than 60% of the eligible costs. The award may not pay any portion of eligible costs in excess of \$12,000.

(c) (intro.) Eligible costs under this subsection include the following items only:

SECTION 2554gm. 144.027 (7) (a) to (f) of the statutes are renumbered 144.027 (7) (c) 1 to 6.

SECTION 2554h. 144.027 (7) (b) of the statutes is created to read:

144.027 (7) (b) If the annual family income of the claimant exceeds \$32,000, the amount of the award is the amount determined under par. (a) less 30% of the amount by which the claimant's income exceeds \$32,000.

SECTION 2554i. 144.027 (11) (a) 10 of the statutes is created to read:

144.027 (11) (a) 10. The amount of the award determined under sub. (7) would be less than \$100.

SECTION 2556. 144.04 of the statutes is renumbered 144.04 (1) and amended to read:

144.04 (1) Every ~~Except as provided under sub. (2),~~ 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, including the information specified under s. 144.026 (5) (a), if applicable. 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~~ may, 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 receipt of complete plans or within the time specified in s. 144.026 (5) (c), if applicable, 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 time period for review may be extended by agreement with the owner if the plans and specifications cannot be reviewed within the specified 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 before the expiration of the time period allowed for review 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, and shall disapprove plans that do not meet the grounds for approval specified under s. 144.026 (5) (d), if applicable. The department shall require each person whose plans are approved under this section to report that person's volume and rate of water withdrawal, as defined under s. 144.026 (1) (m), and that person's volume and rate of water loss, as defined under s. 144.026 (1) (L), if any, in the form and at the times specified by the department.

SECTION 2557. 144.04 (2) of the statutes is created to read:

144.04 (2) The department may, by rule, exempt an owner of a specific type of system or plant from the requirements of sub. (1) or modify the requirements of sub. (1) for a specific type of system or plant.

SECTION 2558. 144.10 of the statutes is created to read:

144.10 Remedial action in the great lakes and their tributaries. (1) In this section:

(a) "International joint commission" has the meaning given in s. 144.026 (1) (h).

(b) "Remedial action plan" means a comprehensive plan to clean up and restore the environment in a contaminated area that is in or adjacent to Lake Michigan or Lake Superior or a tributary of Lake Michigan or Lake Superior and that is identified as an area of concern by the international joint commission under the Great Lakes water quality agreement.

(2) The department may perform activities to clean up or to restore the environment in an area that is in or adjacent to Lake Michigan or Lake Superior or a tributary of Lake Michigan or Lake Superior if the activities are included in a remedial action plan that is approved by the department.

(3) In selecting projects to perform under this section, the department shall consider the amount of state funds available, the availability of matching funds from federal, private or other sources, the willingness and ability of a responsible person to fund a project, the willingness and ability of a local governmental unit, as defined in s. 144.235 (1) (c), to undertake or assist in a project, the severity of the environmental contamination that a project will address and the size of the population affected by the contamination.

(4) (a) If a person provides funding for an activity that is part of a remedial action plan, that provision of funding is not evidence of liability or an admission of liability for any environmental contamination.

(b) The acceptance by the department of funding from a person for an activity that is part of a remedial

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action plan does not limit the ability of the department to take action against that person if the department determines that the person is responsible, in whole or in part, for environmental contamination.

SECTION 2558d. 144.11 of the statutes is created to read:

144.11 Great Lakes protection fund share. (1) In this section:

(a) "International joint commission" has the meaning given in s. 144.026 (1) (h).

(b) "Remedial action plan" means a comprehensive plan to clean up and restore the environment in a contaminated area that is in or adjacent to Lake Michigan or Lake Superior or a tributary of Lake Michigan or Lake Superior and that is identified as an area of concern by the international joint commission under the Great Lakes water quality agreement.

(2) The department may use moneys from the appropriation under s. 20.370 (2) (ah) for any of the following purposes:

(a) To implement activities included in a remedial action plan.

(b) To restore or protect fish or wildlife habitats in or adjacent to Lake Michigan or Lake Superior.

(c) For planning or providing information related to cleaning up or protecting the Great Lakes.

SECTION 2558e. 144.235 (1) (c) of the statutes is created to read:

144.235 (1) (c) "Local governmental unit" means a political subdivision of this state, a special purpose district in this state, an instrumentality or corporation of such a political subdivision or special purpose district, a combination or subunit of any of the foregoing or an instrumentality of the state and any of the foregoing.

SECTION 2558f. 144.235 (2) (title) of the statutes is amended to read:

144.235 (2) (title) STATE WATER QUALITY PLANNING ASSISTANCE PROGRAM; DESIGNATED LOCAL AGENCIES.

SECTION 2558g. 144.235 (3) of the statutes is created to read:

144.235 (3) STATE WATER QUALITY PLANNING ASSISTANCE; OTHER LOCAL GOVERNMENTAL UNITS. The department may provide financial assistance for water quality planning activities to local governmental units that are not designated local agencies.

SECTION 2558v. 144.24 (4) (b) 1. b. of the statutes is amended to read:

144.24 (4) (b) 1. b. A collection system which the department orders under s. 144.07 (1) notwithstanding the outcome of the annexation referendum under s. 144.07 (1m). Notwithstanding sub. (7) (a) and any rules promulgated under this section, the department shall award funding under this subd. 1. b. in an amount that totals 60% of all costs of the project, rather than of eligible costs of the project.

SECTION 2559r. 144.241 (6) (b) 7 of the statutes is created to read:

144.241 (6) (b) 7. Making grants under sub. (13m).

SECTION 2560. 144.241 (8) (a) 5 of the statutes is amended to read:

144.241 (8) (a) 5. During fiscal years 1989-90 and 1990-91 to 1992-93, a person or municipality in violation of an effluent limitation contained in a permit issued under ch. 147, unless that person or municipality is eligible under s. 144.2415 (13).

~~SECTION 2560s. 144.241 (8) (i) of the statutes is amended to read:~~

~~144.241 (8) (i) After June 30, 1991, no municipality may receive for projects an amount that exceeds 49.2% of the amount approved by the legislature under s. 144.2415 (3) (d) for that biennium.~~

Vetoed
in Part

SECTION 2560g. 144.241 (8) (j) of the statutes is amended to read:

144.241 (8) (j) During the period beginning on July 1, 1989, and ending on June 30, ~~1991~~ 1992, no metropolitan sewage district that serves a 1st class city may receive a total of more than \$207,200,000 for financial assistance under this section and s. 144.2415 for projects on the funding list under sub. (10) (c) for fiscal year 1990-91.

SECTION 2560i. 144.241 (11) (d) of the statutes is amended to read:

144.241 (11) (d) In approving financial assistance under this section and s. 144.2415, the department shall adhere, ~~to the extent practicable~~, to the amount approved by the legislature for each biennium under s. 144.2415 (3) (d).

SECTION 2560m. 144.241 (13m) of the statutes is created to read:

144.241 (13m) MINORITY BUSINESS DEVELOPMENT AND TRAINING PROGRAM. (a) The department shall make grants to ~~a metropolitan sewerage district that serves a 1st class city that equal 80% of the planning, engineering and construction costs of projects that are eligible for financial assistance under this section and s. 144.2415 and that are identified by that metropolitan sewerage district as being part of the minority business development and training program under s. 66.905 (2) (b).~~

Vetoed
in Part

Vetoed
in Part

(b) Grants provided under this subsection are not included for the purposes of determining under sub. (8) (i) the amount that a municipality may receive for projects under this section and s. 144.2415. Grants awarded under this subsection are not considered for the purposes of sub. (11) (d) or s. 144.2415 (3) (d).

SECTION 2561. 144.241 (22) of the statutes is repealed.

SECTION 2562. 144.241 (23) of the statutes is repealed.

SECTION 2563c. 144.2415 (3) (d) of the statutes is renumbered 144.2415 (3) (d) (intro.) and amended to read:

144.2415 (3) (d) (intro.) The amount that is specified under par. (c) 1 and approved by the legislature under this paragraph ~~may not exceed is:~~

1. Equal to \$179,304,000 during the 1989-91 biennium and may not exceed, for projects on the fiscal year 1990-91 funding list under s. 144.241 (10) (c) only, during fiscal year 1991-92.

3. Equal to \$1,000 for any other biennium after the 1991-1993 biennium.

SECTION 2563d. 144.2415 (3) (d) 2 of the statutes is created to read:

144.2415 (3) (d) 2. Equal to \$100,305,000 during the 1991-93 biennium, in addition to any amount under subd. 1 used during fiscal year 1991-92.

SECTION 2564. 144.2415 (4) (f) of the statutes is amended to read:

144.2415 (4) (f) Revenue obligations may be contracted by the building commission when it reasonably appears to the building commission that all obligations incurred under this subsection can be fully paid on a timely basis from moneys received or anticipated to be received. Revenue obligations issued under this subsection shall not exceed \$729,355,000 \$1,297,755,000 in principal amount, excluding obligations issued to refund outstanding revenue obligation notes.

Vetoed
in Part

~~SECTION 2564c. 144.2415 (13) (e) of the statutes is amended to read:~~

~~144.2415 (13) (e) The department of administration and the department may not make loans under s. 144.241 (20), 1987 stats., as affected by 1989 Wisconsin Acts 31, 336 and 366, or under this subsection to a metropolitan sewerage district that serves a 1st class city that total more than \$230,000,000 \$379,200,000.~~

SECTION 2564fn. 144.245 (title) and (1) (intro.) and (a) to (c) of the statutes are renumbered 145.245 (title) and (1) (intro.) and (a) to (c), and 145.245 (1) (a) 1 and (ae), as renumbered, are amended to read:

145.245 (1) (a) 1. A determination that a private sewage system is failing, according to the criteria under sub. (4), based on an inspection of the private sewage system by an employe of the state or a governmental unit who is certified to inspect private sewerage systems by the department of ~~industry, labor and human relations.~~

(ae) "Governmental unit" means a governmental unit responsible for the regulation of private sewage systems, ~~as defined under s. 145.01 (5).~~ "Governmental unit" also includes a federally recognized American Indian tribe or band.

SECTION 2564fp. 144.245 (1) (d) of the statutes is repealed.

SECTION 2564fq. 144.245 (1) (e) of the statutes is renumbered 145.245 (1) (e).

SECTION 2564fr. 144.245 (2) of the statutes is repealed.

SECTION 2564fs. 144.245 (3) of the statutes is renumbered 145.245 (3) and amended to read:

145.245 (3) MAINTENANCE. The department shall establish a maintenance program to be administered by governmental units. The maintenance program is applicable to all new or replacement private sewage systems constructed in a governmental unit after the date on which the governmental unit adopts this program. The maintenance program shall include a requirement of inspection or pumping of the private sewage system at least once every 3 years. Inspections may be conducted by a master plumber, journeyman plumber or restricted plumber licensed under ~~ch. 145 this chapter~~, a person licensed under s. 146.20 or by an employe of the state or governmental unit designated by the department. The department of natural resources may suspend or revoke a license issued under s. 146.20 or a certificate issued under s. 144.025 (2) (L) to the operator of a seepage servicing vehicle if the department of natural resources finds that the licensee or operator falsified information on inspection forms. The department of industry, labor and human relations may suspend or revoke the license of a plumber licensed under ~~ch. 145 this chapter~~ if the department of ~~industry, labor and human relations~~ finds that the plumber falsified information on inspection forms.

SECTION 2564ft. 144.245 (4) to (6) of the statutes are renumbered 145.245 (4) to (6), and 145.245 (5) (a) 1 and (c) 1, as renumbered, are amended to read:

145.245 (5) (a) 1. A person is eligible for grant funds under this section if he or she owns a principal residence which is served by a category 1 or 2 failing private sewage system, if the residence was constructed prior to and inhabited on July 1, 1978, if the family income of the person does not exceed the income limitations under par. (c), if the amount of the grant determined under sub. (7) is at least \$100, if the residence is not located in an area served by a sewer and if determination of failure is made prior to the rehabilitation or replacement of the failing private sewerage system.

(c) 1. In order to be eligible for grant funds under this section, the annual family income of the person who owns the principal residence may not exceed \$45,000 ~~or 125% of the county median income for the county in which the residence is located, whichever is greater.~~

SECTION 2564fu. 144.245 (7) of the statutes is renumbered 145.245 (7), and 145.245 (7) (c), as renumbered, is amended to read:

145.245 (7) (c) ~~The~~ Except as provided in par. (d), the state grant share under this section is limited to \$7,000 for each principal residence or small commercial establishment to be served by the private sewage system or to the amount determined by the department based upon private sewage system grant funding tables, whichever is less. The department shall prepare and publish private sewage system grant funding tables which specify the maximum state share limitation for various components and costs involved in the rehabilitation or replacement of a private sewage system based upon minimum size and other requirements

specified in the state plumbing code promulgated under s. 145.02. The maximum state share limitations shall be designed to pay approximately 60% of the average allowable cost of private sewage system rehabilitation or replacement based upon estimated or actual costs of that rehabilitation or replacement. The department shall revise the grant funding tables when it determines that 60% of current costs of private sewage system rehabilitation or replacement exceed the amounts in the grant funding tables by more than 10%, except that the department may not revise the grant funding tables more often than once every 2 years.

SECTION 2564fv. 144.245 (8) to (13) of the statutes are renumbered 145.245 (8) to (13).

SECTION 2564fw. 144.245 (14) (a) and (b) of the statutes are renumbered 145.245 (14) (a) and (b), and 145.245 (14) (a) 2, as renumbered, is amended to read:

145.245 (14) (a) 2. Initiate action under s. 144.99 sub. (15).

SECTION 2564fx. 144.245 (14) (c) of the statutes is repealed.

SECTION 2564fy. 144.245 (14) (d) of the statutes is renumbered 145.245 (14) (d).

SECTION 2564gaf. 144.25 (2) (a) of the statutes is amended to read:

144.25 (2) (a) "Best management practices" means practices, techniques or measures identified in area-wide water quality management plans, which are determined to be the most effective means of preventing or reducing pollutants generated from nonpoint sources to a level compatible with water quality objectives established under this section and which do not have an adverse impact on fish and wildlife habitat. The practices, techniques or measures include land acquisition, storm sewer rerouting and the removal of structures necessary to install structural urban best management practices.

SECTION 2564gam. 144.25 (2) (d) of the statutes is created to read:

144.25 (2) (d) "Structural urban best management practices" means detention basins, wet basins, infiltration basins and trenches and wetland basins.

SECTION 2564gb. 144.25 (4) (as) of the statutes is amended to read:

144.25 (4) (as) Consult with the department of agriculture, food and trade and consumer protection in developing any federal grant application under par. (ar). Every application is subject to s. 16.54 and shall include the proposed expenditures of federal nonpoint source water pollution abatement grant moneys and the allocation of such moneys between the department and the department of agriculture, food and trade and consumer protection.

SECTION 2564gd. 144.25 (4) (c) of the statutes is amended to read:

144.25 (4) (c). Through the continuing planning process under s. 147.25, identify those priority watersheds where the need for nonpoint source water pollution abatement is most critical. The department shall prepare project funding lists for large-scale and small-scale projects subject to the approval of the department of agriculture, food and trade and consumer protection.

Vetoed
in Part

SECTION 2564gf. 144.25 (4) (cd) of the statutes is amended to read:

144.25 (4) (cd). Identify, through the continuing planning process under s. 147.25, the lakes where the need for nonpoint source water pollution abatement is most critical and identify for those lakes the best management practices necessary to meet water quality objectives. The department shall prepare project funding lists for projects affecting priority lakes subject to the approval of the department of agriculture, food and trade and consumer protection.

SECTION 2564gfe. 144.25 (4) (ch) of the statutes is created to read:

144.25 (4) (ch). Identify the Rock river and its tributaries as a priority watershed, notwithstanding par. (c), and identify the best management practices necessary to meet water quality objectives in that watershed.

Vetoed
in Part

SECTION 2564gfm. 144.25 (4) (ci) of the statutes is created to read:

144.25 (4) (ci). Identify watershed areas in the basin of the Pike river that flows through Kenosha and Racine counties as priority watershed areas, notwithstanding par. (c), and identify the best management practices necessary to meet water quality objectives in those watershed areas.

SECTION 2564gh. 144.25 (4) (c) of the statutes is amended to read:

144.25 (4) (c). Promulgate rules, in consultation with the department of agriculture, food and trade and consumer protection, as are necessary for the proper execution and administration of the program under this section. The rules shall include standards and specifications concerning best management practices which are required for eligibility for cost-sharing grants under this section. The department may waive the standards and specifications in exceptional cases. Only persons involved in the administration of the program under this section and persons who are grant recipients or applicants are subject to the rules promulgated under this paragraph. Any rule promulgated under this paragraph which relates or pertains to agricultural practices relating to animal waste handling and treatment are subject to s. 13.565.

Vetoed
in Part

SECTION 2564gk. 144.25 (4) (g) (intro.) of the statutes is amended to read:

144.25 (4) (g) (intro.). In cooperation with the department of agriculture, food and trade and consumer protection and the appropriate governmental unit, prepare priority watershed and priority lakes

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Vetoed in Part plans to implement nonpoint source water pollution abatement projects in priority watersheds and priority lakes. In preparing the plans, the department shall:

SECTION 2564gm. 144.25 (4) (g) 2 of the statutes is amended to read:

144.25 (4) (g) 2. Promote significant participation from the department of agriculture, food and trade and consumer protection and other state agencies, governmental units and other persons located in any watershed or in any project affecting a priority lake which is the subject of the plan.

SECTION 2564gp. 144.25 (4) (g) 4 of the statutes is amended to read:

144.25 (4) (g) 4. In cooperation with the department of agriculture, food and trade and consumer protection, incorporate the appropriate best management practices into the plan.

SECTION 2564gr. 144.25 (4) (i) of the statutes is amended to read:

144.25 (4) (i). Cooperate with the department of agriculture, food and trade and consumer protection under s. 92.14 (6).

SECTION 2564gt. 144.25 (4) (j) of the statutes is amended to read:

144.25 (4) (j). In cooperation with the department of agriculture, food and trade and consumer protection, identify the training required for the personnel of a governmental unit awarded a grant under this section or s. 92.14 to administer and implement any nonpoint source water pollution abatement project or soil and water resource project funded by that grant and shall coordinate such a training program. The governmental unit may use the grant for that training or for any other training necessary to prepare personnel to perform job duties related to this section. The department may contract with any person from the appropriation under s. 20.370 (4) (cc) for services to administer or implement this chapter, including information and education and training.

SECTION 2564gv. 144.25 (4) (o) of the statutes is amended to read:

144.25 (4) (o). Annually, in cooperation with the department of agriculture, food and trade and consumer protection, submit a report on the progress of the program under this section to the land conservation board.

SECTION 2564jh. 144.25 (4) (p) of the statutes is amended to read:

144.25 (4) (p). Jointly with the department of agriculture, food and trade and consumer protection, prepare the plan required under s. 92.14 (13). The department shall review and approve or disapprove the plan and shall notify the land conservation board of its final action on the plan. The department shall implement any part of the plan for which the plan gives it responsibility.

SECTION 2564jd. 144.25 (4) (pm) of the statutes is amended to read:

144.25 (4) (pm). Jointly with the department of agriculture, food and trade and consumer protection, develop the forms required under s. 92.14 (14). **Vetoed in Part**

SECTION 2564jf. 144.25 (4) (q) of the statutes is amended to read:

144.25 (4) (q). Consult with the department of agriculture, food and trade and consumer protection when it prepares the information which it submits to the department of administration under s. 16.42.

SECTION 2564jh. 144.25 (4) (r) of the statutes is amended to read:

144.25 (4) (r). Jointly with the department of agriculture, food and trade and consumer protection, develop the standards under sub. (5) (c).

SECTION 2564mb. 144.25 (4m) (c) of the statutes is amended to read:

144.25 (4m) (c). ~~The Except as provided in par. (cm),~~ the department shall submit a copy of any plan it **Vetoed in Part**

completes under this subsection to any county located in or containing any watershed which is a subject of the plan and to the department of agriculture, food and trade and consumer protection. That county and **Vetoed in Part**

the department of agriculture, food and trade and consumer protection shall review the plan, approve or disapprove the plan and notify the department of natural resources of its action on the plan. **Vetoed in Part**

SECTION 2564mc. 144.25 (4m) (cm) of the statutes is created to read: **Vetoed in Part**

144.25 (4m) (cm). Paragraph (c) does not apply with respect to a county with a population of 500,000 or more. **Vetoed in Part**

SECTION 2564md. 144.25 (4m) (d) of the statutes is amended to read: **Vetoed in Part**

144.25 (4m) (d). If the department receives a plan under par. (c) which has been approved by every county to which it was sent and by the department of agriculture, food and trade and consumer protection, the department shall approve the plan as an element of the appropriate areawide water quality management plan under P.L. 92-500, section 208. **Vetoed in Part**

SECTION 2564mf. 144.25 (5) (intro.) of the statutes is amended to read: **Vetoed in Part**

144.25 (5) (intro.). The department of agriculture, food and trade and consumer protection shall. **Vetoed in Part**

SECTION 2564mg. 144.25 (7) of the statutes is created to read: **Vetoed in Part**

144.25 (7). Notwithstanding sub. (4) (cd), Little Muskego lake, Big Muskego lake, Lake Denoon and Little Lac in Waukesha county and Wind lake in Racine county are designated priority lakes. The department may not allocate more than \$50,000 for grants for projects affecting those lakes. **Vetoed in Part**

SECTION 2564mng. 144.25 (8) (cm) of the statutes is amended to read: **Vetoed in Part**

144.25 (8) (cm). Grants may be provided from the appropriation under s. 20.370 (4) (cc) to applicants for projects affecting priority lakes identified under sub. (4) (cd) or (7), if the project is in conformance with

Vetoed in Part ~~area-wide water quality management plans and the purposes specified under sub. (1).~~

Vetoed in Part ~~SECTION 2564mk. 144.25 (8) (g) (intro.) of the statutes is amended to read:~~

Vetoed in Part ~~144.25 (8) (g) (intro.) The department may increase the state share of a cost-sharing grant under this section up to 70% of the cost of implementing the best management practice if the department, in consultation with the department of agriculture, food and trade and consumer protection, determines that:~~

~~SECTION 2564mk. 144.25 (8) (h) 1 of the statutes is amended to read:~~

~~144.25 (8) (h) 1. The department, in consultation with the department of agriculture, food and trade and consumer protection, determines that par. (g) 1 and 2 applies; and~~

~~SECTION 2564mkd. 144.25 (8) (hm) of the statutes is created to read:~~

~~144.25 (8) (hm) Notwithstanding pars. (g) and (h), the department may not increase a cost-sharing grant above 50% of the cost of land acquisition, storm sewer rerouting or the removal of structures necessary to install structural urban best management practices.~~

Vetoed in Part ~~SECTION 2564mm. 144.25 (10) of the statutes is amended to read:~~

~~144.25 (10) To the greatest extent practicable, the department, the department of agriculture, food and trade and consumer protection and the administering and implementing governmental unit shall encourage and utilize the Wisconsin conservation corps for appropriate projects~~

~~SECTION 2564p. 144.251 of the statutes is amended to read:~~

~~144.251 Watershed projects. The department shall assist and advise the department of agriculture, food and trade and consumer protection regarding watershed projects under 16 USC 1001 to 1008.~~

~~SECTION 2564q. 144.253 (4) of the statutes is created to read:~~

~~144.253 (4) At the completion of a lake management planning project, upon request of the recipient of a grant under this section, the department may approve recommendations made as a result of the project as eligible activities for a lake management grant under s. 144.254.~~

~~SECTION 2564r. 144.254 of the statutes is created to read:~~

144.254 Lake management grants. (1) The department shall develop and administer a financial assistance program to provide grants for lake management projects that will improve or protect the quality of water in lakes or the natural ecosystems of lakes.

(2) The department may provide a grant under this section for up to 50% of the cost of a lake management project but may not provide more than \$100,000 per grant.

(3) The department shall promulgate rules to administer and to determine eligibility for the pro-

gram under this section. The rules shall include all of the following:

(a) A designation of eligible recipients, which shall include counties, cities, towns, villages, qualified lake associations, as defined in s. 144.253 (1), town sanitary districts, public inland lake protection and rehabilitation districts and other local governmental units, as defined in s. 66.299 (1) (a), that are established for the purpose of lake management.

(b) A designation of eligible activities, which shall include all of the following:

1. The purchase of land or of a conservation easement, as defined in s. 700.40 (1) (a), if the eligible recipient enters into a contract under sub. (4) and if the purchase will substantially contribute to the protection or improvement of a lake's water quality or its natural ecosystem.

2. The restoration of a wetland, as defined in s. 23.32 (1), if the restoration will protect or improve a lake's water quality or its natural ecosystem.

3. The development of local regulations or ordinances that will protect or improve a lake's water quality or its natural ecosystem.

4. An activity that is approved by the department and that is needed to implement a recommendation made as a result of a plan to improve or protect the quality of water in a lake or the natural ecosystem of a lake.

(c) The department may not promulgate a rule designating dredging, dam maintenance and repair, or **Vetoed in Part** ~~chemical treatment of aquatic nuisance~~ as an eligible activity for grants under this section.

(4) (a) In order to receive a grant for a purchase under sub. (3) (b) 1, the recipient shall enter into a contract with the department that contains all of the following provisions:

1. Standards for the management of the property to be acquired.

2. A prohibition against using the property to be acquired as security for any debt unless the department approves the incurring of the debt.

3. A prohibition against the property being closed to the public unless the department determines it is necessary to protect wild animals, plants or other natural features.

4. A clause that any subsequent sale or transfer of the property to be acquired is subject to pars. (b) and (c).

(b) The recipient of the grant may subsequently sell or transfer the acquired property to a 3rd party other than a creditor of the recipient if all of the following apply:

1. The department approves the subsequent sale or transfer.

2. The party to whom the property is sold or transferred enters into a new contract with the department that contains the provisions under par. (a).

(c) The recipient of the grant may subsequently sell or transfer the acquired property to satisfy a debt or other obligation if the department approves the sale or transfer.

(d) If the recipient violates any essential provision of the contract, title to the acquired property shall vest in the state.

(e) The instrument conveying the property to the recipient shall state the interest of the state under par. (d). The contract entered into under par. (a) and the instrument of conveyance shall be recorded in the office of the register of deeds of each county in which the property is located.

SECTION 2565. 144.255 of the statutes is repealed.

Vetoed in Part SECTION 2566m. 144.30 (14r) of the statutes is created to read:

144.30 (14r) "Highway paint" means a coating applied to pavement or curb that is intended to color part or all of the pavement or curb.

Vetoed in Part SECTION 2566n. 144.35 of the statutes is repealed.

Vetoed in Part SECTION 2566p. 144.393 (10) of the statutes is created to read:

Vetoed in Part 144.393 (10) REQUIREMENTS FOR MEDICAL WASTE INCINERATORS. (a) In this subsection, "medical waste incinerator" has the meaning given in s. 159.07 (7) (c) 1. or

(b) In addition to the requirements under subs. (1) to (3), the department may approve the application for a permit required or allowed under s. 144.391 for a medical waste incinerator only if it finds that the medical waste incinerator will be needed and the site of the medical waste incinerator is appropriate.

(c) The department shall consider all of the following in evaluating the need for the proposed medical waste incinerator:

1. An approximate service area for the proposed medical waste incinerator that encompasses all sources of waste that could potentially be burned in the medical waste incinerator. The department shall delineate the service area based on the economics of waste collection, transportation and treatment.

2. The quantity of waste that could potentially be burned in the proposed medical waste incinerator and that is generated within the anticipated service area.

3. The remaining capacity or design capacity of other solid waste facilities, if those facilities are located within the anticipated service area of the proposed medical waste incinerator and are currently providing or are expected to provide solid waste management for any sources of solid waste that could potentially be burned in the medical waste incinerator.

4. The quantity of waste having the potential to be burned in the medical waste incinerator that may be managed in an effective recycling program created under s. 159.11.

(d) The department may not determine that the site of a proposed medical waste incinerator is appropriate if the medical waste incinerator or the transportation of solid waste to the medical waste incinerator will

Vetoed in Part have an adverse effect that is both substantial and unreasonable on any of the following:

1. Existing recreational land uses.
2. Land or surface water that has any of the characteristics under s. 23.27 (2).
3. Scenic vistas of statewide significance.
4. Residential property.
5. Schools, churches, hospitals, nursing homes or day care facilities.

6. Projected land uses identified in any municipal master plan or official map that is in effect at least 15 months prior to the submission to the department of the permit application, if the land uses are expected to occur during the site life of the medical waste incinerator and any expansions of the medical waste incinerator.

(e) The department shall promulgate rules for making the findings under par. (b).

SECTION 2567. 144.399 (6) of the statutes is created to read:

144.399 (6) USE OF FEES. The department shall use moneys collected under this section for the purposes in sub. (1) (a) to (c). If moneys collected under this section exceed the amounts necessary for the purposes specified in sub. (1) (a) to (c), the department may use the excess for other activities to control air pollution in this state.

Vetoed in Part SECTION 2567b. 144.40 (3) (d) of the statutes is created to read:

144.40 (3) (d) Promulgate rules requiring highway paint used from May 1 to September 30 on all highways, as defined in s. 340.01 (22), in an ozone nonattainment area with a classification under 42 USC 7511 (a) of moderate or worse, to be formulated in a manner that minimizes emissions of volatile organic compounds from the paint. The proposed rules shall allow the use of any highway paint purchased before the effective date of the proposed rules.

Vetoed in Part SECTION 2567bg. 144.40 (4) of the statutes is amended to read:

144.40 (4) REPORT ON NEW REPLENISHMENT MECHANISMS. After expiration of the replenishment implementation period, if the department reports under sub. (2) (b) 1 or determines at any other time that the growth accommodation is less than 3,500 tons, the department shall, with the advice of the air pollution control council and the department of development, submit a report to the chief clerk of each house of the legislature for distribution to the appropriate standing committees of the legislature under s. 13.172 (3) on how to most effectively and equitably replenish the growth accommodation. The report shall review existing studies and data to evaluate the accuracy of this state's state implementation plan with respect to the effect of emissions from inside and outside the volatile organic compound accommodation area on the ambient air quality within the area.

SECTION 2567c. 144.405 of the statutes is created to read:

144.405 Gasoline vapor recovery. (1) DEFINITIONS.

In this section:

(a) "Gasoline dispensing facility" means a place where gasoline is dispensed to motor vehicle gasoline tanks from stationary storage tanks.

(b) "Retail station" means a gasoline dispensing facility where gasoline is sold at retail.

(c) "Vapor control system" means a system that gathers vapors of organic compounds, including gasoline and benzene, released during the operation of transfer, storage or processing equipment and processes the vapors to prevent their emission into the atmosphere.

(3) RULES. (a) The department shall promulgate rules, based on requirements under 42 USC 7511a, that require the owner or operator of a retail station that is located in an ozone nonattainment area with a classification under 42 USC 7511 (a) of moderate or worse to install and operate a vapor control system that is approved by the department on the equipment that is used to dispense gasoline to a motor vehicle gasoline tank or other fuel tank.

(b) The department shall establish vapor recovery efficiency standards for vapor control systems approved under par. (a). The department shall use nationally recognized methods to determine the vapor recovery efficiency of vapor control systems.

(4) IMPLEMENTATION OF REQUIREMENTS. (a) The rules promulgated under sub. (3) shall have an effective date of November 15, 1992. The rules shall apply the requirements under sub. (3) beginning on November 15, 1993, except that the requirements under sub. (3) shall apply beginning on May 15, 1993, to retail stations the construction of which begins after November 15, 1990.

(b) The department may not require the owner or operator of a retail station that is located in this state to install or operate a vapor control system for gasoline dispensing equipment before November 15, 1993, or, if construction of the retail station begins after November 15, 1990, before May 15, 1993.

(5) GRANTS. (a) The department shall develop, implement and administer a program to provide financial assistance to the owner or operator of a retail station. Only the following costs are eligible for reimbursement under the program:

1. Costs directly incurred after the effective date of this subdivision [revisor inserts date], for the design, acquisition and installation of a vapor control system necessary for the owner or operator to comply with the requirements under sub. (3) on those portions of a retail station located in an ozone nonattainment area with a classification under 42 USC 7511 (a) of moderate or worse that relate to a stationary storage tank installed on or before the effective date of this subdivision [revisor inserts date], or on those portions of a retail station located in an ozone nonattainment area with a classification under 42 USC 7511 (a)

of moderate or worse that relate to a stationary storage tank installed after the effective date of this subdivision [revisor inserts date], that does not increase the stationary storage tank capacity of the retail station in existence on the effective date of this subdivision [revisor inserts date].

~~2. Excavation costs incurred after January 1, 1990, for the replacement of a stationary storage tank at a retail station located in this state, if the excavation costs are not reimbursed under s. 101.143 (4).~~

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(b) An applicant who seeks assistance under this subsection shall submit an application in a form and manner specified by the department and shall comply with any inspection requirements established by the department.

(c) The department shall award a grant to each applicant who submits a complete application under par. (b) for costs allowable under par. (a). The amount of the grant may not exceed 95% of the first \$25,000 in costs and 90% of the next \$15,000 in costs incurred by the applicant. If the department promulgates a rule under par. (e), it shall determine the costs based upon the rule promulgated under par. (e).

(d) The department may not award a grant under this subsection after March 14, 1995.

(e) The department may determine by rule the usual and customary costs of each item for which a grant may be awarded under this subsection. The rule shall establish cost tables and shall reflect the range of costs resulting from differences in costs of construction, labor, equipment, supplies and other relevant factors throughout the state.

SECTION 2567d. 144.42 (1) (a) of the statutes is amended to read:

144.42 (1) (a) "Federal act" means the federal clean air act, as amended, on May 11, 1980 (42 USC 7401 et seq.), and regulations issued by the federal environmental protection agency under that act.

SECTION 2567e. 144.42 (2) (a) of the statutes is amended to read:

144.42 (2) (a) The emissions reductions necessary to achieve federally mandated ambient air quality standards ~~not later than December 31, 1987, by any deadline established by the federal act~~ and to maintain those standards after ~~that date~~ any deadline established by the federal act.

SECTION 2567f. 144.42 (2) (d) of the statutes is created to read:

144.42 (2) (d) The requirements of the federal act.

SECTION 2567g. 144.42 (3) of the statutes is amended to read:

144.42 (3) COUNTIES WHERE INSPECTIONS REQUIRED. If the department finds that air quality within a county will not meet one or more applicable primary or secondary ambient air quality standards by ~~December 31, 1982~~ any deadline established by the federal act, or that these standards will not be maintained in

the county after ~~that date~~ any deadline established by the federal act and that inspection of emissions from motor vehicles in any part of the county is required by federal law to attain or maintain these standards, the department shall certify this finding to the department of transportation.

SECTION 2567h. 144.42 (5) (a) of the statutes is amended to read:

144.42 (5) (a) A motor vehicle of a model year ~~more than 15 years old of 1967 or earlier.~~

SECTION 2567i. 144.42 (6) (e) of the statutes is amended to read:

144.42 (6) (e) *Rule making.* The department shall promulgate rules that specify the requirements for the ~~random~~ inspection of motor vehicles for the occurrence of tampering with air pollution control equipment.

Vetoed in Part SECTION 2567m. 144.422 (1) of the statutes is amended to read:

144.422 (1) *DEFINITION.* In this section, "ozone-depleting refrigerant" has the meaning given in s. ~~100.45 130.33 (1) (d).~~

SECTION 2567p. 144.423 (2) of the statutes is created to read:

144.423 (2) The notice under sub. (1) (a) 1 for an alleged violation of rules promulgated under s. 144.405 (3) may include a tag or other notice placed on the dispensing equipment that is alleged to be in violation of rules promulgated under s. 144.405 (3).

Vetoed in Part SECTION 2567vc. 144.44 (2) (nw) of the statutes is created to read:

144.44 (2) (nw) *Facilities near airports.* 1. In a county with a population greater than 325,000 but less than 500,000, the department may not issue a favorable determination of feasibility for a solid waste disposal facility that will accept solid waste that may provide food for or attract birds if the area in which the solid waste is proposed to be disposed of is any of the following:

a. Within 10,000 feet of any airport runway used or planned to be used by a jet aircraft or within 5,000 feet of any airport runway used only by other aircraft.

b. Within 5 miles of an airport runway unless the person who seeks to construct the solid waste disposal facility demonstrates to the department that the solid waste facility would not increase the likelihood of a bird and aircraft collision that may cause damage to the aircraft or injury to its occupants.

2. This paragraph does not apply to a solid waste disposal facility that is the subject of a contested case hearing as of the effective date of this subdivision. ~~... [revisor inserts date].~~

SECTION 2568. 144.44 (4) (f) 1 of the statutes is renumbered 144.44 (4) (f) 1m.

SECTION 2569. 144.44 (4) (f) 1 of the statutes is created to read:

144.44 (4) (f) 1. In this paragraph, "monitoring" means activities necessary to determine whether con-

taminants are present in groundwater, surface water, soil or air in concentrations that require investigation or remedial action. "Monitoring" does not include investigations to determine the extent of contamination, to collect information necessary to select or design remedial action, or to monitor the performance of remedial action.

SECTION 2570. 144.44 (4) (f) 2 of the statutes is amended to read:

144.44 (4) (f) 2. The owner or operator of a nonapproved facility, as defined under s. 144.441 (1) (c), is responsible for conducting any monitoring required under subd. 4 1m.

SECTION 2571. 144.44 (4) (f) 5 of the statutes is amended to read:

144.44 (4) (f) 5. If the owner or operator of a site or facility subject to an order under subd. 3 is a municipality, the municipality is responsible for conducting any monitoring ordered under subd. 3. ~~The annual municipal cost of monitoring may not department shall, from the environmental fund appropriation under s. 20.370 (2) (dv), reimburse the municipality for the costs of monitoring that exceed an amount equal to \$3 per person residing in the municipality for each site or facility subject to an order under subd. 3, except that the maximum reimbursement is \$100,000 for each site or facility. The department shall exclude any monitoring costs paid under the municipality's liability insurance coverage in calculating the annual municipal cost of monitoring a site or facility. The remainder of the cost of any monitoring ordered under subd. 3 shall be paid from the environmental fund appropriation under s. 20.370 (2) (dv).~~

SECTION 2571e. 144.44 (4) (f) 6 of the statutes is created to read:

144.44 (4) (f) 6. The department shall promulgate rules for determining costs eligible for reimbursement under subd. 5.

SECTION 2572. 144.441 (2) (b) 2 of the statutes is amended to read:

144.441 (2) (b) 2. The owner of an approved facility for which the plan of operation was approved under s. 144.44 (3) (e) before August 9, 1989 ceased to accept solid waste and permanently terminated disposal operations before the effective date of this subdivision ~~.... [revisor inserts date], shall maintain proof of financial responsibility as provided in s. 144.443 during the operation of the approved facility and for the period for which the owner has responsibility for long-term care of the facility under par. (c) 1 specified in the approved plan of operation.~~

SECTION 2573. 144.441 (2) (c) 1 of the statutes is repealed.

SECTION 2574. 144.441 (2) (c) 2 of the statutes is renumbered 144.441 (2) (c) and amended to read:

144.441 (2) (c) (title) *Long-term care responsibility for approved facilities.* ~~The Notwithstanding s. 144.441 (2) (c) 1, 1989 stats., the owner's responsibility for the long-term care of an approved facility for~~

~~which the plan of operation is approved under s. 144.44 (3) (c) on or after August 9, 1989,~~ does not terminate, except that if another person acquires the rights of ownership and is issued under s. 144.444 (1) a new operating license for the approved facility, the owner's responsibility is transferred to that other person upon the issuance of the new operating license.

SECTION 2575. 144.441 (2) (e) of the statutes is repealed.

SECTION 2576. 144.441 (2) (f) of the statutes is amended to read:

144.441 (2) (f) (title) *Extension of obligation to provide proof of financial responsibility.* If the department determines that it is necessary to protect human health or the environment, the department may require the owner of a solid or hazardous waste disposal facility ~~for which the plan of operation is approved under s. 144.44 (3) (c) on or after August 9, 1989,~~ to provide proof of financial responsibility for the long-term care of the facility for more than 40 years. The department shall notify the owner of the extended obligation to provide proof of financial responsibility before the expiration of the original 40-year period. The department shall promulgate rules establishing the procedure used to determine if it is necessary to protect human health or the environment.

SECTION 2577. 144.441 (3) (title) and (a) of the statutes are amended to read:

144.441 (3) (title) IMPOSITION OF TONNAGE FEE ON NONAPPROVED FACILITIES; EXCEPTION; USE. (a) *Imposition of tonnage fee.* Except as provided under ~~pars. par. (b) to (d) and (e),~~ the owner or operator of ~~an approved facility for which the plan of operation was approved under s. 144.44 (3) (c) before August 9, 1989,~~ or of a nonapproved facility shall pay periodically to the department a tonnage fee for each ton or equivalent volume of solid or hazardous waste received and disposed of at the facility during the preceding reporting period. The department may determine by rule the volume which is equivalent to a ton of waste.

SECTION 2578. 144.441 (3) (c) to (e) of the statutes are repealed.

SECTION 2579. 144.441 (3) (f) of the statutes is amended to read:

144.441 (3) (f) (title) *Reduction of or exemption from tonnage fees.* The total annual tonnage fees for all solid waste received by a nonapproved facility shall be reduced by the amount of the base fee under s. 144.442 (2) for that facility. If the base fee for a nonapproved facility under s. 144.442 (2) is greater than the annual tonnage fee imposed under par. (a) for that facility, the solid or hazardous waste received by the facility is exempt from the tonnage fee for that year. The department shall ~~apply the methods for estimating total annual tonnages under par. (d) to calculations under this paragraph~~ establish methods by rule for estimating the total annual tonnages for all solid and

hazardous wastes received by a nonapproved facility. If an estimate reveals that total annual tonnage fees for a nonapproved facility for a certain year are unlikely to exceed the base fee under s. 144.442 (2) for that year, the department shall grant an exemption under this paragraph without requiring the calculation of the actual total tonnage fees.

SECTION 2580. 144.441 (3) (g) 1 of the statutes is repealed.

SECTION 2581. 144.441 (3) (g) 2 of the statutes is renumbered 144.441 (3) (g).

SECTION 2582. 144.441 (4) (a) of the statutes is amended to read:

144.441 (4) (a) *Tonnage fee; solid waste.* Except as provided under ~~pars. (d) to (h) (c) and (g),~~ the tonnage fee imposed by sub. (3) (a) is 1.5 cents per ton for solid waste.

SECTION 2583. 144.441 (4) (c) of the statutes is amended to read:

144.441 (4) (c) *Tonnage fee; other waste.* Except as provided under ~~pars. (d) to (h) par. (g),~~ the tonnage fee imposed by sub. (3) (a) is 1.5 cents per ton for waste consisting of ashes and sludges from electric and process steam generating facilities, sludges produced by waste treatment or manufacturing processes at pulp or paper mills, manufacturing process solid wastes from foundries and sludges produced by municipal wastewater treatment facilities.

SECTION 2584. 144.441 (4) (d) of the statutes is repealed.

SECTION 2585. 144.441 (4) (f) of the statutes is repealed.

SECTION 2586. 144.441 (4) (g) (intro.) of the statutes is amended to read:

144.441 (4) (g) *Tonnage fee; mining waste.* (intro.) Notwithstanding ~~pars. (b) to (f) (a) to (c),~~ with respect to prospecting or mining waste, the tonnage fee imposed under sub. (3) (a) is:

SECTION 2587. 144.441 (4) (h) of the statutes is repealed.

SECTION 2588. 144.441 (5) of the statutes is repealed.

SECTION 2589. 144.441 (6) (b) of the statutes is amended to read:

144.441 (6) (b) *Payments from the waste management fund.* The department may expend moneys in the waste management fund only for the purposes specified under ~~pars. (d) to (h) and 1991 Wisconsin Act ... (this act), section 9142 (2w).~~ The department may expend moneys appropriated under s. 20.370 (2) (dq) for the purposes specified under ~~pars. (d) and (e) (g) and 1991 Wisconsin Act ... (this act), section 9142 (2w).~~ The department may expend moneys appropriated under s. 20.370 (2) (dt) for the purposes specified under par. (f). ~~The department may expend moneys appropriated under s. 20.370 (2) (ds) for the purposes specified under par. (g).~~ The department may expend

moneys appropriated under s. 20.370 (2) (dy) and (dz) for the purposes specified under par. (h).

SECTION 2590. 144.441 (6) (c) of the statutes is amended to read:

144.441 (6) (c) *Payments from the investment and local impact fund.* The department may expend moneys received from the investment and local impact fund only for the purposes specified under ~~par.~~ par. (d) ~~and (e)~~, only for approved mining facilities and only if moneys in the waste management fund are insufficient to make complete payments. The amount expended by the department under this paragraph may not exceed the balance in the waste management fund at the beginning of that fiscal year or 50% of the balance in the investment and local impact fund at the beginning of that fiscal year, whichever amount is greater.

SECTION 2591. 144.441 (6) (d) of the statutes is repealed and recreated to read:

144.441 (6) (d) *Payments for long-term care after termination of proof of financial responsibility.* The department may spend moneys appropriated under s. 20.370 (2) (dq) for the costs of long-term care of an approved facility for which the plan of operation was approved under s. 144.44 (3) (c) before August 9, 1989, that accrue after the requirement to provide proof of financial responsibility expires under sub. (2) (b) or (f) as authorized under s. 144.443 (11) (b) 2.

SECTION 2592. 144.441 (6) (e) of the statutes is repealed.

SECTION 2593. 144.441 (6) (f) of the statutes is amended to read:

144.441 (6) (f) *Payment of closure and long-term care costs; forfeited bonds and similar moneys.* The department may utilize moneys appropriated under s. 20.370 (2) (dt) for the payment of costs associated with compliance with closure and long-term care requirements under s. 144.443 (11) (b) 1.

SECTION 2594. 144.441 (6) (g) of the statutes is amended to read:

144.441 (6) (g) *Prevention of imminent hazard.* The department may utilize moneys appropriated under s. 20.370 (2) ~~(ds)~~ (dq) for the payment of costs associated with imminent hazards as authorized under s. 144.443 (11) (c) and (cm).

SECTION 2595. 144.441 (7) (e) of the statutes is amended to read:

144.441 (7) (e) *In addition to other fees.* The groundwater, solid waste capacity and well compensation fees collected and paid under par. (b) are in addition to the tonnage fee imposed under sub. (3), ~~the waste management base fee imposed under sub. (5)~~, the environmental repair base fee imposed under s. 144.442 (2) and the environmental repair surcharge imposed under s. 144.442 (3).

SECTION 2596. 144.441 (7) (g) of the statutes is amended to read:

144.441 (7) (g) *Reporting period.* The reporting period under this subsection is the same as the reporting

period under sub. (3). The owner or operator of any licensed solid or hazardous waste disposal facility shall pay groundwater, solid waste capacity and well compensation fees required to be collected under par. (b) at the same time as any tonnage fees under sub. (3) ~~and the waste management base fee under sub. (5)~~ are paid.

SECTION 2597. 144.442 (1m) (e) of the statutes is amended to read:

144.442 (1m) (e) *In addition to other fees.* The environmental repair fee collected and paid under par. (b) is in addition to the base fee imposed under sub. (2), the surcharge imposed under sub. (3), the tonnage fee imposed under s. 144.441 (3), ~~the waste management base fee imposed under s. 144.441 (5)~~ and the groundwater, solid waste capacity and well compensation fees imposed under s. 144.441 (7).

SECTION 2598. 144.442 (1m) (g) of the statutes is amended to read:

144.442 (1m) (g) *Reporting period.* The reporting period under this subsection is the same as the reporting period under s. 144.441 (3). The owner or operator of any licensed solid or hazardous waste disposal facility shall pay environmental repair fees required to be collected under par. (b) at the same time as any tonnage fees under s. 144.441 (3) ~~and the waste management base fee under s. 144.441 (5)~~ are paid.

SECTION 2598mm. 144.442 (11) (c) of the statutes is created to read:

144.442 (11) (c) 1. Notwithstanding par. (a), sub. (9) and s. 144.76 and except as provided in subd. 2, a municipality that acquires ownership of property through tax delinquency foreclosure or abandonment by a bankruptcy court is not liable for the costs of environmental repair on the property or for damages caused by the release of a hazardous substance from a site or facility on the property if the municipality acquires ownership for the purpose of conducting environmental repair on the property under a plan approved by the department.

2. Subdivision 1 does not apply to costs of environmental repair necessitated by or damages caused by actions taken by the municipality.

SECTION 2599. 144.443 (1) (a) of the statutes is renumbered 144.443 (1) (am).

SECTION 2600. 144.443 (1) (a) of the statutes is created to read:

144.443 (1) (a) "Approved facility" has the meaning given in s. 144.441 (1) (a).

SECTION 2601. 144.443 (2) (a) of the statutes is amended to read:

144.443 (2) (a) *Disposal facilities.* The owner or operator of a solid or hazardous waste disposal facility shall maintain proof of financial responsibility ensuring the availability of funds for compliance with the closure and long-term care requirements specified in any plan of operation during the period specified in s. 144.441 (2) (b) or under s. 144.441 (2) (f).

SECTION 2602. 144.443 (5) (a) of the statutes is amended to read:

144.443 (5) (a) *Initial determination.* Except as provided under par. (b), if the department determines that a company complies with minimum financial standards under sub. (6), and if the department determines that none of the contingent liabilities or other data or information provided in the financial statements or opinion of the certified public accountant disqualifies the company ~~and if the department determines that a company complies with minimum security requirements under sub. (8),~~ then the department shall find that the company meets the net worth requirements which constitutes proof of financial responsibility for that year.

SECTION 2603. 144.443 (8) of the statutes is repealed.

SECTION 2604. 144.443 (11) (a) 2 of the statutes is repealed.

SECTION 2605. 144.443 (11) (am) 2 of the statutes is repealed.

SECTION 2606. 144.443 (11) (b) of the statutes is renumbered 144.443 (11) (b) 1.

SECTION 2607. 144.443 (11) (b) 2 of the statutes is created to read:

144.443 (11) (b) 2. If the owner or operator of an approved facility for which the plan of operation was approved under s. 144.44 (3) (c) before August 9, 1989, fails to comply with long-term care requirements in the plan of operation after the requirement to provide proof of financial responsibility expires under s. 144.441 (2) (b) or (f) and if the department takes reasonable administrative and legal action to require compliance or to obtain moneys under par. (a) 4, then the department may take action or contract with a person to take action to comply with the requirements even though no moneys have been obtained under par. (a).

SECTION 2608. 144.443 (11) (c) of the statutes is amended to read:

144.443 (11) (c) *Prevention of imminent hazard; closure and long-term care.* If the owner or operator of a ~~waste~~ an approved facility for which the plan of operation was approved under s. 144.44 (3) (c) before August 9, 1989, fails to comply with the closure and any long-term care requirements in any plan of operation ~~or approved plan under s. 144.64 (2m) during the period for which the owner or operator is required to provide proof of financial responsibility,~~ if the department determines that the failure to comply with these requirements presents an imminent or substantial danger to the health or environment and if the department takes reasonable administrative and legal action to require compliance or to obtain moneys under par. (a), then the department may take action or contract with a person to take action to comply with these requirements even though no moneys have been obtained under par. (a).

SECTION 2609. 144.443 (11) (cm) of the statutes is amended to read:

144.443 (11) (cm) *Prevention of imminent hazard; corrective action.* If the owner or operator of ~~a waste~~ an approved facility for which the plan of operation was approved under s. 144.44 (3) (c) before August 9, 1989, fails to comply with any corrective action required under s. 144.735, if the department determines that the failure to comply with a corrective action requirement presents an imminent or substantial danger to the health or environment and if the department takes reasonable administrative and legal action to require compliance or to obtain moneys under par. (am), then the department may take action or contract with a person to take action to comply with a corrective action required under s. 144.735 even though no moneys have been obtained under par. (am).

SECTION 2609g. 144.445 (7) (g) of the statutes is amended to read:

144.445 (7) (g) *Open meetings.* Meetings of the local committee are subject to subch. ~~IV~~ V of ch. 19.

SECTION 2609m. 144.48 of the statutes is created to read:

144.48 Medical waste management. (1) DEFINITIONS. In this section:

~~(a) "Manifest" means a form used for identifying the quantity, composition, origin, routing and destination of medical waste during its transport and disposal.~~ **Vetoed in Part**

(b) "Medical waste" means infectious waste, as defined in s. 159.07 (7) (c) 1. c., and other waste that contains or may be mixed with infectious waste.

(c) "Solid waste disposal" has the meaning given in s. 144.43 (4r).

(d) "Solid waste facility" has the meaning given in s. 144.43 (5).

(e) "Solid waste treatment" has the meaning given in s. 144.43 (7r).

(2) MEDICAL WASTE REDUCTION. Every hospital shall implement a policy for the reduction of the amount of medical waste generated. ~~In the 12 months preceding July 1, 1993, a hospital shall generate at least 5% less medical waste than it did in 1991. After June 30, 1993, a hospital shall further reduce the amount of medical waste that it generates, as required by the department by rule.~~ **Vetoed in Part**

(3) RULES. The department shall promulgate rules that do all of the following:

(a) Establish requirements for medical waste reduction by hospitals ~~including requirements for specific reductions in the amount of medical waste generated after June 30, 1993.~~ **Vetoed in Part**

(b) Establish requirements for packaging, handling, shipping and transporting medical waste.

(c) Require a license for persons who transport medical waste and impose a fee for that license.

Vetoed
in Part

~~(d) Require the use of manifests to monitor the transport and disposal of medical waste.~~
~~(e) Require the continuous monitoring of emissions generated from the burning of medical waste at solid waste facilities.~~

(4) PROHIBITIONS. (a) No person may transport medical waste without a license issued by the department under sub. (3) (c).

(b) No person may dispose of medical waste in a facility for solid waste disposal unless the medical waste has undergone solid waste treatment.

Vetoed
in Part

~~(5) PENALTY. Any person who violates sub. (4) (b) may be required to forfeit not more than \$25,000. Each act of disposal in violation of sub. (4) (b) constitutes a separate offense.~~

SECTION 2610. 144.76 (6) (a) of the statutes is amended to read:

144.76 (6) (a) *Contingency plan; activities resulting from discharges.* The department may utilize moneys appropriated under s. 20.370 (2) (dv), ~~(dx) and (fq) and (my)~~ in implementing and carrying out the contingency plan developed under sub. (5) and to provide for the procurement, maintenance and storage of necessary equipment and supplies, personnel training and expenses incurred in identifying, locating, monitoring, containing, removing and disposing of discharged substances.

SECTION 2611. 144.76 (6) (b) of the statutes is amended to read:

144.76 (6) (b) *Limitation on equipment expenses.* No more than 25% of the moneys available under the appropriation under s. 20.370 (2) (dv), ~~(dx) or (fq) or (my)~~ during any fiscal year may be used for the procurement and maintenance of necessary equipment during that fiscal year.

SECTION 2612. 144.76 (6) (c) 2 of the statutes is amended to read:

144.76 (6) (c) 2. Reimbursements to the department under section 311, federal water pollution control act amendments of 1972, P.L. 92-500, shall be credited to the appropriation under s. 20.370 (2) ~~(dx) (my)~~.

SECTION 2613. 144.77 (6) (a) of the statutes is amended to read:

144.77 (6) (a) The department may utilize moneys appropriated under s. 20.370 (2) (dv), ~~(dx) and (fq) and (my)~~ in taking action under sub. (3). The department shall utilize these moneys to provide for the procurement, maintenance and storage of necessary equipment and supplies, personnel training and expenses incurred in locating, identifying, removing and disposing of abandoned containers.

SECTION 2614. 144.77 (6) (b) of the statutes is amended to read:

144.77 (6) (b) No more than 25% of the total of all moneys available under the appropriation under s. 20.370 (2) (dv), ~~(dx) and (fq) and (my)~~ may be used annually for the procurement and maintenance of necessary equipment during that fiscal year.

SECTION 2615. 144.83 (4) (e) of the statutes is repealed.

SECTION 2616. 144.95 (1) (b) of the statutes is amended to read:

144.95 (1) (b) "Certified laboratory" means a laboratory which performs tests for hire in connection with a covered program and which receives certification under sub. (7) or receives ~~reciprocal~~ recognition as a certified laboratory under sub. (5).

SECTION 2617. 144.95 (1) (g) of the statutes is amended to read:

144.95 (1) (g) "Registered laboratory" means a laboratory which is registered under sub. (8) or receives ~~reciprocal~~ recognition as a registered laboratory under sub. (5).

SECTION 2618. 144.95 (5) (title) of the statutes is amended to read:

144.95 (5) (title) RECOGNITION OF OTHER CERTIFICATION OR REGISTRATION.

SECTION 2619. 144.95 (5) (b) of the statutes is amended to read:

144.95 (5) (b) (title) *Reciprocity with laboratories certified or registered by other governments.* The department may recognize the certification, registration, licensure or approval of a laboratory by a ~~private organization~~, another state or an agency of the federal government if the standards for certification, registration, licensure or approval are substantially equivalent to those established under this section. The department shall negotiate with and attempt to enter into acceptable agreements with federal agencies and agencies of other states for the purpose of reciprocal recognition of laboratory certification and registration under this section. The department may not recognize the certification, registration, licensure or approval of a laboratory by another state or an agency of the federal government unless that state or federal agency recognizes laboratories certified under this section. The department may accept the results of any tests conducted by a laboratory which it recognizes as ~~qualified to conduct that category of tests under an agreement.~~ The department shall publish periodically a list of those agencies whose certifications, approvals or registrations it accepts. Any laboratory which is registered, certified or approved by any such agency may apply to the department to have the same recognized under this section.

SECTION 2620. 144.95 (5) (c) of the statutes is repealed and recreated to read:

144.95 (5) (c) *Private organization agreements.* The department may recognize the certification, accreditation or approval of a laboratory by a private nonprofit organization if the organization's standards for certification, accreditation or approval are substantially equivalent to those established under this section. The department may negotiate with and attempt to enter into acceptable agreements with private nonprofit organizations for the purpose of recognition under this paragraph. The department shall publish periodi-

cally a list of those organizations whose certifications, accreditations or approvals it accepts. The department may accept the results of any tests conducted by a laboratory that it recognizes under an agreement. Any laboratory that is certified, accredited or approved by an organization with which the department has an agreement may apply to the department to be recognized under this paragraph.

SECTION 2621. 144.95 (8) (g) of the statutes is amended to read:

144.95 (8) (g) *Suspension or revocation of registration.* If, after opportunity for a contested case hearing, the department finds that a registered laboratory has falsified results or has materially and consistently failed to comply with the self-audit procedures and quality control programs provided in par. (d), it may suspend or revoke the registration of the laboratory. A person whose registration is suspended or revoked may reapply for registration upon a showing that the person meets the applicable criteria for registration and has corrected the deficiencies that led to the suspension or revocation.

SECTION 2622. 144.955 (3) (c) of the statutes is amended to read:

144.955 (3) (c) Act on applications for grants under s. ~~560.18~~ 560.19.

SECTION 2622d. 144.96 (1) of the statutes is amended to read:

Vetoed
in Part

144.96 (1) The department shall require by rule that all persons, ~~except municipalities,~~ discharging industrial wastes, hazardous substances or air contaminants in this state report the manner used, amount used and amount discharged for each such waste, substance or contaminant, ~~except that municipalities are not required to report concerning wastewater discharges.~~ The required report shall include industrial wastes and hazardous substances discharged into any sewerage system operated by a municipality. The department may verify reports received by field monitoring of industrial waste and other waste outfalls and air contaminant sources.

SECTION 2622e. 144.96 (3) (a) of the statutes is amended to read:

144.96 (3) (a) ~~In order to provide for adequate departmental planning, standards development, permit administration, surveillance, investigation, monitoring, enforcement and related activities, there is established an annual operating plant discharge air contaminant environmental fee to be paid by each person required to report under sub. (1). Such~~ The fee shall be based on an administrative fee of \$100 plus an additional ~~operating plant discharge~~ fee, to be set by the department by rule and to be based on the concentration or quantity or both of ~~pollutants~~ air contaminants discharged ~~at that plant~~ in relation to the parameters established under sub. (2) (a).

SECTION 2622f. 144.96 (3) (am) of the statutes is created to read:

144.96 (3) (am) 1. There is established an annual wastewater discharge environmental fee.

2. In fiscal year 1991-92, the fee under this paragraph shall be paid by each person required to report a wastewater discharge under sub. (1). In fiscal year 1991-92, the fee under this paragraph shall be based on an administrative fee of \$100 plus an additional fee, to be set by the department by rule and to be based on the concentration or quantity or both of pollutants discharged in relation to the parameters established under sub. (2) (a).

3. After June 30, 1992, the fee under this paragraph shall be paid by each person required to obtain a permit under ch. 147, ~~except for municipalities, and by each person who both is required to report a wastewater discharge under sub. (1) and discharges to a publicly owned treatment works.~~ After June 30, 1992, the fee to be paid by a person under this paragraph shall be an amount determined under a rule promulgated by the department and shall be based on all pollutants included in the permit under ch. 147 ~~or, if the person does not have a permit under ch. 147, those pollutants identified by the department by rule,~~ the environmental harm caused by the pollutants discharged, the quantity of the pollutants discharged and the quality of the water receiving the discharge.

Vetoed
in Part

Vetoed
in Part

SECTION 2622g. 144.96 (3) (b) of the statutes is amended to read:

144.96 (3) (b) In establishing an annual discharge fee schedule under par. (am) 1, the department shall distinguish between substances discharged directly to surface waters and those discharged into land disposal systems or publicly owned treatment works based on their relative impacts on the quality of ground ~~groundwaters~~ and surface waters.

SECTION 2622h. 144.96 (3) (c) of the statutes is renumbered 144.96 (3) (c) 1 and amended to read:

144.96 (3) (c) 1. The annual fee under par. (a) shall be designed to generate revenues equal to ~~35%~~ 100% of the ~~state cost of departmental activities amount appropriated under s. 20.370 (2) (ma) for the administration of air pollution control under this section and ss. 144.30 to 144.42 and water resources under this section and ss. 144.025, 144.03 and 144.04 and ch. 147, except that the costs of departmental inland lake renewal activities under ch. 33, water supply activities under ss. 144.025 (2) (h), (L) and (r) and 144.04, high capacity well activities under s. 144.025 (2) (e) and solid waste activities under ss. 144.44 and 144.445 shall not be included in determining such costs~~ management for the fiscal year in which the fee is collected.

SECTION 2622i. 144.96 (3) (c) 2 of the statutes is created to read:

144.96 (3) (c) 2. The annual fee under par. (am) shall be designed to generate revenues equal to 100% of the amount appropriated under s. 20.370 (2) (ma) for water resources management and wastewater management and 50% of the amount appropriated

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under s. 20.370 (2) (ma) for technical services for the fiscal year in which the fee is collected.

SECTION 2622j. 144.96 (3) (d) of the statutes is amended to read:

144.96 (3) (d) The annual ~~operating plant discharge~~ environmental ~~fee fees~~ under this section shall be paid for each plant at which pollutants are discharged. In any one year the ~~portion of annual operating plant discharge~~ air contaminant environmental fee ~~resulting from the reporting of the discharge of air contaminants~~ under par. (a) shall be reduced for a plant which is a stationary source and which has paid fees under s. 144.399 by the amount of those fees.

SECTION 2622k. 144.96 (3) (e) of the statutes is repealed.

Vetoed in Part SECTION 2622ke. 144.99 of the statutes is amended to read:

~~144.99 Penalties. Any person who violates this chapter, except ss. 144.30 to 144.426, 144.48 (4) (b) and 144.96 (1), or any rule promulgated or any plan approval, license or special order issued under this chapter, except under those sections, shall forfeit not less than \$10 nor more than \$5,000 for each violation. Each day of continued violation is a separate offense. While the order is suspended, stayed or enjoined, this penalty does not accrue.~~

SECTION 2622kh. 144.992 of the statutes is created to read:

144.992 Environmental assessments. (1) If a court imposes a fine or forfeiture for a violation of a provision of this chapter, ch. 147 or 162 or s. 146.13 (2) or 146.20 or a rule or order issued under this chapter, ch. 147 or 162 or s. 146.13 (2) or 146.20, the court shall impose an environmental assessment equal to ~~25%~~ of the amount of the fine or forfeiture.

Vetoed in Part

(2) If a fine or forfeiture is suspended in whole or in part, the environmental assessment shall be reduced in proportion to the suspension.

(3) If any deposit is made for an offense to which this section applies, the person making the deposit shall also deposit a sufficient amount to include the environmental assessment prescribed in this section. If the deposit is forfeited, the amount of the environmental assessment shall be transmitted to the state treasurer under sub. (4). If the deposit is returned, the environmental assessment shall also be returned.

(4) The clerk of the court shall collect and transmit to the county treasurer the environmental assessment and other amounts required under s. 59.395 (5). The county treasurer shall then make payment to the state treasurer as provided in s. 59.20 (5) (b). The state treasurer shall deposit the amount of the assessment in the environmental fund.

SECTION 2622km. 145.01 (4m) of the statutes is amended to read:

145.01 (4m) **FAILING PRIVATE SEWAGE SYSTEM.** "Failing private sewage system" has the meaning specified under s. ~~144.245~~ 145.245 (4).

SECTION 2622ks. 145.10 (1) (c) of the statutes is amended to read:

145.10 (1) (c) Falsified information on an inspection form under s. ~~144.245~~ 145.245 (3).

SECTION 2622Lm. 145.245 (1) (dm) of the statutes is created to read:

145.245 (1) (dm) "Sewage" means the water-carried wastes created in and to be conducted away from residences, industrial establishments, and public buildings as defined in s. 101.01 (2), with such surface water or groundwater as may be present.

SECTION 2622m. 145.245 (7) (d') of the statutes is created to read:

145.245 (7) (d) If the income of a person who owns a principal residence that is served by a category 1 or 2 failing private sewage system is greater than \$32,000, the amount of the grant under this section is limited to the amount determined under par. (c) less 30% of the amount by which the person's income exceeds \$32,000.

SECTION 2622n. 145.245 (15) of the statutes is created to read:

145.245 (15) **PENALTIES.** Any person who violates this section or a rule or order promulgated under this section shall forfeit not less than \$10 nor more than \$5,000 for each violation. Each day of continued violation is a separate offense. While an order is suspended, stayed or enjoined, this penalty does not accrue.

SECTION 2623c. 146.02 (4) of the statutes is amended to read:

146.02 (4) **CONFIDENTIALITY OF TESTS AND RELATED INFORMATION.** The state laboratory of hygiene shall provide the test results to the physician, who shall advise the parents or legal guardian of the results. No information obtained under this section from the parents or guardian or from specimens from the infant may be disclosed except for use in statistical data compiled by the department without reference to the identity of any individual and except as provided in ~~ss. 146.81 and 146.82~~ s. 146.82 (2). The state laboratory of hygiene board shall provide to the department the names and addresses of parents of infants who have positive test results.

SECTION 2623m. 146.022 (2) (a) (intro.) of the statutes is amended to read:

146.022 (2) (a) *Acquired immunodeficiency syndrome services.* (intro.) From the appropriations under s. 20.435 (1) (a) and (am), the department shall allocate a total of ~~\$856,200~~ \$1,127,400 in state fiscal year ~~1989-90~~ 1991-92 and ~~\$988,200~~ \$1,294,400 in state fiscal year ~~1990-91~~ 1992-93 and from the appropriations under s. 20.435 (1) (mc) and (md) and (6) (mc) the department shall allocate a total of \$177,000 in each of state fiscal years ~~1989-90 and 1990-91~~ year for the provision of services to individuals with or at risk of contracting acquired immunodeficiency syndrome, as follows:

SECTION 2624m. 146.022 (2) (a) 8 of the statutes is amended to read:

146.022 (2) (a) 8. Life care services. The department shall allocate ~~\$564,000~~ \$835,200 in fiscal year ~~1989-90~~ 1991-92 and ~~\$696,000~~ \$1,002,200 in fiscal year ~~1990-91~~ 1992-93 in grants to applying organizations for the provision of needs assessments; assistance in procuring financial, medical, legal, social and pastoral services; counseling and therapy; homecare services and supplies; and advocacy.

Vetoed
in Part

~~SECTION 2625m. 146.022 (2) (b) of the statutes is amended to read:~~

~~146.022 (2) (b) *Prevention training for alcohol and drug abuse workers.* From the appropriation under s. 20.435 (6) (a), the department shall allocate \$16,000 and from the appropriation under s. 20.435 (6) (mc), the department shall allocate \$25,000 \$9,000 in each of state fiscal years ~~1989-90~~ and ~~1990-91~~ year 1991-92 to provide training for persons providing alcohol and other drug abuse services and counseling under s. 115.36 (3) or through county departments under s. 46.21, 46.23, 51.42 or 51.437, in order to enable these persons to educate individuals who are drug dependent with respect to the use of shared intravenous equipment and acquired immunodeficiency syndrome and its prevention.~~

SECTION 2626m. 146.022 (2) (c) of the statutes is amended to read:

146.022 (2) (c) *Clinical trials program grant.* From the appropriation under s. 20.435 (1) (ao), the department shall allocate ~~up to \$150,000 in state fiscal year 1990-91 funds~~ as a grant to a community-based agency or a medical or academic institution. The grant under this paragraph is to establish a statewide program of community-based clinical trials of investigational new drugs for management of individuals with HIV infections in this state. These services will, under the program, be provided by a statewide network of physicians known as the Wisconsin community-based research consortium. ~~Award of a grant to an entity under this paragraph is conditioned upon receipt by the department of an agreement by the entity to provide funds to match at least 100% of the amount of the grant awarded.~~

SECTION 2626r. 146.024 (1) (a) of the statutes is amended to read:

146.024 (1) (a) "Health care provider" means a nurse licensed under ch. 441, a chiropractor licensed under ch. 446, a dentist licensed under ch. 447, a physician, podiatrist or physical therapist licensed or an occupational therapist or occupational therapy assistant certified under ch. 448, an optometrist licensed under ch. 449, a psychologist licensed under ch. 455, a speech-language pathologist or audiologist registered under subch. III of ch. 459, a speech and language pathologist licensed by the department of public instruction, an employe or agent thereof, a partnership thereof, a corporation thereof that provides

health care services, an operational cooperative sickness care plan organized under ss. 185.981 to 185.985 that directly provides services through salaried employes in its own facility, an emergency medical technician — advanced (paramedic) licensed under s. 146.35 or an ambulance attendant licensed under s. 146.50.

SECTION 2626s. 146.024 (1) (a) of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

146.024 (1) (a) "Health care provider" means a nurse licensed under ch. 441, a chiropractor licensed under ch. 446, a dentist licensed under ch. 447, a physician, podiatrist or physical therapist licensed or an occupational therapist or occupational therapy assistant certified under ch. 448, an optometrist licensed under ch. 449, a psychologist licensed under ch. 455, a speech-language pathologist or audiologist licensed under subch. II of ch. 459, a speech and language pathologist licensed by the department of public instruction, an employe or agent thereof, a partnership thereof, a corporation thereof that provides health care services, an operational cooperative sickness care plan organized under ss. 185.981 to 185.985 that directly provides services through salaried employes in its own facility, an emergency medical technician — advanced (paramedic) licensed under s. 146.35 or an ambulance attendant licensed under s. 146.50.

SECTION 2631. 146.0256 of the statutes is repealed.

SECTION 2632. 146.027 (2) of the statutes is amended to read:

146.027 (2) From the appropriation under s. 20.435 (1) (cc), the department shall allocate up to \$400,000 in each ~~of state fiscal years 1989-90 and 1990-91~~ year to provide grants to applying individuals, institutions or organizations for the conduct of projects on cancer control and prevention. Funds shall be awarded on a matching basis, under which, for each grant awarded, the department shall provide 50%, and the grantee 50%, of the total grant funding.

SECTION 2633. 146.029 (intro.) of the statutes is amended to read:

146.029 Health care for migrant workers and families. (intro.) From the appropriation under s. 20.435 (1) (cr), the department shall allocate \$50,000 in each ~~of state fiscal years 1989-90 and 1990-91~~ year as a grant for the provision of direct health care services to migrant workers, as defined in s. 103.90 (5), and their families. The grant shall be awarded to an applying entity that is a migrant health center for purposes of receipt of federal funds under 42 USC 254b. Funding provided under the grant shall be used for payment for the professional staff of a health clinic to do all of the following:

~~SECTION 2633m. 146.125 of the statutes is amended to read:~~ Vetoed
in Part

Vetoed in Part ~~146.125 Powers of villages, cities and towns. Section 95.72 shall not be construed as depriving any city or village from passing any ordinance prohibiting the rendering of dead animals within the boundaries specified in s. 66.052 nor as nullifying any existing law or ordinance prohibiting the rendering of dead animals within such area, nor prohibiting any city or village from licensing, revoking such license, and regulating the business of rendering and transporting dead animals under sanitary conditions no less stringent than provided by said section and the rules of the department of agriculture, food and trade and consumer protection and any such licensing and regulation shall be construed as supplementary to the provisions of this section and the rules of the department shall not be construed as excusing or justifying any failure or neglect to comply with this section and the rules of the department. Section 95.72 shall be expressly construed as modifying the powers granted to towns and any city, village or town is empowered to take any action to be taken under s. 146.14 and to institute and maintain court proceedings to prevent, abate or remove any nuisances thereunder and to institute and maintain any action under ss. 823.01, 823.02 and 823.07.~~

SECTION 2634. 146.183 (1) (a) (intro.) of the statutes is amended to read:

146.183 (1) (a) (intro.) From the appropriation under s. 20.435 (1) (ei), the department shall allocate ~~\$250,000 in fiscal year 1989-90 and \$250,000 in fiscal year 1990-91 as grants in each fiscal year to applying~~ local public health agencies, family planning agencies and nonprofit health care agencies that have applied for the grants, to provide all of the following services:

SECTION 2634k. 146.20 (5) (a) 4 of the statutes is amended to read:

146.20 (5) (a) 4. Violated any provisions of this section or any rule prescribed by the department or falsified information on inspection forms under s. 144.245 ~~145.245~~ (3).

Vetoed in Part ~~SECTION 2634m. 146.24 of the statutes is amended to read:~~

~~146.24 Certification of milk sheds. The department shall conduct sampling surveys of milk sheds in Wisconsin to the extent necessary to certify to the department of agriculture, food and trade and consumer protection, the U.S. public health service, and local health departments, the compliance rating of such milk sheds based upon the standards for grade A milk and grade A milk products of the department of agriculture, food and trade and consumer protection and the provisions of the recommended milk ordinance and code of the U.S. public health service. The department may act to monitor milk volume under this section, including requiring the monthly reporting of volume by individual dairy plants, and may promulgate rules establishing fees which may be charged to dairy plants to fund these activities.~~

SECTION 2635. 146.40 (title) of the statutes is amended to read:

146.40 (title) Instructional programs for nurse's assistants and home health and hospice aides.

SECTION 2636. 146.40 (1) (bo) of the statutes is created to read:

146.40 (1) (bo) "Hospice" means a hospice that is licensed under subch. IV of ch. 50 and that is certified as a provider of services under 42 USC 1395 to 1395ccc.

SECTION 2637. 146.40 (1) (bp) of the statutes is created to read:

146.40 (1) (bp) "Hospice aide" means an individual employed by or under contract with a hospice to provide hospice aide services under the supervision of a registered nurse. "Hospice aide" does not mean an individual who is licensed, permitted, certified or registered under ch. 441, 448, 449, 450, 455 or 459.

SECTION 2638. 146.40 (2) (intro.) of the statutes is amended to read:

146.40 (2) (intro.) ~~After September 30, 1990, a~~ A hospital, nursing home or intermediate care facility for the mentally retarded may not employ or contract for the services of an individual as a nurse's assistant ~~and, a home health agency may not employ or contract for the services of an individual as a home health aide and a hospice may not employ or contract for the services of an individual as a hospice aide, regardless of the title under which the individual is employed, unless one of the following is true:~~

SECTION 2639. 146.40 (2) (a) of the statutes is amended to read:

146.40 (2) (a) For hospitals, nursing homes ~~or~~, home health agencies ~~or~~ hospices, whether or not certified providers of medical assistance, except as provided in par. (g), and intermediate care facilities for the mentally retarded that are certified providers of medical assistance, the individual has successfully completed instruction in an instructional and competency evaluation program for nurse's assistants ~~or for~~, home health aides ~~or hospice aides~~ that is certified by the department under sub. (3).

SECTION 2640. 146.40 (2) (am) of the statutes is amended to read:

146.40 (2) (am) For hospitals, nursing homes ~~or~~, home health agencies, hospices and intermediate care facilities for the mentally retarded, if the individual was employed or under contract as a nurse's assistant ~~or~~, home health aide ~~or hospice aide~~ between October 1, 1985, and October 1, 1990, and if par. (b) or (c) does not apply, after the individual successfully completes, by December 31, 1991, a competency evaluation program that is approved by the department under sub. (3m).

SECTION 2641. 146.40 (2) (b) of the statutes is amended to read:

146.40 (2) (b) For hospitals, nursing homes or home health agencies and intermediate care facilities for the mentally retarded, the individual has been

employed or under contract as a nurse's assistant or as a home health aide for at least 12 months on or prior to October 1, 1990, and, for hospices, the individual has been employed or under contract as a hospice aide for at least 12 months on or prior to the effective date of this paragraph [revisor inserts date].

SECTION 2642. 146.40 (2) (c) of the statutes is amended to read:

146.40 (2) (c) For hospitals, nursing homes ~~or~~, home health agencies or hospices, whether or not certified providers of medical assistance, and intermediate care facilities for the mentally retarded that are certified providers of medical assistance, the individual is employed or under contract as a nurse's assistant ~~or~~, home health aide or hospice aide fewer than 120 calendar days by the hospital, nursing home ~~or~~, home health agency, hospice or intermediate care facility for the mentally retarded.

SECTION 2643. 146.40 (2) (d) of the statutes is amended to read:

146.40 (2) (d) For hospitals, nursing homes ~~or~~, home health agencies or hospices, whether or not certified providers of medical assistance, and intermediate care facilities for the mentally retarded that are certified providers of medical assistance, the individual has successfully completed instruction in an instructional and competency evaluation program or has successfully completed a competency evaluation program for nurse's assistants ~~or~~, for home health aides or for hospice aides that is certified in another state that is meets criteria for acceptance in this state as specified by the department by rule, or the individual is certified as a nurse's assistant ~~or as a~~, home health aide or hospice aide in another state that is meets criteria for acceptance in this state as specified by the department by rule, except that after December 31, 1991, par. (a) applies.

SECTION 2644. 146.40 (2) (e) of the statutes is amended to read:

146.40 (2) (e) For hospitals ~~or~~, home health agencies or hospices, whether or not certified providers of medical assistance, nursing homes that are not certified providers of medical assistance and intermediate care facilities for the mentally retarded that are certified providers of medical assistance, the individual is a student nurse who has successfully completed a basic nursing course from a school that is on the accredited list of schools specified under s. 441.01 (4) or who successfully completes a competency evaluation program for nurse's assistants ~~or~~, home health aides or hospice aides that is approved by the department under sub. (3m).

SECTION 2645. 146.40 (2) (em) of the statutes is amended to read:

146.40 (2) (em) For nursing homes that are certified providers of medical assistance, the individual is a student nurse ~~who has successfully completed a basic nursing course from a school that is on the accredited~~

~~list of schools specified under s. 441.01 (4) and who successfully completes a competency evaluation program for nurse's assistants that is approved by the department under sub. (3m).~~

SECTION 2646. 146.40 (2) (f) of the statutes is amended to read:

146.40 (2) (f) For hospitals, nursing homes ~~or~~, home health agencies or hospices, whether or not certified providers of medical assistance, and intermediate care facilities for the mentally retarded that are certified providers of medical assistance, the individual has successfully completed, prior to October 1, 1990, an instructional and competency evaluation program that is substantially the same as an instructional and competency evaluation program certified by the department under sub. (3) and that the department determines generally meets the standards for certification promulgated under sub. (3).

SECTION 2647. 146.40 (2) (g) of the statutes is amended to read:

146.40 (2) (g) For nursing homes that are certified providers of medical assistance, the individual, if he or she has performed no nursing-related service for monetary compensation for 24 consecutive months after having satisfied the requirement under par. (a), again successfully completes instruction in an instructional and competency evaluation program for nurse's assistants that is certified by the department under sub. (3) or a competency evaluation program for nurse's assistants that is approved by the department under sub. (3m).

SECTION 2648. 146.40 (3) of the statutes is amended to read:

146.40 (3) The department shall certify instructional and competency evaluation programs for nurse's assistants ~~and~~, for home health aides and for hospice aides that apply for certification and satisfy standards for certification promulgated by rule by the department. The department shall review the curriculum of each certified instructional and competency evaluation program at least once every 36 months following the date of certification to determine whether the program satisfies the standards for certification. The department may, following a hearing after providing notice, suspend or revoke the certification of an instructional and competency evaluation program or impose a plan of correction on the program if the program does not satisfy the standards for certification or operates under conditions that are other than those contained in the application approved by the department.

SECTION 2649. 146.40 (3m) of the statutes is amended to read:

146.40 (3m) The department shall review competency evaluation programs for nurse's assistants ~~and~~, for home health aides aides ~~and for hospice aides~~ and may approve those competency evaluation programs that satisfy standards for approval that are specified

in rules of the department. The department may, ~~following a hearing after providing notice~~, suspend or revoke approval of a competency evaluation program or impose a plan of correction if the competency evaluation program fails to satisfy the standards ~~or operates under conditions that are other than those contained in the application approved by the department.~~

SECTION 2650. 146.40 (4m) of the statutes is created to read:

146.40 (4m) An instructional and competency evaluation program under sub. (3) for which the department has suspended or revoked certification or imposed a plan of correction or a competency evaluation program under sub. (3m) for which the department has suspended or revoked approval or imposed a plan of correction may contest the department's action by sending, within 10 days after receipt of notice of the contested action, a written request for hearing under s. 227.44 to the division of hearings and appeals created under s. 15.103 (1). The administrator of the division may designate a hearing examiner to preside over the case and recommend a decision to the administrator under s. 227.46. The decision of the administrator of the division shall be the final administrative decision. The division shall commence the hearing within 30 days after receipt of the request for hearing and shall issue a final decision within 15 days after the close of the hearing. Proceedings before the division are governed by ch. 227. In any petition for judicial review of a decision by the division, the party, other than the petitioner, who was in the proceeding before the division shall be the named respondent.

SECTION 2651. 146.40 (5) (a) of the statutes is amended to read:

146.40 (5) (a) The department, in consultation with the board of vocational, technical and adult education, shall promulgate rules specifying standards for certification in this state of instructional and competency evaluation programs for nurse's assistants and ~~for~~, home health aides and hospice aides. The standards shall include specialized training in providing care to individuals with special needs. The department shall promulgate rules regarding this specialized training in consultation with a private nonprofit organization awarded a grant under s. 46.855.

SECTION 2652. 146.40 (5) (b) (intro.) of the statutes is amended to read:

146.40 (5) (b) (intro.) The department shall promulgate rules specifying ~~states that are included under sub. (2) (d). A state may be specified in the rule only if criteria for acceptance by this state of an instructional and competency evaluation program or a competency evaluation program that is certified in another state, including whether the other state grants nurse's assistant privileges or, home health aide privileges or hospice aide privileges to persons who have completed instruction in an instructional and competency evalu-~~

ation program that is certified under sub. (3) and if whether one of the following is true:

SECTION 2653. 146.40 (5) (b) 1 of the statutes is amended to read:

146.40 (5) (b) 1. If the other state certifies instructional and competency evaluation programs for nurse's assistants ~~or for~~, home health aides or hospice aides, the state's requirements are substantially similar, as determined by the department, to certification requirements in this state.

SECTION 2654. 146.40 (5) (b) 2. (intro.) of the statutes is amended to read:

146.40 (5) (b) 2. (intro.) If the other state certifies nurse's assistants ~~or~~, home health aides aides or hospice aides, that state's requirements are such that one of the following applies:

SECTION 2654d. 146.40 (7) of the statutes is created to read:

146.40 (7) This section does not apply to a hospice that receives no federal or state moneys for any purpose.

SECTION 2654du. 146.50 (12) (a) of the statutes is amended to read:

146.50 (12) (a) All records made by an ambulance service provider or an emergency medical technician in administering emergency care procedures to and handling and transporting sick, disabled or injured individuals shall be maintained as confidential patient health care records subject to ~~the requirements of ss. 146.82 and 146.83~~ 146.81 to 146.84 and, if applicable, s. 146.025 (5) (a) (intro.), (6), (8) and (9). For the purposes of this paragraph, an ambulance service provider or an emergency medical technician shall be considered to be a health care provider under s. 146.81 (1). Nothing in this paragraph permits disclosure to an ambulance service provider or an emergency medical technician under s. 146.025 (5) (a), except under s. 146.025 (5) (a) 11.

~~SECTION 2654b. 146.50 (12g) of the statutes is created to read:~~

~~146.50 (12g) EMERGENCY MEDICAL SERVICES COUNCIL DUTIES. The emergency medical services council shall do all of the following:~~

~~(a) Advise the department on the establishment of emergency medical services policies and on rules under this section and under s. 146.55.~~

~~(b) Assist the department in developing a comprehensive state emergency medical services plan.~~

~~(c) Assist the department in developing a plan to establish regional trauma care systems.~~

~~(d) Assist the department in developing standards and oversight for a state uniform mandatory prehospital care and hospital care data collection system.~~

~~(e) Assist the department in developing emergency medical technician licensure and permit requirements, including requirements for completion of continuing education.~~

Vetoed
in Part

Vetoed
in Part

~~(f) Communicate and collaborate with the state medical director of emergency medical services, the medical care council and the emergency medical services assistance board.~~

~~(g) Report to the secretary, upon request.~~

~~SECTION 2654q. 146.50 (12m) of the statutes is created to read:~~

~~146.50 (12m) MEDICAL CARE COUNCIL; DUTIES. The medical care council shall do all of the following:~~

~~(a) Assist the state medical director of emergency medical services in developing policies and procedures for medical care.~~

~~(b) Review and evaluate reports of quality assurance with the state medical director of emergency medical services and make recommendations concerning the contents of the reports.~~

~~(c) Work with the emergency medical services council to develop protocols for the establishment of trauma care systems.~~

~~(d) Recommend to the department and to the state medical director of emergency medical services standards for medical control physicians.~~

~~(e) Recommend to the department and to the state medical director of emergency medical services standard procedures to initiate life-saving care in the absence of a physician.~~

~~(f) Communicate and collaborate with the state medical director of emergency medical services, the emergency medical services council, the emergency medical services assistance board and the department.~~

~~(g) Report to the secretary, upon request.~~

~~SECTION 2655. 146.55 (3) (b) of the statutes is amended to read:~~

~~146.55 (3) (b) Review the annual budget prepared by the department for the expenditures under s. 20.435 (1) (dt) and (r).~~

~~SECTION 2656. 146.55 (4) (a) of the statutes is amended to read:~~

~~146.55 (4) (a) From the appropriations appropriation under s. 20.435 (1) (dt) and (r), the department shall annually allocate funds for ambulance service vehicles or vehicle equipment, emergency medical services supplies or equipment or emergency medical training for personnel to an ambulance service provider that is a public agency, a volunteer fire department or a nonprofit corporation, under a funding formula consisting of an identical base amount for each ambulance service provider plus a supplemental amount based on the population of the ambulance service provider's primary service or contract area, as established under s. 146.50 (5).~~

~~SECTION 2657. 146.55 (5) (a) of the statutes is renumbered 146.55 (5) and amended to read:~~

~~146.55 (5) EMERGENCY MEDICAL TECHNICIAN TRAINING AND EXAMINATION AID. From the appropriations appropriation under s. 20.435 (1) (dt) and (r), the department shall annually allocate funds to entities, including vocational, technical and adult education~~

districts, whose courses or instructional programs are approved by the department under s. 146.50 (9), to assist the entities in providing the training required for licensure and renewal of licensure as an emergency medical technician — basic under s. 146.50 (6), and to fund each examination administered by the entity for licensure or renewal of licensure as an emergency medical technician — basic under s. 146.50 (6) (a) 3 and (b) 1.

~~SECTION 2658. 146.56 of the statutes is repealed.~~

~~SECTION 2658d. 146.60 (1) (c) of the statutes is amended to read:~~

~~146.60 (1) (c) "Departments" means the department of agriculture, food and trade and consumer protection and the department of natural resources.~~

~~SECTION 2658g. 146.60 (2) (b) of the statutes is amended to read:~~

~~146.60 (2) (b) The department of agriculture, food and trade and consumer protection shall be the reviewing department for any regulated release subject to any federal requirement in the coordinated framework, except a requirement under 15 USC 2601 to 2629.~~

~~SECTION 2658j. 146.60 (3) (c) 1 of the statutes is amended to read:~~

~~146.60 (3) (c) 1. If the department of natural resources receives information under this subsection or sub. (4) (c), it shall provide the department of agriculture, food and trade and consumer protection with a copy of the information.~~

~~SECTION 2658m. 146.60 (3) (c) 2 of the statutes is amended to read:~~

~~146.60 (3) (c) 2. If the department of agriculture, food and trade and consumer protection receives information under this subsection or sub. (4) (c), it shall provide the department of natural resources with a copy of the information.~~

~~SECTION 2658p. 146.60 (5) of the statutes is amended to read:~~

~~146.60 (5) MEMORANDUM OF UNDERSTANDING. Within 6 months after June 13, 1989, the department of natural resources shall enter into a memorandum of understanding with the department of agriculture, food and trade and consumer protection setting forth the procedures and responsibilities of the departments in the administration of this section. The memorandum shall establish procedures that minimize the duplication of effort between the departments and for the person providing information under sub. (3).~~

~~SECTION 2659. 146.62 (2) (intro.) of the statutes is amended to read:~~

~~146.62 (2) (title) LOAN PURPOSES. (intro.) From the appropriation under s. 20.435 (1) (dr) the department shall establish and fund initial loans from, and from the appropriation under s. 20.435 (1) (gr) the department shall continue, with loan repayments, a fund to make loans to applying nonprofit rural hospitals with fewer than 100 beds, including a cooperative organ-~~

Vetoed
in Part

ized under ch. 185 that consists of one or more rural hospitals, to assist the rural hospitals in altering services to meet the changing medical needs of their patient service areas. A rural hospital may use a loan granted under this subsection s. 146.62 (2) and (3), 1989 stats., for a purpose that includes any of the following:

SECTION 2660. 146.62 (3) of the statutes is repealed.

SECTION 2661. 146.62 (4) (intro.) and (d) of the statutes are consolidated, renumbered 146.62 (4) and amended to read:

146.62 (4) DEPARTMENTAL DUTIES. The department shall administer the loan program under this section, as follows: (d) Negotiate negotiate with each recipient of a loan made under s. 146.62 (2) and (3), 1989 stats., the schedule of repayments and collect the loan repayments as they are due. Loan repayments shall be deposited in the general fund. Except as provided in sub. (5), repayment for each loan shall begin no later than 12 months after the project funded under the loan begins operation.

SECTION 2662. 146.62 (4) (a) of the statutes is repealed.

SECTION 2663. 146.62 (4) (b) of the statutes is repealed.

SECTION 2664. 146.62 (4) (c) of the statutes is repealed.

SECTION 2665. 146.62 (5) of the statutes is amended to read:

146.62 (5) LOAN FORGIVENESS. If a rural hospital that receives a loan under this section s. 146.62 (2) and (3), 1989 stats., is unable to undertake the proposed project, the rural hospital may submit to the department a final report concerning the feasibility of loan repayment. The department shall review the report and may forgive all or part of the loan.

SECTION 2665m. 146.70 (2) (h) of the statutes is created to read:

146.70 (2) (h) A cellular mobile radio communications utility, as defined in s. 196.202 (1), shall permit a user of the utility to access a basic or sophisticated system if the utility operates within the boundaries of a system.

SECTION 2665p. 146.805 of the statutes is created to read:

146.805 Community-based residential facility, hospital and nursing home admissions. Every community-based residential facility, as defined in s. 50.01 (1g), hospital, as defined in s. 50.33 (2), and nursing home, as defined in s. 50.01 (3), shall include on their admission forms a question as to whether the person being admitted is a former member of the armed forces of the United States or is the spouse of a former member of the armed forces of the United States. If the person being admitted or the person acting on behalf of that person indicates that the person being admitted is a former member of the armed forces of the United States or is the spouse of a former member of the

armed forces of the United States, the community-based residential facility, hospital or nursing home shall give the person being admitted written information provided by the department of veterans affairs under s. 45.35 (14) (g) summarizing the state and federal benefits available to veterans.

Vetoed
in Part

SECTION 2665pu. 146.81 (intro.) of the statutes is amended to read:

146.81 Health care records; definitions. (intro.) In ss. 146.81 to 146.83 146.84:

SECTION 2666q. 146.81 (1) of the statutes, as affected by 1989 Wisconsin Act 229, is repealed and recreated to read:

146.81 (1) "Health care provider" means any of the following:

- (a) A nurse licensed under ch. 441.
- (b) A chiropractor licensed under ch. 446.
- (c) A dentist licensed under ch. 447.
- (d) A physician, podiatrist or physical therapist licensed under ch. 448.
- (e) An occupational therapist, occupational therapy assistant or respiratory care practitioner certified under ch. 448.
- (f) An optometrist licensed under ch. 449.
- (g) An acupuncturist certified under ch. 451.
- (h) A psychologist licensed under ch. 455.
- (hm) A speech-language pathologist or audiologist registered under subch. III of ch. 459 or a speech and language pathologist licensed by the department of public instruction.
- (i) A partnership of any providers specified under pars. (a) to (hm).
- (j) A corporation of any providers specified under pars. (a) to (hm) that provides health care services.
- (k) An operational cooperative sickness care plan organized under ss. 185.981 to 185.985 that directly provides services through salaried employees in its own facility.
- (L) A hospice licensed under subch. IV of ch. 50.
- (m) An inpatient health care facility, as defined in s. 140.86 (1).

(n) A community-based residential facility, as defined in s. 140.85 (1).

SECTION 2666r. 146.81 (1) of the statutes, as affected by 1989 Wisconsin Acts 229 and 316 and 1991 Wisconsin Act (this act), is repealed and recreated to read:

146.81 (1) "Health care provider" means any of the following:

- (a) A nurse licensed under ch. 441.
- (b) A chiropractor licensed under ch. 446.
- (c) A dentist licensed under ch. 447.
- (d) A physician, podiatrist or physical therapist licensed under ch. 448.
- (e) An occupational therapist, occupational therapy assistant or respiratory care practitioner certified under ch. 448.

Vetoed
in Part

- (f) An optometrist licensed under ch. 449.
- (g) An acupuncturist certified under ch. 451.
- (h) A psychologist licensed under ch. 455.

(hm) A speech-language pathologist or audiologist licensed under subch. II of ch. 459 or a speech and language pathologist licensed by the department of public instruction.

(i) A partnership of any providers specified under pars. (a) to (hm).

(j) A corporation of any providers specified under pars. (a) to (hm) that provides health care services.

(k) An operational cooperative sickness care plan organized under ss. 185.981 to 185.985 that directly provides services through salaried employees in its own facility.

(L) A hospice licensed under subch. IV of ch. 50.

(m) An inpatient health care facility, as defined in s. 140.86 (1).

(n) A community-based residential facility, as defined in s. 140.85 (1).

SECTION 2667c. 146.81 (2) of the statutes is amended to read:

146.81 (2) "Informed consent" means written consent to the disclosure of information from patient health care records to an individual, agency or organization containing that includes all of the following:

(a) The name of the patient whose record is being disclosed, the

(d) The purpose of the disclosure, the type of information to be disclosed, the such as whether the disclosure is for further medical care, for an application for insurance, to obtain payment of an insurance claim, for a disability determination, for a vocational rehabilitation evaluation, for a legal investigation or for other specified purposes.

(e) The individual, agency or organization to which disclosure may be made, the types of health care providers making the disclosure, the

(f) The signature of the patient or the person authorized by the patient, the and, if signed by a person authorized by the patient, the relationship of that person to the patient or the authority of the person.

(g) The date on which the consent is signed and the

(h) The time period during which the consent is effective.

Vetoed in Part SECTION 2667d. 146.81 (2) (b) and (c) of the statutes are created to read:

146.81 (2) (b). The name of the health care provider or other person who may disclose the information.

(c). The extent or nature of the information to be disclosed, including all of the following:

1. Whether the information pertains to inpatient treatment, outpatient treatment, or both.

2. The approximate dates of the treatment or the patient's health condition to which the information pertains.

SECTION 2667g. 146.81 (4) of the statutes is amended to read:

146.81 (4) "Patient health care records" means all records related to the health of a patient prepared by or under the supervision of a health care provider, including the records required under s. 146.82 (2) (d) and (3) (c), but not those records subject to s. 51.30, reports collected under s. 69.186, records of tests administered under s. 343.305, fetal monitor tracings, as defined under s. 146.817 (1), or a pupil's physical health records maintained by a school under s. 118.125.

~~SECTION 2667h. 146.82 (2) (a) 3 of the statutes is renumbered 146.82 (2) (a) 3. (intro.) and amended to read:~~

~~146.82 (2) (a) 3. (intro.) To the extent that the records are needed for billing, collection or payment of claims. Any business or other person to which patient health care records are released under this subdivision shall develop and implement written policies and procedures to ensure that the confidentiality of the records is maintained. A patient who is the subject of records released under this subdivision, or a person authorized by the patient, may inspect these written policies and procedures at any time during regular business hours, upon reasonable notice, and receive a copy of the policies and procedures, upon payment of reasonable costs. The policies and procedures shall include all of the following.~~

~~SECTION 2667i. 146.82 (2) (a) 3, a. to d. of the statutes are created to read:~~

~~146.82 (2) (a) 3. a. The employee or other individuals, identified by position or function, who may have access to the records.~~

~~b. Training for all employees or other individuals who have access to the records, regarding the requirements of this section and the policies and procedures developed and implemented under this subdivision, and periodic review of each such employee's or other individual's compliance with those requirements, policies and procedures.~~

~~c. Routine reviews of the procedures and routine reviews and inspections of the facilities, equipment and vehicles used by the business or other person to which patient health care records are released under this subdivision for maintaining, storing, processing and transporting the records, to ensure that the procedures, facilities, equipment and vehicles provide sufficient security to maintain the confidentiality of the records. Such inspections shall include all on-premises and off-premises sites where the records are maintained, stored or processed by or for the business or other person.~~

~~d. A procedure for determining, at all times, the employee or other individual who has possession of the records.~~

~~SECTION 2667j. 146.82 (2) (a) 5 of the statutes is amended to read:~~

Vetoed in Part

Vetoed
in Part

146.82 (2) (a) 5. In response to a written request by any federal or state governmental agency to perform a legally authorized function, including but not limited to management audits, financial audits, program monitoring and evaluation, facility licensure or certification or individual licensure or certification, if the agency determines that the records are necessary to perform a function of the agency authorized or required by state statute or required by federal law or that the records are required as a condition of receiving federal aids. The private pay patient, except if a resident of a nursing home, may deny access granted under this subdivision by annually submitting to a health care provider, other than a nursing home, a signed, written request on a form provided by the department. The provider, if a hospital, shall submit a copy of the signed form to the patient's physician.

SECTION 2667k. 146.82 (2) (b) of the statutes is amended to read:

146.82 (2) (b) Unless authorized by a court of record, the recipient of any information under par. (a) shall keep the information confidential and may not disclose. The information or identifying information about the patient whose who is the subject of the patient health care records are may be released by the recipient only with the informed consent of the patient or person authorized by the patient.

SECTION 2667ko. 146.82 (2) (d) of the statutes is created to read:

146.82 (2) (d) For each release of patient health care records under this subsection, the health care provider shall record the name of the person or agency to which the records were released, the date and time of the release and the identification of the records released.

SECTION 2667ku. 146.82 (3) (c) of the statutes is created to read:

146.82 (3) (c) For each release of patient health care records under this subsection, the health care provider shall record the name of the person or agency to which the records were released, the date and time of the release and the identification of the records released.

Vetoed
in Part

SECTION 2667L. 146.82 (4) of the statutes is created to read:

146.82 (4) REDISCLOSURE. An informed consent to disclose patient health care records does not apply to the release of patient health care records that are in the possession of a person other than the health care provider who prepared or supervised the preparation of the records unless the informed consent also identifies the health care provider who prepared or supervised the preparation of the records.

SECTION 2667m. 146.83 (2) of the statutes is amended to read:

146.83 (2) The health care provider shall provide each patient with a statement paraphrasing the provisions of this section and s. 146.82 (2) (a) 3 either upon admission to an inpatient health care facility, as

defined in s. 140.86 (1), or upon the first provision of services by the health care provider.

SECTION 2667n. 146.84 of the statutes is created to read:

146.84 Violations related to confidentiality of and patient access to health care records. (1) ACTIONS FOR VIOLATIONS; DAMAGES; INJUNCTION. (a) Except as provided under par. (b), any person, including the state or any political subdivision of the state, violating s. 146.82 or 146.83 shall be liable to any person injured as a result of the violation for actual damages to that person; exemplary damages of not less than \$200 for each release of information in violation of s. 146.82; each denial of the rights to inspect or receive copies under s. 146.83 (1) and each failure to provide a statement under s. 146.83 (2); and costs and reasonable actual attorney fees incurred in an action for damages under this paragraph. A custodian of records incurs no liability under this paragraph for the release of records in accordance with s. 146.82 or 146.83 while acting in good faith.

(b) Any person, including the state or any political subdivision of the state, who violates s. 146.82 or 146.83 in a manner that is knowing and wilful shall be liable to any person injured as a result of the violation for actual damages to that person; exemplary damages of not less than \$1,000 for each release of information in violation of s. 146.82; each denial of the rights to inspect or receive copies under s. 146.83 (1) and each failure to provide a statement under s. 146.83 (2); and costs and reasonable actual attorney fees incurred by the person in an action under this paragraph. It is not a prerequisite to an action under this paragraph by the person whose records are released in violation of s. 146.82 who was denied the right to inspect or receive a copy of records under s. 146.83 (1) or who was not provided a statement required under s. 146.83 (2) that he or she suffer or be threatened with actual damages.

(c) An individual may bring an action to enjoin any violation of s. 146.82 or 146.83 or to compel compliance with s. 146.82 or 146.83 and may, in the same action, seek damages as provided in this subsection. The individual may recover costs and reasonable actual attorney fees incurred in an action under this paragraph if he or she prevails.

(2) PENALTIES. (a) Any person who violates s. 146.82 or 146.83 may be required to forfeit not more than \$200 for each violation.

(b) Any person who violates s. 146.82, except s. 146.82 (2) (a) 3, in a manner that is knowing and wilful or any person who requests or obtains confidential information under s. 146.82 or 146.83 (1) under false pretenses may be fined not more than \$500 or imprisoned not more than one year in the county jail, or both.

(3) DISCIPLINE OF EMPLOYEES. Any person employed by the state, any political subdivision of the state or a

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Vetoed in Part ~~Private employer~~ who violates s. 146.82 or 146.83 may be discharged or suspended without pay.

(4) EXCEPTIONS. This section does not apply to any of the following:

(a) Violations by a nursing facility, as defined under s. 49.498 (1) (i), of the right of a resident of the nursing facility to confidentiality of his or her patient health care records.

(b) Violations by a nursing home, as defined under s. 50.01 (3), of the right of a resident of the nursing home to confidentiality of his or her patient health care records.

SECTION 2668. 146.87 of the statutes is repealed.

SECTION 2669d. 146.90 (1) (a) of the statutes is amended to read:

146.90 (1) (a) The department, ~~with the advice of the council on health care coverage for the uninsured,~~ shall design a state health insurance program to provide health care coverage to uninsured persons and shall submit a plan detailing the structure, operation and management of the program to the joint committee on finance by January 1, 1987.

SECTION 2670d. 146.90 (2) (a) of the statutes is amended to read:

146.90 (2) (a) The department, ~~with the advice of the council on health care coverage for the uninsured,~~ shall design pilot projects to test the programs designed under sub. (1) and shall submit its recommendations for the pilot projects, including a suggested timetable, and evaluation methodology and projected costs, to the joint committee on finance by January 1, 1987.

SECTION 2679d. 146.90 (4m) (a) (intro.) of the statutes is amended to read:

146.90 (4m) (a) (intro.) The department, ~~with the advice of the council on pilot projects for the uninsured,~~ shall conduct in the manner described in the department's plan and recommendations submitted under subs. (1) and (2) to the joint committee on finance on December 29, 1986, the following pilot projects:

Vetoed in Part ~~SECTION 2682c. 146.90 (4m) (b) (intro.) of the statutes is amended to read:~~

~~146.90 (4m) (b) (intro.) With respect to the pilot projects conducted under pars. (a) and (am) and sub. (4p), the department shall establish all of the following:~~

SECTION 2683d. 146.90 (4m) (c) (intro.) of the statutes is amended to read:

146.90 (4m) (c) (intro.) The department, ~~with the advice of the council on pilot projects for the uninsured,~~ shall by rule specify the criteria for selecting from the locations described in its plan and recommendations submitted under subs. (1) and (2) the location for each of the pilot projects conducted under pars. (a) and (am) ~~and sub. (4p),~~ and any conditions governing participation in and the receipt of benefits

Vetoed in Part

under the pilot projects, including but not limited to all of the following:

SECTION 2684d. 146.90 (4m) (d) of the statutes is repealed.

~~SECTION 2685c. 146.90 (4m) (e) of the statutes is amended to read:~~

~~146.90 (4m) (e) The department shall, before implementing the pilot projects, conduct a survey in each area where a pilot project under par. (a) or (am) or sub. (4p) will be implemented to determine the number of persons residing in those areas who have health insurance coverage and certain social and economic characteristics of the persons residing in those areas.~~

SECTION 2685m. 146.90 (4p) of the statutes is created to read:

146.90 (4p) (a). In this subsection, "comprehensive health policy or plan" means a health policy or plan offered by an insurer or an employer that provides at least hospital and medical care coverage not limited to specified diseases or accidental injuries and that may but is not required to provide coverage in compliance with ss. 631.93 (2), 632.87, 632.89, 632.894, 632.895, 632.896 and 632.897.

(b). The department shall combine the pilot projects under sub. (4m) (a) 1 and 2 and (am) operating in Portage county on the effective date of this paragraph ... [revisor inserts date], into one pilot project that provides all of the following:

1. Subsidies for low-income persons for the purpose of purchasing group health insurance that is a comprehensive health policy or plan offered by the person's employer.

2. Subsidies for low-income persons employed by firms not offering group health insurance for the purpose of purchasing health insurance if the person's employer decides to offer group health insurance that is a comprehensive health policy or plan.

3. Subsidies for low-income persons employed by firms not offering health insurance for the purpose of purchasing health insurance if the person's employer decides to offer individual health insurance that is a comprehensive health policy or plan and that satisfies the conditions under sub. (4m) (am) 1 and 3 to 6.

(c). With respect to the pilot project conducted under this subsection, eligibility for a subsidy shall be limited to persons employed by an employer with 100 or fewer employees.

SECTION 2687d. 146.90 (7) of the statutes is created to read:

146.90 (7). Except for the pilot projects under sub. (4m) (a) 1 and 2 and (am) operating in Portage county and the combined pilot project under sub. (4p) operating in Portage county, the pilot projects under this section are limited to providing subsidies to persons who are participants in the pilot projects on the effective date of this subsection ... [revisor inserts date], and are limited to operating according to the provisions

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Vetoed in Part

Vetoed under s. 146.90, 1989 stats. Except for the pilot projects operating in Portage county, no funds may be encumbered for local administrative contracts after the effective date of this subsection [revisor inserts date].
in Part

SECTION 2689. 146.995 (title) of the statutes is amended to read:

146.995 (title) Reporting of wounds and burn injuries.

SECTION 2690. 146.995 (2) (a) (intro.) of the statutes is amended to read:

146.995 (2) (a) (intro.) Any person licensed, certified or registered by the state under ch. 441, 448 or 455 who treats a patient suffering from any of the following ~~wounds~~ shall report in accordance with par. (b):

SECTION 2691. 146.995 (2) (a) 2 of the statutes is amended to read:

146.995 (2) (a) 2. Any ~~other~~ wound other than a gunshot wound if the person has reasonable cause to believe that the wound occurred as a result of a crime.

SECTION 2692. 146.995 (2) (a) 3 of the statutes is created to read:

146.995 (2) (a) 3. Second-degree or 3rd-degree burns to at least 5% of the patient's body or, due to the inhalation of superheated air, swelling of the patient's larynx or a burn to the patient's upper respiratory tract, if the person has reasonable cause to believe that the burn occurred as a result of a crime.

SECTION 2693. 146.995 (2) (b) of the statutes is amended to read:

146.995 (2) (b) For any mandatory report under par. (a), the person shall report the patient's name and the type of wound or burn injury involved as soon as reasonably possible to the local police department or county sheriff's office for the area where the treatment is rendered.

SECTION 2694. 146.995 (4) (b) of the statutes is amended to read:

146.995 (4) (b) The patient's name and type of wound or burn injury have been previously reported under sub. (2).

SECTION 2695. 147.03 (2d) and (2h) of the statutes are created to read:

147.03 (2d) The department may, with the consent of the permittee, modify a permit issued under s. 147.02 without following the procedures in sub. (2) (b) to (f) in order to do any of the following:

(a) Correct a typographical error.

(b) Require more frequent monitoring or reporting by the permittee.

(c) Change an interim compliance date in a schedule of compliance to a date that is not more than 120 days after the date specified in the existing permit if the change does not delay attainment of final compliance.

(d) Reflect a change in the owner or operator of a facility if the department determines that no other

change in the permit is necessary and if the current and new owners or operators submit to the department a written agreement that specifies a date for the new owner to assume responsibility for compliance with the permit and liability for violations of the permit.

(e) Change the construction schedule for a new source if the change does not affect the permittee's obligation to have required pollution control equipment installed and in operation before beginning to discharge.

(f) Eliminate a point source from a permit if the discharge from that point source terminates and that termination does not cause the discharge of pollutants from other point sources to exceed permit limits.

(g) Incorporate into a permit a condition of a publicly owned treatment works pretreatment program that has been approved by the department.

(2h) The department may, with the consent of the permittee, revoke a permit issued under s. 147.02 without following the procedures in sub. (2) (b) to (f).

SECTION 2695d. 147.03 (3) (e) of the statutes is amended to read:

147.03 (3) (e) Notwithstanding any other provisions of this section, any new source the construction of which is commenced after October 18, 1972, and which is so constructed to meet all standards of performance adopted under s. 147.06 shall not be subject to any more stringent standard of performance during either the 10-year period beginning on the date of completion of such construction or the period of depreciation or amortization of such facility for the purposes of ~~sections~~ section 167 or 169 of the internal revenue code ~~of 1954 as amended~~, whichever period ends first.

SECTION 2695e. 147.035 (3) (a) of the statutes is amended to read:

147.035 (3) (a) (title) *Standards for nitrogen and disinfection*. Notwithstanding sub. (1) or (2), the department may promulgate by rule effluent limitations representing the best available demonstrated control technology, processes, operating methods or other alternatives concerning the discharge of ~~phosphorous~~ or nitrogen compounds and concerning the disinfection of sanitary wastewaters if the U.S. environmental protection agency has not promulgated an effluent limitation, effluent standard or prohibition concerning this type of discharge or disinfection.

SECTION 2695f. 147.035 (3) (am) of the statutes is created to read:

147.035 (3) (am) *Standards for phosphorous*. Notwithstanding sub. (1) or (2), the department shall promulgate by rule effluent limitations representing the best available demonstrated control technology, processes, operating methods or other alternatives concerning the discharge of phosphorous if the U.S. environmental protection agency has not promulgated an effluent limitation, effluent standard or prohibition concerning this type of discharge. ~~Except as~~

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Vetoed in Part provided in par. (b), the department may not promulgate a rule concerning the discharge of phosphorous into the waters of the state that allows an effluent limitation that exceeds one milligram of effluent phosphorous per liter of water.

SECTION 2695g. 147.035 (3) (b) (intro.) of the statutes is amended to read:

147.035 (3) (b) *Exemptions.* (intro.) The department may exempt by rule specified types of discharges from the effluent limitations concerning the discharge of phosphorous or nitrogen compounds established under par. (a) or (am) based upon:

SECTION 2695h. 147.035 (3) (c) of the statutes is amended to read:

147.035 (3) (c) *Advisory committee.* In promulgating rules under pars. (a), (am) and (b), the department shall establish an advisory committee under s. 227.13 composed of representatives of municipal dischargers, industrial point sources, farm groups, environmental groups, nonpoint sources and the public to assist in drafting the rules, evaluating technical studies and advising the department.

SECTION 2695i. 147.035 (3) (d) of the statutes is amended to read:

147.035 (3) (d) *Impact of subsequent federal standards.* If the U.S. environmental protection agency promulgates an effluent limitation, effluent standard or prohibition concerning a type of discharge or disinfection specified under par. (a) or (am) for a category or class of point sources which is applicable to a permit holder, the department may modify, and at the request of the permit holder shall modify, the effluent limitation specified in the permit to conform with the effluent limitation, effluent standard or prohibition promulgated by the U.S. environmental protection agency.

SECTION 2695j. 147.035 (3) (e) of the statutes is amended to read:

147.035 (3) (e) *Compliance dates.* A publicly owned treatment works shall comply with effluent limitations established under this subsection par. (a) by July 1, 1983. Any point source other than a publicly owned treatment works shall comply with effluent limitations established under this subsection par. (a) by July 1, 1984.

SECTION 2695k. 147.055 (2) of the statutes is amended to read:

147.055 (2) Any point source of a discharge having a thermal component, the modification of which is commenced after October 18, 1972, and which, as modified, meets the most stringent effluent limitation established under s. 147.04 or ~~sub. sub.~~ (1) and (2) this subsection, where the limitation assures protection and propagation of a balanced indigenous population of shellfish, fish and wildlife in and on the water into which the discharge is made, shall not be subject to any more stringent effluent limitation with respect to the thermal component during either the 10-year

period beginning on the date of completion of the modification or the period of depreciation or amortization of the facility for the purpose of section 167 or 169 of the internal revenue code of 1954, whichever ends first.

SECTION 2695kg. 149.06 (7) of the statutes is amended to read:

149.06 (7) Drugs necessary for the treatment of tuberculosis may be purchased by the department utilizing the appropriation under s. 20.435 (1) (e) and dispensed to patients through the public health dispensaries or through health care providers, as defined in s. 146.81 (1), other than speech-language pathologists or audiologists registered under subch. III of ch. 459 or speech and language pathologists licensed by the department of public instruction.

SECTION 2695kh. 149.06 (7) of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

149.06 (7) Drugs necessary for the treatment of tuberculosis may be purchased by the department utilizing the appropriation under s. 20.435 (1) (e) and dispensed to patients through the public health dispensaries or through health care providers, as defined in s. 146.81 (1), other than speech-language pathologists or audiologists licensed under subch. II of ch. 459 or speech and language pathologists licensed by the department of public instruction.

SECTION 2695Lg. 151.09 (7) (intro.) of the statutes is amended to read:

151.09 (7) (intro.) From the appropriation under s. 20.435 (1) (ef) the department shall allocate all of the following under criteria that ensure that funding is provided for areas with significant lead poisoning problems:

SECTION 2695Lh. 151.09 (7) (a) of the statutes is repealed.

SECTION 2695Li. 151.09 (7) (am) of the statutes is created to read:

151.09 (7) (am) A total of \$145,500 in fiscal year 1991-92 and a total of \$259,100 in fiscal year 1992-93 as grants to county or city-county health departments or city boards of health under ch. 140 or 141, to detect lead poisoning or lead exposure, to provide educational programs about the health dangers of lead poisoning or lead exposure and to perform related activities. Of these amounts, the department shall allocate not less than \$98,900 in fiscal year 1991-92 and not less than \$205,600 in fiscal year 1992-93 to a city board of health in a 1st class city. The department shall allocate grants under this paragraph under criteria that ensure that funding is provided for areas with significant incidence of lead poisoning.

SECTION 2695Lj. 151.09 (7) (b) of the statutes is repealed.

~~SECTION 2695Lk. 151.09 (7) (bm) of the statutes is created to read:~~

Vetoed in Part

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in Part

~~151.09 (7) (bm) A total of \$258,400 in fiscal year 1991-92 and \$322,600 in fiscal year 1992-93 as grants to county or city-county health departments or city boards of health under ch. 140 or 141, to analyze blood samples of children to detect lead poisoning or lead exposure. Of these amounts, the department shall allocate not less than \$158,400 in fiscal year 1991-92 and not less than \$222,600 in fiscal year 1992-93 to a city board of health in a 1st class city. The department shall allocate grants under this paragraph under criteria that ensure that funding is provided for areas with significant incidence of lead poisoning.~~

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in Part

~~SECTION 2695Lp. 153.01 (5m) of the statutes is created to read:~~

~~153.01 (5m) "Inpatient facility" has the meaning given under s. 51.01 (10).~~

~~SECTION 2695Lq. 153.32 of the statutes is created to read:~~

~~153.32 Psychiatric hospitalization report. The office shall, by February 1, 1992, and annually thereafter, submit a report to the joint committee on finance and under s. 13.172 (3) to the chief clerk of each house of the legislature for distribution to the appropriate standing committees. The report shall cover individuals under age 21 who are served in inpatient facilities and shall include all of the following:~~

~~(1) The total number of individuals served, by age, by specific inpatient facility, by county of residence and by primary diagnosis.~~

~~(2) The average length of stay of the individuals in an inpatient facility.~~

~~(3) The total cost of treatment in inpatient facilities for the individuals.~~

~~(4) The average daily cost of treatment in inpatient facilities for the individuals.~~

~~(5) The sources of payment, per individual, for the individuals.~~

~~SECTION 2695w. 157.70 (1) (cm) of the statutes is created to read:~~

~~157.70 (1) (cm) "Dedicated" has the meaning given in s. 157.061 (4).~~

~~SECTION 2695y. 157.70 (2) (a) of the statutes is amended to read:~~

~~157.70 (2) (a) Under a special inspection warrant as required under s. 66.122, identify and record in a catalog burial sites in this state, together with and, for burial sites which are not dedicated, sufficient contiguous land necessary to protect the burial site from disturbance, and notify in writing every owner of a burial site or of such land so recorded and any county or local historical society in the county where the burial site or the land is located. Any information in the catalog related to the location of any burial site, the disclosure of which would be likely to result in the disturbance of the burial site or the cataloged land contiguous to the burial site, is not subject to s. 19.35 (1). The notice shall include information about the permit required under sub. (5) and the toll free number the owner may call for more information. In~~

this paragraph, "sufficient contiguous land" means land that is within at least 5 feet from any part of a burial site.

SECTION 2696. 157.70 (2) (i) of the statutes is amended to read:

157.70 (2) (i) Cause a cataloged burial site to be recorded by the register of deeds of the county in which the burial site is located. The historical society shall reimburse the county for the cost of recording under this paragraph from the appropriation under s. 20.245 (6) (3) (a).

SECTION 2696c. 157.70 (10) (b) of the statutes is amended to read:

157.70 (10) (b) Any person who intentionally disturbs a burial site which is not cataloged without the authorization of the director under sub. (4) (c) 2 or (d) shall forfeit not less than \$500 nor more than \$2,000 if the burial site is not dedicated or shall forfeit not less than \$1,000 nor more than \$10,000 if the burial site is dedicated.

~~SECTION 2696g. 159.01 (6) of the statutes is amended to read:~~

~~159.01 (6) "Plastic container" means a plastic container, as defined in s. 400.23 130.26 (1) (c), that is required to be labeled under s. 400.23 130.26 (2).~~

~~SECTION 2696j. 159.11 (2s) (a) of the statutes is amended to read:~~

~~159.11 (2s) (a) The department shall notify the department of agriculture, trade and consumer protection justice whenever variances granted under sub. (2m) (b) for a plastic container, foam polystyrene packaging or any type of packaging that contains carbonated or malt beverages are in effect for responsible units representing 25% or more of the state's population.~~

~~SECTION 2696m. 159.11 (2s) (b) of the statutes is amended to read:~~

~~159.11 (2s) (b) The department shall notify the department of agriculture, trade and consumer protection justice if, within 2 years after providing notification under par. (a) for a packaging material, the condition under par. (a) no longer exists for that packaging material.~~

~~SECTION 2696n. 159.13 (7m) of the statutes is created to read:~~

~~159.13 (7m) AMENDMENT OF RESOLUTION OR REPORT. A municipality may amend an initial intent resolution adopted under sub. (6) or a comprehensive facility project description report prepared under sub. (7) before the adoption of the municipal waste flow control ordinance, if the amendment pertains to the parties responsible for providing and operating the facility, the project timetable and implementation schedule, the reduction of the area served by the facility, the reduction in the size of the facility, the reduction in the quantity of solid waste to be processed by the facility or plans for the treatment or disposal of the residual solid waste. If the amendment is adopted~~

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after the public hearing under sub. (9), the municipality shall publish a notice of the amendment and the opportunity for a hearing, and shall conduct a public hearing if requested by 6 or more residents of the municipality. After the public hearing, or after the deadline for requesting a hearing if none is requested, the municipality shall issue a modified determination concerning best public interest under sub. (8) and any person adversely affected by the municipality's modified determination concerning best public interest may appeal the determination under ch. 68.

Vetoed in Part SECTION 2696p. 159.22 (2) (c) of the statutes is amended to read:

~~159.22 (2) (c) Advise state agencies concerning the promulgation of rules under ss. 100.29, 100.295, 101.126, 130.23, 130.24, 360.12, 360.65 and 360.835 and the establishment of priorities under s. 159.03 (1) (b).~~

SECTION 2696rb. 159.23 (1) (ar) of the statutes is amended to read:

159.23 (1) (ar) "Avoided disposal cost" means the amount of the cost of disposing of ~~processed material~~, as defined in s. 159.11 (2m) (a) 1, solid waste that a responsible unit avoids as a result of operating a solid waste management program with one or more of the components specified in s. 159.11 (2) (a) to (h) during the year for which an application is submitted under sub. (4).

SECTION 2696rf. 159.23 (3) (a) 2 of the statutes is amended to read:

159.23 (3) (a) 2. For assistance in 1995 to ~~2000~~ 1999, a responsible unit that has been determined under s. 159.11 to have an effective recycling program.

SECTION 2696rk. 159.23 (3) (b) of the statutes is amended to read:

159.23 (3) (b) Only expenses, including capital expenses, anticipated to be incurred for planning, constructing or operating a recycling program with one or more of the components specified in s. 159.11 (2) (a) to (h) ~~and, beginning with assistance for 1993, for complying with the prohibition under s. 159.07 (2) during the year for which an application is submitted under sub. (4) are eligible for assistance under the program.~~

Vetoed in Part

SECTION 2696rp. 159.23 (4) (d) and (e) of the statutes are created to read:

159.23 (4) (d) Beginning with the application submitted for 1993, information on financial incentives that the responsible unit is using or plans to use to encourage reduction of the amount of solid waste generated or disposed of in the region.

(e) Information concerning user fees used or proposed to be used to finance costs of the recycling program and, if no user fees are used, an explanation of why they are not used.

SECTION 2696rs. 159.23 (5) (c) of the statutes is repealed and recreated to read:

159.23 (5) (c) 1. Except as provided in subd. 5, for all other responsible units, the amount of the grant for

1992 equals either 66% of the difference between eligible expenses and avoided disposal costs or \$6 times the population of the responsible unit, whichever is less.

2. Except as provided in subd. 5 or sub. (5e), for all other responsible units, the amount of the grant for 1993 through 1997 equals either 66% of the difference between eligible expenses and avoided disposal costs or \$8 times the population of the responsible unit, whichever is less.

3. Except as provided in subd. 5 or sub. (5e), for all other responsible units, the amount of the grant for 1998 equals either 50% of the eligible expenses of complying with the prohibition under s. 159.07 (2) and of the eligible capital costs of the recycling program plus 66% of the other eligible expenses of planning and operating the recycling program less avoided disposal costs or \$8 times the population of the responsible unit, whichever is less.

4. Except as provided in subd. 5 or sub. (5e), for all other responsible units, the amount of the grant for 1999 equals either 25% of the eligible expenses of complying with the prohibition under s. 159.07 (2) and of the eligible capital costs of the recycling program plus 50% of the other eligible expenses of planning and operating the recycling program less avoided disposal costs or \$8 times the population of the responsible unit, whichever is less.

5. If the amount calculated under subd. 1, 2, 3 or 4 is less than 33% of eligible expenses, the grant equals 33% of eligible expenses.

SECTION 2696w. 159.23 (5e) of the statutes is created to read:

159.23 (5e) PRORATION. If available funds are insufficient, under sub. (5) (c) 2, 3 or 4, to pay \$8 times the population of all of the responsible units that are entitled to that amount, the department shall distribute the funds so that each responsible unit that would be entitled to \$6 times its population if the per person amount in sub. (5) (c) 2, 3 or 4 were \$6 receives \$6 times its population and shall prorate the remaining funds.

SECTION 2696y. 159.23 (5m) of the statutes is amended to read:

159.23 (5m) ALTERNATE PROCESS. The department shall establish, by rule, a process for distributing grants if the amount that would be awarded under sub. (5) ~~or (5e)~~ exceeds the amount of funds available under s. 20.370 (4) (cw).

SECTION 2697b. 159.23 (7) of the statutes is amended to read:

159.23 (7) SUNSET. No grant may be awarded under this section for any year after ~~2000~~ 1999.

SECTION 2697c. 159.31 (2) of the statutes is amended to read:

159.31 (2) FEE FOR NOT MEETING TARGET. Except as provided in sub. (4) (a), ~~(am)~~ or (c), each publisher of a newspaper shall annually pay to the department a newspaper recycling fee.

Vetoed in Part SECTION 2697e. 159.31 (3) (c) 2 of the statutes is amended to read:

~~159.31 (3) (c) 2. 1993 and 1994, 25%.~~

SECTION 2697f. 159.31 (3) (c) 2e, 2m and 2s of the statutes are created to read:

Vetoed in Part 159.31 (3) (c) 2e. ~~1995 and 1996, 35%.~~

Vetoed in Part 2m. ~~1997 and 1998, 40%.~~

Vetoed in Part 2s. ~~1999 and 2000, 45%.~~

~~SECTION 2697g. 159.31 (3) (c) 3 of the statutes is amended to read:~~

~~159.31 (3) (c) 3. 2001 and thereafter, 45% 50%.~~

SECTION 2697h. 159.31 (4) (c) of the statutes is created to read:

159.31 (4) (c) Subsection (3) does not apply to the publisher of a newspaper that has a circulation of less than 20,000 if the department determines, based on a review of a written request by the publisher, that compliance with the target recycled content requirements in sub. (3) (c) would create a financial hardship for the publisher. The department shall promulgate rules for making determinations of financial hardship under this paragraph.

Vetoed in Part SECTION 2697m. 160.01 (7) of the statutes is amended to read:

~~160.01 (7) "Regulatory agency" means the department of agriculture, food and trade and consumer protection, the department of industry, labor and human relations, the department of transportation, the department of natural resources and other state agencies which regulate activities, facilities or practices which are related to substances which have been detected in or have a reasonable probability of entering the groundwater resources of the state.~~

SECTION 2697r. 161.41 (1) (h) 1 to 3 of the statutes are amended to read:

161.41 (1) (h) 1. If the amount manufactured or delivered is 500 grams or less, or 10 marijuana plants or less, the person shall be fined not less than \$500 nor more than \$25,000 and may be imprisoned for not more than 3 years.

2. If the amount manufactured or delivered is more than 500 grams but not more than 2,500 grams, or more than 10 marijuana plants but not more than 50 marijuana plants, the person shall be fined not less than \$1,000 nor more than \$50,000 and shall be imprisoned for not less than 3 months nor more than 5 years.

3. If the amount manufactured or delivered is more than 2,500 grams, or more than 50 marijuana plants, the person shall be fined not less than \$1,000 nor more than \$100,000 and shall be imprisoned for not less than one year nor more than 10 years.

SECTION 2697s. 161.41 (1m) (h) 1 to 3 of the statutes are amended to read:

161.41 (1m) (h) 1. If the amount possessed, with intent to manufacture or deliver, is 500 grams or less, or 10 marijuana plants or less, the person shall be

fined not less than \$500 nor more than \$25,000 and may be imprisoned for not more than 3 years.

2. If the amount possessed, with intent to manufacture or deliver, is more than 500 grams but not more than 2,500 grams, or more than 10 marijuana plants but not more than 50 marijuana plants, the person shall be fined not less than \$1,000 nor more than \$50,000 and shall be imprisoned for not less than 3 months nor more than 5 years.

3. If the amount possessed, with intent to manufacture or deliver, is more than 2,500 grams, or more than 50 marijuana plants, the person shall be fined not less than \$1,000 nor more than \$100,000 and shall be imprisoned for not less than one year nor more than 10 years.

SECTION 2697t. 161.41 (1q) of the statutes is created to read:

161.41 (1q) Under subs. (1) (h) and (1m) (h) and s. 161.49 (2), if different penalty provisions apply to a person depending on whether the weight of tetrahydrocannabinols or the number of marijuana plants is considered, the greater penalty provision applies.

SECTION 2699t. 161.47 (1) of the statutes is amended to read:

161.47 (1) Whenever any person who has not previously been convicted of any offense under this chapter, or of any offense under any statute of the United States or of any state or of any county ordinance relating to narcotic drugs, marijuana or stimulant, depressant or hallucinogenic drugs, pleads guilty to or is found guilty of possession or attempted possession of a controlled substance under s. 161.41 (3), the court, without entering a judgment of guilt and with the consent of the accused, may defer further proceedings and place him or her on probation upon terms and conditions. Upon violation of a term or condition, the court may enter an adjudication of guilt and proceed as otherwise provided. Upon fulfillment of the terms and conditions, the court shall discharge the person and dismiss the proceedings against him or her. Discharge and dismissal under this section shall be without adjudication of guilt and is not a conviction for purposes of disqualifications or disabilities imposed by law upon conviction of a crime, including the additional penalties imposed for 2nd or subsequent convictions under s. 161.48. There may be only one discharge and dismissal under this section with respect to any person.

SECTION 2700c. 161.49 (2) (b) of the statutes is amended to read:

161.49 (2) (b) If the conduct described in par. (a) involves only the distribution, or the possession with intent to deliver, of not more than 25 grams of tetrahydrocannabinols, listed at s. 161.14 (4) (t), or not more than 5 marijuana plants, the court shall sentence the person to at least one year in prison, but otherwise the penalties for the crime apply. Except as provided in s. 161.438, the court shall not place the

person on probation. The person is not eligible for parole until he or she has served at least one year, with no modification by the calculation under s. 302.11 (1).

SECTION 2701. 161.495 (intro.) and (1) of the statutes are consolidated, renumbered 161.495 and amended to read:

161.495 Possession or attempted possession of a controlled substance on or near certain places. If any person violates s. 161.41 (2r), (3), (3m), (3n) or (3r) by possessing or attempting to possess a controlled substance listed in schedule I or II while in or otherwise within 1,000 feet of a state, county, city, village or town park, a swimming pool open to members of the public, a youth center or a community center, while on or otherwise within 1,000 feet of any private or public school premises or while on or otherwise within 1,000 feet of a school bus, as defined in s. 340.01 (56), the court shall ~~impose both of the following penalties,~~ in addition to any other penalties that may apply to the crime: ~~(1) One hundred,~~ impose 100 hours of community service work for a public agency or a nonprofit charitable organization. The court shall ensure that the defendant is provided a written statement of the terms of the community service order and that the community service order is monitored. Any organization or agency acting in good faith to which a defendant is assigned pursuant to an order under this ~~subsection~~ section has immunity from any civil liability in excess of \$25,000 for acts or omissions by or impacting on the defendant.

SECTION 2702. 161.495 (2) of the statutes is repealed.

SECTION 2703. 161.50 of the statutes is created to read:

161.50 Suspension or revocation of operating privilege. (1) If a person is convicted of any violation of this chapter, the court shall, in addition to any other penalties that may apply to the crime, suspend or revoke the person's operating privilege, as defined in s. 340.01 (40), for not less than 6 months nor more than 5 years. The court shall immediately take possession of any suspended or revoked license and forward it to the department of transportation together with the record of conviction and notice of the suspension or revocation. If required by s. 345.54 (1), the court or judge shall impose an automatic reinstatement assessment of \$50. The person is eligible for an occupational license under s. 343.10 as follows:

- (a) For the first such conviction, at any time.
 - (b) For a 2nd conviction within a 5-year period, after the first 60 days of the suspension or revocation period.
 - (c) For a 3rd or subsequent conviction within a 5-year period, after the first 90 days of the suspension or revocation period.
- (2) For purposes of counting the number of convictions under sub. (1), convictions under the law of a federally recognized American Indian tribe or band in

this state, federal law or the law of another jurisdiction, as defined in s. 343.32 (1m) (a), for any offense therein which, if the person had committed the offense in this state and been convicted of the offense under the laws of this state, would have required suspension or revocation of such person's operating privilege under this section, shall be counted and given the effect specified under sub. (1). The 5-year period under this section shall be measured from the dates of the violations which resulted in the convictions.

SECTION 2703c. 161.573 (2) of the statutes is amended to read:

161.573 (2) Any person who violates this section who is under 18 years of age is subject to a disposition under s. 48.344 (2e).

SECTION 2703e. 161.574 (2) of the statutes is amended to read:

161.574 (2) Any person who violates this section who is under 18 years of age is subject to a disposition under s. 48.344 (2e).

SECTION 2703g. 161.575 (2) of the statutes is amended to read:

161.575 (2) Any person who violates this section who is under 18 years of age is subject to a disposition under s. 48.344 (2e).

SECTION 2704. 163.05 (1) (h) of the statutes is created to read:

163.05 (1) (h) Establish the style, content and format of all licenses issued under this chapter.

SECTION 2705. 163.05 (3) of the statutes is created to read:

163.05 (3) The department may promulgate rules specifying the number of business days within which the board must review and make a determination on an application for a permit, as defined in s. 560.41 (2), that is issued under this chapter.

SECTION 2705m. 163.11 (1) (intro.) of the statutes is amended to read:

163.11 (1) (intro.) Any bona fide religious, charitable, service, fraternal or veterans' organization or any organization, other than the state or any political subdivision of the state, to which contributions are deductible for federal income tax purposes or state income or franchise tax purposes, may apply to the department for a license to conduct bingo. In this subsection, "service organization" includes all of the following:

SECTION 2706. 163.15 (1) of the statutes is amended to read:

163.15 (1) ~~Within 60 days after the filing of an application for a license to conduct bingo, the department, after~~ After making the determinations under s. 163.14, ~~the department~~ shall either notify the applicant organization in writing why a license is not being issued or issue a license to such applicant organization authorizing it to conduct bingo at the times and places set forth in the license. Except as provided in sub.

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(1m), a license issued under this subsection shall be effective for one year from the first day of the month of the first occasion listed on the license and may be renewed annually, except that an applicant organization may request that the license expire on the first day of any month within the one-year licensure period.

SECTION 2707. 163.15 (2) of the statutes is repealed.

SECTION 2707m. 163.90 of the statutes is amended to read:

163.90 Qualified organizations. Any local religious, charitable, service, fraternal or veterans organization or any organization to which contributions are deductible for federal income tax purposes or state income or franchise tax purposes, which has been in existence for one year immediately preceding its application for a license or which is chartered by a state or national organization which has been in existence for at least 3 years, may conduct a raffle upon receiving a license for the raffle event from the board. No other person may conduct a raffle in this state.

SECTION 2708. 163.92 (1) of the statutes is amended to read:

163.92 (1) ~~The board shall prescribe appropriate forms for the application and issuance of licenses to conduct raffles. The fee shall be \$25 for a raffle license shall be \$25 and shall be remitted with the application. A raffle license shall be valid for 5 raffle events. A raffle license shall be valid for 12 months and may be renewed as provided in s. 163.98 (1g). The department shall issue the license within 30 days after the filing of an application if the applicant qualifies under s. 163.90 and has not exceeded the limits of s. 163.91.~~

SECTION 2710m. 165.065 (2) of the statutes is amended to read:

Vetoed
in Part

~~165.065 (2) The assistant attorney general in charge of antitrust investigations and prosecutions is to cooperate actively with the antitrust division of the U.S. Department of justice in everything that concerns monopolistic practices in Wisconsin, and also to cooperate actively with the department of agriculture, food and trade and consumer protection in the work which this agency is carrying on under s. 100.20 of the marketing law with regard to monopolistic practices in the field of agriculture and with the federal trade commission on matters arising in or affecting Wisconsin which pertain to its jurisdiction.~~

SECTION 2710p. 165.076 of the statutes is amended to read:

165.076 Assistant attorney general; public intervenor; advisory committee. The attorney general shall appoint a public intervenor advisory committee under s. 15.04 (1) (c). The public intervenor advisory committee shall consist of not less than 7 nor more than 9 members. The members shall have backgrounds in or demonstrated experience or records relating to environmental protection or natural resource conservation. At least one of the members shall have working knowledge in business. At least one of the members

shall have working knowledge in agriculture. The public intervenor advisory committee shall advise the public intervenor consistent with his or her duty to protect public rights in water and other natural resources. The public intervenor advisory committee shall conduct meetings consistent with subch. IV V of ch. 19 and shall permit public participation and public comment on public intervenor activities.

SECTION 2711. 165.25 (4) (a) of the statutes is amended to read:

165.25 (4) (a) The department of justice shall furnish all legal services required by the investment board, the lottery board, the public service commission, the department of transportation, the department of natural resources and the department of employee trust funds, together with any other services, including stenographic and investigational, as are necessarily connected with the legal work.

SECTION 2711m. 165.25 (4) (am) of the statutes is created to read:

165.25 (4) (am) The department of justice shall furnish legal services to the department of regulation and licensing in all proceedings under s. 440.21 (3), together with any other services, including stenographic and investigational, as are necessarily connected with the legal services.

SECTION 2712. 165.25 (4) (c) of the statutes is amended to read:

165.25 (4) (c) The department shall at the end of each fiscal year, except for programs financed out of the general fund and except for services required to be provided by statute other than this subsection, render to the respective ~~departments~~ agencies enumerated in this subsection an itemized statement of the total cost of the legal and other services including travel expenses and legal expenses enumerated in s. 20.455 (1) (d).

SECTION 2713. 165.25 (4) (d) of the statutes is amended to read:

165.25 (4) (d) Upon receipt of the statement, the respective ~~department~~ agency head shall audit the ~~same statement~~ and upon finding it to be correct shall certify the amount of the statement to the department of administration to be paid into the general fund out of the ~~department's~~ agency's proper appropriation.

~~SECTION 2714m. 165.25 (8r) of the statutes is created to read:~~

~~165.25 (8r) REVIEW OF CONTRACTS OF ADMISSIONS. Review all contracts of admissions submitted under s. 50.04 (2g) (b) and approve the contracts for use.~~

SECTION 2716n. 165.75 (2) of the statutes is amended to read:

165.75 (2) The laboratories shall be located in the cities of Madison, Milwaukee and Wausau. The personnel of the laboratories shall consist of such employees as are authorized under s. 20.922. The laboratory in the city of Milwaukee is named the William J. McCauley crime laboratory.

Vetoed
in Part

SECTION 2720. 165.825 (1) of the statutes is amended to read:

165.825 (1) The department of justice shall maintain a toll-free telephone number during normal retail business hours, as determined by departmental rule, to allow persons firearms dealers licensed by the U.S. department of the treasury to check with the department of justice for information necessary to ensure that a person seeking a firearm is eligible to possess a firearm under s. 941.29.

SECTION 2720m. 165.825 (1) of the statutes, as affected by 1991 Wisconsin Acts 11 and (this act), is repealed.

SECTION 2721. 165.827 of the statutes is created to read:

165.827 Transaction information for management of enforcement system; fees. The department of justice may impose fees on law enforcement agencies for rentals, use of terminals and related costs and services associated with the transaction information for management of enforcement system. All moneys collected under this section shall be deposited in s. 20.455 (2) (h).

SECTION 2721m. 165.828 of the statutes is created to read:

165.828 Transaction information for management of enforcement system; access plan. The department of justice shall submit to the joint committee on finance a resource allocation plan that sets limits and priorities for access to the transaction information for management of enforcement system if the average daily message volume for any 3-month period exceeds 100,000. ~~If the average daily message volume for any 3-month period exceeds 100,000, the department shall thereafter deny access to the system to any new access devices until the joint committee on finance approves the plan.~~

Vetoed
in Part

SECTION 2724. 165.85 (4) (ap) of the statutes is amended to read:

165.85 (4) (ap) Jail officers serving under permanent appointment prior to July 2, 1983, are not required to meet any requirement of ~~par.~~ pars. (b) 2 and (c) as a condition of tenure or continued employment. The failure of any such jail officer to fulfill those requirements does not make that officer ineligible for any promotional examination for which he or she is otherwise eligible. Any such jail officer may voluntarily participate in programs to fulfill those requirements.

SECTION 2725. 165.85 (4) (ar) 1 of the statutes is amended to read:

165.85 (4) (ar) 1. A jail officer permanently appointed after July 1, 1983, and prior to July 1, 1988, including an officer who after July 1, 1983, and prior to July 1, 1988, completed a program of at least 80 hours of training that met the requirements of s. 165.85 (4) (b) 2, 1985 stats., shall meet the requirements under par. (b) 2 by June 30, 1993.

SECTION 2725m. 165.85 (4) (b) 1 of the statutes is amended to read:

165.85 (4) (b) 1. No person may be appointed as a law enforcement officer, except on a temporary or probationary basis, unless the person has satisfactorily completed a preparatory program of law enforcement training approved by the board and has been certified by the board as being qualified to be a law enforcement officer. The program shall include 400 hours of training, except the program for law enforcement officers who serve as rangers for the department of natural resources includes 240 hours of training. The board shall promulgate a rule under ch. 227 providing a specific curriculum for ~~the a~~ a 400-hour conventional program and a 240-hour ranger program. The rule shall ensure that there is an adequate amount of training for each program to enable the person to deal effectively with domestic abuse incidents. The training under this subdivision shall include training on emergency detention standards and procedures under s. 51.15, emergency protective placement standards and procedures under s. 55.06 (11) and information on mental health and developmental disabilities agencies and other resources that may be available to assist the officer in interpreting the emergency detention and emergency protective placement standards, making emergency detentions and emergency protective placements and locating appropriate facilities for the emergency detentions and emergency protective placements of persons. The period of temporary or probationary employment established at the time of initial employment shall not be extended by more than one year for an officer lacking the training qualifications required by the board. The total period during which a person may serve as a law enforcement officer on a temporary or probationary basis without completing a preparatory program of law enforcement training approved by the board shall not exceed 2 years, except that the board shall permit part-time law enforcement officers to serve on a temporary or probationary basis without completing a program of law enforcement training approved by the board to a period not exceeding 3 years. For purposes of this section, a part-time law enforcement officer is a law enforcement officer who routinely works not more than one-half the normal annual work hours of a full-time employee of the employing agency or unit of government. Law enforcement training programs including municipal, county and state programs meeting standards of the board are acceptable as meeting these training requirements.

SECTION 2727c. 165.87 (1) (a) of the statutes is amended to read:

165.87 (1) (a) Eleven-twentieths of all moneys collected from penalty assessments under this section shall be deposited in s. 20.455 (2) (i) and utilized in accordance with ss. 20.455 (2) and 165.85 (5) and (5m). The moneys deposited in s. 20.455 (2) (i), except

for the moneys transferred to s. 20.455 (2) (jb) and (jc), constitute the law enforcement training fund.

SECTION 2729c. 165.87 (1) (bn) of the statutes is amended to read:

165.87 (1) (bn) Three-twentieths of all moneys collected from penalty assessments under this section shall be deposited in and utilized in accordance with s. 20.505 (6) (g), except for moneys transferred to ss. 20.435 (7) (3) (jk) and 20.505 (6) (h). In regard to any grant to any local unit of government for which the state is providing matching funds from moneys under this paragraph, the local unit of government shall provide matching funds equal to at least 10%.

SECTION 2732. 165.95 of the statutes is repealed.

Vetoed
in Part

SECTION 2732g. 165.97 (1) of the statutes is amended to read:

165.97 (1) The department of justice shall provide grants to eligible cities and counties from the appropriation appropriations under s. 20.455 (2) (hd) and (kd) for payment of the costs specified in sub. (2). Cities and counties may submit a proposed plan for the expenditure of funds to the department of justice. The department shall review any proposed plan to determine if the criteria under this section have been met.

SECTION 2732m. 165.97 (2) (c) of the statutes is amended to read:

165.97 (2) (c) The city or county must provide matching funds as specified under sub. (4) (b).

SECTION 2733c. 165.97 (4) (intro.) of the statutes is amended to read:

165.97 (4) (intro.) During the 1989-91 1991-93 biennium, payments under this section are limited to:

SECTION 2734c. 165.97 (4) (a) 1 of the statutes is amended to read:

165.97 (4) (a) 1. For the city of Milwaukee, \$222,500 in fiscal year 1989-90 and \$456,100 in each fiscal year 1990-91.

SECTION 2735c. 165.97 (4) (a) 2 of the statutes is amended to read:

165.97 (4) (a) 2. For Milwaukee county, \$111,300 in fiscal year 1989-90 and \$228,100 in each fiscal year 1990-91.

SECTION 2736c. 165.97 (4) (a) 3 of the statutes is amended to read:

165.97 (4) (a) 3. For Walworth county, \$20,700 in fiscal year 1989-90 and \$41,300 in each fiscal year 1990-91.

SECTION 2737c. 165.97 (4) (a) 4 of the statutes is amended to read:

165.97 (4) (a) 4. For Sheboygan county, \$20,700 in fiscal year 1989-90 and \$41,300 in each fiscal year 1990-91.

Vetoed
in Part

SECTION 2738c. 165.97 (4) (b) 1 of the statutes is amended to read:

165.97 (4) (b) 1. For Barron and Rusk counties together, \$20,700 in fiscal year 1989-90 and \$41,300 \$37,170 in each fiscal year 1990-91. The counties

together must provide at least \$4,130 in matching funds in each fiscal year.

Vetoed
in Part

SECTION 2739c. 165.97 (4) (b) 2 of the statutes is amended to read:

165.97 (4) (b) 2. For Brown county, \$20,700 in fiscal year 1989-90 and \$41,300 \$37,170 in each fiscal year 1990-91. The county must provide at least \$4,130 in matching funds in each fiscal year.

SECTION 2740c. 165.97 (4) (b) 3 of the statutes is amended to read:

165.97 (4) (b) 3. For Columbia county, \$20,700 in fiscal year 1989-90 and \$41,300 \$37,170 in each fiscal year 1990-91. The county must provide at least \$4,130 in matching funds in each fiscal year.

SECTION 2741c. 165.97 (4) (b) 4 of the statutes is amended to read:

165.97 (4) (b) 4. For Dane county, \$41,400 in fiscal year 1989-90 and \$82,800 \$74,340 in each fiscal year 1990-91. The county must provide at least \$8,260 in matching funds in each fiscal year.

SECTION 2742c. 165.97 (4) (b) 5 of the statutes is amended to read:

165.97 (4) (b) 5. For Dodge county, \$20,700 in fiscal year 1989-90 and \$41,300 \$37,170 in each fiscal year 1990-91. The county must provide at least \$4,130 in matching funds in each fiscal year.

SECTION 2743c. 165.97 (4) (b) 5m of the statutes is amended to read:

165.97 (4) (b) 5m. For Door county, \$13,800 in fiscal year 1989-90 and \$41,300 \$37,170 in each fiscal year 1990-91. The county must provide at least \$4,130 in matching funds in each fiscal year.

SECTION 2744c. 165.97 (4) (b) 6 of the statutes is amended to read:

165.97 (4) (b) 6. For Douglas county, \$20,700 in fiscal year 1989-90 and \$41,300 \$37,170 in each fiscal year 1990-91. The county must provide at least \$4,130 in matching funds in each fiscal year.

SECTION 2745c. 165.97 (4) (b) 7 of the statutes is amended to read:

165.97 (4) (b) 7. For Eau Claire county, \$20,700 in fiscal year 1989-90 and \$41,300 \$37,170 in each fiscal year 1990-91. The county must provide at least \$4,130 in matching funds in each fiscal year.

SECTION 2746c. 165.97 (4) (b) 7m of the statutes is amended to read:

165.97 (4) (b) 7m. For Green county, \$13,800 in fiscal year 1989-90 and \$41,300 \$37,170 in each fiscal year 1990-91. The county must provide at least \$4,130 in matching funds in each fiscal year.

SECTION 2747c. 165.97 (4) (b) 8 of the statutes is amended to read:

165.97 (4) (b) 8. For Jefferson county, \$20,700 in fiscal year 1989-90 and \$41,300 \$37,170 in each fiscal year 1990-91. The county must provide at least \$4,130 in matching funds in each fiscal year.

Vetoed
in Part

~~SECTION 2748c. 165.97 (4) (b) 9 of the statutes is amended to read:~~

~~165.97 (4) (b) 9. For Kenosha county, \$41,400 in fiscal year 1989-90 and \$42,600 \$74,340 in each fiscal year 1990-91. The county must provide at least \$8,260 in matching funds in each fiscal year.~~

~~SECTION 2749c. 165.97 (4) (b) 10 of the statutes is amended to read:~~

~~165.97 (4) (b) 10. For La Crosse county, \$20,700 in fiscal year 1989-90 and \$41,300 \$37,170 in each fiscal year 1990-91. The county must provide at least \$4,130 in matching funds in each fiscal year.~~

~~SECTION 2750c. 165.97 (4) (b) 11 of the statutes is amended to read:~~

~~165.97 (4) (b) 11. For Manitowoc county, \$20,700 in fiscal year 1989-90 and \$41,300 \$37,170 in each fiscal year 1990-91. The county must provide at least \$4,130 in matching funds in each fiscal year.~~

~~SECTION 2751c. 165.97 (4) (b) 12 of the statutes is amended to read:~~

~~165.97 (4) (b) 12. For Marathon county, \$20,700 in fiscal year 1989-90 and \$41,300 \$37,170 in each fiscal year 1990-91. The county must provide at least \$4,130 in matching funds in each fiscal year.~~

~~SECTION 2752c. 165.97 (4) (b) 12m of the statutes is amended to read:~~

~~165.97 (4) (b) 12m. For Marinette county, \$13,800 in fiscal year 1989-90 and \$41,300 \$37,170 in each fiscal year 1990-91. The county must provide at least \$4,130 in matching funds in each fiscal year.~~

~~SECTION 2753c. 165.97 (4) (b) 13 of the statutes is amended to read:~~

~~165.97 (4) (b) 13. For Ozaukee county, \$20,700 in fiscal year 1989-90 and \$41,300 \$37,170 in each fiscal year 1990-91. The county must provide at least \$4,130 in matching funds in each fiscal year.~~

~~SECTION 2754c. 165.97 (4) (b) 14 of the statutes is amended to read:~~

~~165.97 (4) (b) 14. For Polk county, \$20,700 in fiscal year 1989-90 and \$41,300 \$37,170 in each fiscal year 1990-91. The county must provide at least \$4,130 in matching funds in each fiscal year.~~

~~SECTION 2755c. 165.97 (4) (b) 15 of the statutes is amended to read:~~

~~165.97 (4) (b) 15. For Richland county, \$20,700 in fiscal year 1989-90 and \$41,300 \$37,170 in each fiscal year 1990-91. The county must provide at least \$4,130 in matching funds in each fiscal year.~~

~~SECTION 2756c. 165.97 (4) (b) 16 of the statutes is amended to read:~~

~~165.97 (4) (b) 16. For Rock county, \$41,400 in fiscal year 1989-90 and \$42,600 \$74,340 in each fiscal year 1990-91. The county must provide at least \$8,260 in matching funds in each fiscal year.~~

~~SECTION 2757c. 165.97 (4) (b) 16m of the statutes is amended to read:~~

~~165.97 (4) (b) 16m. For Shawano county, \$13,800 in fiscal year 1989-90 and \$41,300 \$37,170 in each fiscal year 1990-91. The county must provide at least \$4,130 in matching funds in each fiscal year.~~

~~SECTION 2758c. 165.97 (4) (b) 17 of the statutes is amended to read:~~

~~165.97 (4) (b) 17. For Washington county, \$20,700 in fiscal year 1989-90 and \$41,300 \$37,170 in each fiscal year 1990-91. The county must provide at least \$4,130 in matching funds in each fiscal year.~~

~~SECTION 2759c. 165.97 (4) (b) 18 of the statutes is amended to read:~~

~~165.97 (4) (b) 18. For Waukesha county, \$41,400 in fiscal year 1989-90 and \$42,600 \$74,340 in each fiscal year 1990-91. The county must provide at least \$8,260 in matching funds in each fiscal year.~~

~~SECTION 2760c. 165.97 (4) (b) 19 of the statutes is amended to read:~~

~~165.97 (4) (b) 19. For Winnebago county, \$20,700 in fiscal year 1989-90 and \$41,300 \$37,170 in each fiscal year 1990-91. The county must provide at least \$4,130 in matching funds in each fiscal year.~~

~~SECTION 2761c. 165.97 (4) (b) 20 of the statutes is amended to read:~~

~~165.97 (4) (b) 20. For the city of Wisconsin Rapids, \$20,700 in fiscal year 1989-90 and \$41,300 \$37,170 in each fiscal year 1990-91. The city must provide at least \$4,130 in matching funds in each fiscal year.~~

~~SECTION 2762c. 165.97 (4) (b) 21 of the statutes is amended to read:~~

~~165.97 (4) (b) 21. For the city of Racine, \$41,400 in fiscal year 1989-90 and \$42,600 \$74,340 in each fiscal year 1990-91. The city must provide at least \$8,260 in matching funds in each fiscal year.~~

~~SECTION 2762q. 165.99 of the statutes is created to read:~~

~~**165.99 Grant for police substations.** (1) The department of justice shall provide a grant of \$650,000 in fiscal year 1991-92 and \$500,000 in fiscal year 1992-93 to the city of Milwaukee from the appropriation under s. 20.455 (2) (f) for the payment of costs under sub. (2). The city may submit a proposed plan for the expenditure of the grant moneys to the department. The department shall review any proposed plan and, after approval of any such plan, provide the grant moneys.~~

~~(2) The city of Milwaukee may apply to the department of justice for a grant to establish 2 permanent police substations that meet all of the following criteria:~~

~~(a) The substations are located in areas of the city that have high rates of crime and homicide.~~

~~(b) Each substation is the headquarters for beat patrol officers serving the area for which the substation is responsible.~~

Vetoed
in Part

Vetoed
in Part

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(3) If the city of Milwaukee receives grant moneys under this section, the city, in conjunction with the board specified in s. 62.50 (1), shall issue annual reports in 1992 and 1993 on the effectiveness of the 2 police substations.

Vetoed
in Part

(4) If the city of Milwaukee receives grant moneys under this section, the city shall reimburse the state by ~~July 1, 1992~~ for all moneys received under this section unless at least 50% of the law enforcement officer vacancies on January 5, 1991, are filled on March 1, 1992.

SECTION 2765. 166.03 (2) (b) 8 of the statutes is amended to read:

166.03 (2) (b) 8. Make payments from the appropriation under s. 20.465 (3) (c) ~~to reimburse the federal government for the amounts advanced to pay this state's share of grants to individuals and to provide a share of any required state share of contributions to local governments as defined in 42 USC 5122 (6) for major disaster recovery assistance. Payment of this state's share of any contribution to a local government under this subdivision is contingent upon copayment of that share by the local government, but not to exceed 12.5% of the total eligible cost of assistance. No payment may be made under this subdivision without the prior approval of the secretary of administration.~~

SECTION 2770e. 166.20 (1) (gm) of the statutes is created to read:

166.20 (1) (gm) "Petroleum marketing facility" means a facility at which petroleum products are received by tank truck, tank trailer or railroad tank car and stored for resale.

SECTION 2770g. 166.20 (7) (c) of the statutes is repealed.

SECTION 2770i. 166.20 (7) (dm) of the statutes is created to read:

166.20 (7) (dm) The operator of a petroleum marketing facility is exempt from the fees under par. (a) 2 with respect to gasoline and diesel fuel present at the petroleum marketing facility.

SECTION 2770j. 166.25 of the statutes is created to read:

Vetoed
in Part

~~166.25 Access to accident, disaster or investigation scenes. (1) DEFINITIONS. In this section.~~

~~(a) "Exclusion area" means any public or private property that is the scene of an accident, natural disaster or investigation and that is closed by a peace officer under this section.~~

~~(b) "Intentionally" has the meaning given under s. 939.23 (3).~~

~~(c) "Peace officer" has the meaning specified in s. 939.22 (22).~~

~~(2) AUTHORITY. Subject to the exception under sub. (4), a peace officer may exclude individuals from an exclusion area for such time and to such extent as is necessary to protect evidence at the scene of an investigation or public health and safety at the scene of an accident or natural disaster.~~

~~(3) PROCEDURE. A peace officer shall delimit the exclusion area by posting guards or by placement of physical barriers which display legends such as "police line -- do not cross" or similar wording.~~

Vetoed
in Part

~~(4) EXCEPTION. An individual who is authorized by either a peace officer who designates an exclusion area or the officer's designee may enter an exclusion area. Such a peace officer or designee shall grant an individual who has a substantial occupational reason for entering an exclusion area access to the area unless the peace officer reasonably determines that access by the individual will interfere in more than an insubstantial manner with an emergency operation or investigation. If a peace officer makes this determination, the officer may impose a restriction on access by the individual only for such period of time or to such extent as is necessary to prevent actual interference with an emergency operation or investigation. A peace officer shall accommodate an individual who has a substantial occupational reason for entering an exclusion area by providing the greatest possible access to the area that may be afforded without actual interference with an emergency operation or investigation.~~

~~(5) RESIDENCES AND CERTAIN OTHER BUILDINGS. Notwithstanding a grant of access by a peace officer or a peace officer's designee under sub. (4), an individual who has a substantial occupational reason for entering an exclusion area may not enter or remain in the exclusion area if it unreasonably intrudes into an individual's private place of residence or other building not usually open to the public without permission of an owner or authorized occupant.~~

~~(6) PENALTY. (a) Any person who is not authorized to enter an exclusion area that has been marked in accordance with sub. (3) or who has been instructed by a peace officer to leave the exclusion area and who, knowing that the exclusion area is closed to individuals, intentionally enters or remains in the exclusion area may be fined not more than \$1,000 or imprisoned for not more than 90 days or both.~~

~~(b) Any person who enters or remains in an exclusion area in violation of sub. (5) may be fined not more than \$1,000 or imprisoned for not more than 90 days or both.~~

SECTION 2770k. 167.34 of the statutes is repealed.

SECTION 2770mm. 168.12 (1) of the statutes is amended to read:

168.12 (1) The department shall demand and receive within 2 weeks after demand, from the owner or other person for whom it inspects any petroleum product, an inspection fee at a rate prescribed by the department by rule for each 50 gallons from which the sample was taken. In addition to the inspection fee, the department shall charge a fee for each 50 gallons from which a sample was taken in an amount to be prescribed by the department by rule that would annually generate \$1,566,000 for fiscal years 1987-88 and 1988-89, and \$566,000 in the fiscal years thereafter ~~after the amounts required to be transferred from the appropriation under s. 20.445 (1) (j) to the appropria-~~

Vetoed
in Part

tions under ss. 20.115 (1) (im), ~~20.370 (2) (b)~~ and 20.465 (3) (jp) and to the environmental fund. Such fees shall be a lien on the products so inspected.

SECTION 2770n. 168.12 (1r) of the statutes is created to read:

168.12 (1r) Beginning on September 1, 1991, the department shall charge an oil inspection fee, in addition to any other fees, of 50 cents for each 50 gallons from which petroleum product samples were taken. No fees may be collected under this subsection after October 31, 1992.

Vetoed
in Part

~~SECTION 2770p. 174.001 (2) of the statutes is amended to read:~~

~~174.001 (2) "Department" means the department of agriculture, food and trade and consumer protection.~~

SECTION 2771. 174.05 (2) of the statutes is amended to read:

174.05 (2) TAX. The minimum dog license tax is \$2 ~~\$3~~ for a neutered male dog or spayed female dog, upon presentation of evidence that the dog is neutered or spayed, and \$5 ~~\$8~~ for an unneutered male dog or unspayed female dog, or one-half of these amounts if the dog became 5 months of age after July 1 of the license year.

SECTION 2772. 174.053 (1) of the statutes is amended to read:

174.053 (1) KENNEL LICENSE OPTION. Any person who keeps or operates a kennel may, instead of the license tax for each dog required by this chapter, apply to the collecting official for a kennel license for the keeping or operating of the kennel. Such person shall pay for the license year a license tax of ~~\$30~~ \$35 for a kennel of 12 or fewer dogs and an additional \$3 for each dog in excess of 12. Upon payment of the required kennel license tax and upon presentation of evidence that all dogs over 5 months of age are currently immunized against rabies, the collecting official shall issue the kennel license and a number of tags equal to the number of dogs authorized to be kept in the kennel.

Vetoed
in Part

~~SECTION 2772m. 174.11 (1) of the statutes is amended to read:~~

~~174.11 (1) The owner of any livestock or ranch mink, when it is proven that the dog forcibly entered the enclosure in which the mink were kept, which are attacked, chased, injured or killed by dogs may, within 3 days after the owner has knowledge or notice thereof, file a written claim for damages with the clerk of the town, village or city in which the damage occurred or, if it occurred in a town or village, with the chairperson of such town or the president of such village. The form of the claim may be prescribed by the department of agriculture, food and trade and consumer protection. Upon presentation of a claim the supervisors of the town, the board of trustees of the village, or the common council of the city, or a committee appointed for that purpose by the supervisors, the board of trustees or the common council shall~~

~~promptly investigate the claim and may subpoena witnesses, administer oaths and take testimony relative to the claim and shall within 30 days after the filing of the claim make, certify and return to the county clerk the claim, a report of the investigation, the testimony taken and the amount of damages suffered by the owner of the livestock or mink.~~

~~SECTION 2772p. 174.11 (2) of the statutes is amended to read:~~

~~174.11 (2) The form of the report and certification may be prescribed by the department of agriculture, food and trade and consumer protection, and shall be subscribed by the supervisors, board or committee making the report and certification. The county clerk shall submit to the county board at its first meeting, following the receipt of any such claim, all claims filed and reported and the claims shall be acted upon and determined by the county board as other claims are determined and acted upon. The amount of damages filed and reported to the county clerk shall be prima facie proof of the actual damages sustained, but evidence may be taken before the county board relative to the claims as in other cases and appeals from the action of the county board shall lie as in other cases. On appeal from the action of the county board, the trial shall be by the court without a jury.~~

SECTION 2775. 177.18 (1) of the statutes is amended to read:

177.18 (1) The administrator shall publish a notice entitled "Notice of names of persons appearing to be owners of abandoned property" not later than the September 1 following the report required under s. 177.17, as a class 2 1 notice under ch. 985, in a newspaper of general circulation in each county of this state in which is located the last-known address of any person to be named in the notice. If no address is listed or the address is outside this state, the notice shall be published in the county in which the holder of the property has its principal place of business within this state.

SECTION 2776. 180.1140 (intro.) of the statutes is amended to read:

180.1140 Definitions applicable to business combination provisions. (intro.) In ss. 180.1140 to 180.1145 180.1144:

SECTION 2777. 180.1140 (6) (b) of the statutes is amended to read:

180.1140 (6) (b) "Control" of a corporation is not established under par. (a) if a person, in good faith and not for the purpose of circumventing ss. 180.1140 to ~~180.1145~~ 180.1144, holds voting power as an agent, bank, broker, nominee, custodian or trustee for one or more beneficial owners who do not individually or as a group have control of that corporation.

SECTION 2778. 180.1141 (2) (d) of the statutes is amended to read:

180.1141 (2) (d) The business combination is a business combination as described in s. 180.1143 (1), (2), (3), or (4) ~~or~~ (5).

Vetoed
in Part

SECTION 2779. 180.1142 (1) (intro.) and (2) of the statutes are amended to read:

180.1142 (1) (intro.) For purposes of ss. 180.1140 to 180.1145 180.1144, the market value of stock or property other than cash or stock is determined as follows:

(2) For purposes of ss. 180.1140 to ~~180.1145~~ 180.1144, a person's beneficial ownership of at least 10% of the voting power of a corporation's outstanding voting stock creates a presumption that the person has control of the corporation.

SECTION 2780. 180.1143 (intro.) of the statutes is amended to read:

180.1143 Exclusions from business combination restrictions. (intro.) Sections 180.1140 to ~~180.1145~~ 180.1144 do not apply to any of the following:

SECTION 2781. 180.1143 (5) of the statutes is repealed.

SECTION 2782. 180.1144 of the statutes is amended to read:

180.1144 Relationship to other laws. (1) The requirements of ss. 180.1140 to ~~180.1145~~ 180.1144 are in addition to the requirements of other applicable law, including the other provisions of this chapter, and any additional requirements contained in the articles of incorporation or bylaws of a resident domestic corporation with respect to business combinations.

(2) For purposes of applying ss. 180.1140 to ~~180.1145~~ 180.1144, if any other provision of this chapter is inconsistent with, in conflict with or contrary to ss. 180.1140 to ~~180.1145~~ 180.1144, that provision does not apply to the extent that it is inconsistent with, in conflict with or contrary to ss. 180.1140 to ~~180.1145~~ 180.1144.

SECTION 2783. 180.1145 of the statutes is repealed.

SECTION 2784. 181.651 (3) of the statutes is amended to read:

181.651 (3) The secretary of state shall forward by 1st class mail a report form to every corporation in good standing not later than 60 days ~~prior to~~ before the date on which the corporation is required by this chapter to file an annual report. ~~The form shall list the information from the previous annual report submitted by the corporation and request the corporation to make the necessary changes to update the report.~~

SECTION 2785. 181.651 (4) of the statutes is created to read:

181.651 (4) This section does not apply to an affiliated society incorporated under s. 44.03.

SECTION 2786. 181.653 (5) of the statutes is created to read:

181.653 (5) This section does not apply to an affiliated society incorporated under s. 44.03.

SECTION 2786m. 181.77 (1) and (2) of the statutes are amended to read:

181.77 (1) No corporation which is a "private foundation", as defined in ~~s. section~~ section 509 (a) of the internal revenue code ~~of 1954~~, shall do any of the following:

(a) Engage in any act of "self-dealing" as defined in ~~s. section~~ section 4941 (d) of the internal revenue code ~~of 1954~~, which would give rise to any liability for the tax imposed by ~~s. section~~ section 4941 (a) of the internal revenue code ~~of 1954~~;

(b) Retain any "excess business holdings" as defined in ~~s. section~~ section 4943 (c) of the internal revenue code ~~of 1954~~, which would give rise to any liability for the tax imposed by ~~s. section~~ section 4943 (a) of the internal revenue code ~~of 1954~~;

(c) Make any investment which would jeopardize the carrying out of any of its exempt purposes, within the meaning of ~~s. section~~ section 4944 of the internal revenue code ~~of 1954~~, so as to give rise to any liability for the tax imposed by ~~s. section~~ section 4944 (a) of the internal revenue code ~~of 1954~~; and.

(d) Make any "taxable expenditures" as defined in ~~s. section~~ section 4945 (d) of the internal revenue code ~~of 1954~~, which would give rise to any liability for the tax imposed by ~~s. section~~ section 4945 (a) of the internal revenue code ~~of 1954~~.

(2) Each corporation which is a "private foundation" as defined in ~~s. section~~ section 509 of the internal revenue code ~~of 1954~~ shall distribute, for the purposes specified in its articles of organization, for each taxable year, amounts at least sufficient to avoid liability for the tax imposed by ~~s. section~~ section 4942 (a) of the internal revenue code ~~of 1954~~.

SECTION 2790m. 185.50 of the statutes is amended to read:

185.50 (title) Income or franchise tax returns. Any cooperative association, society, company, corporation, exchange or union organized under the provisions of this chapter shall not be obliged to file a state income or franchise tax return unless such association, society, company, corporation, exchange or union is at the time subject to a state income or franchise tax.

~~SECTION 2790t. 185.981 (4t) of the statutes is amended to read:~~

~~185.981 (4t) A sickness care plan operated by a cooperative association is subject to ss. 146.024 (2) and 632.87 (2m) and, (3) and (4) and ch. 155.~~

SECTION 2790u. 185.981 (4t) of the statutes is amended to read:

185.981 (4t) A sickness care plan operated by a cooperative association is subject to ss. 146.024 (2) and 632.87 (2m) and, (3) and (5) and ch. 155.

~~SECTION 2790w. 185.983 (1) (intro.) of the statutes, as affected by 1989 Wisconsin Act 336, is amended to read:~~

~~185.983 (1) (intro.) Every such voluntary nonprofit sickness care plan shall be exempt from chs. 600 to 646, with the exception of ss. 601.04, 601.13, 601.31, 601.41, 601.42, 601.43, 601.44, 601.45, 611.67, 619.04, 628.34 (1b), 631.93, 632.775, 632.79, 632.795, 632.87 (2m) and, (3) and (4), 632.895 (5) and (9) and 632.896, subch. II of ch. 619 and chs. 609, 630, 645 and 646, but the sponsoring association shall~~

Vetoed
in Part

Vetoed
in Part

SECTION 2790x. 185.983 (1) (intro.) of the statutes, as affected by 1991 Wisconsin Act 336, is amended to read:

185.983 (1) (intro.) Every such voluntary nonprofit sickness care plan shall be exempt from chs. 600 to 646, with the exception of ss. 601.04, 601.13, 601.31, 601.41, 601.42, 601.43, 601.44, 601.45, 611.67, 619.04, 628.34 (10), 631.93, 632.775, 632.79, 632.795, 632.87 (2m) and, (3) and (5), 632.895 (5) and (9) and 632.896, subch. II of ch. 619 and chs. 609, 630, 645 and 646, but the sponsoring association shall:

SECTION 2800. 190.11 (4) of the statutes is created to read:

190.11 (4) The secretary of state shall collect a fee at the rate under s. 77.22 and, on or before the 15th day of the month after the fee is collected, shall remit that fee to the department of administration for deposit in the general fund and transmit a copy of the return associated with that return to the department of revenue. Sections 77.21, 77.22, 77.23 (2) and (3) and 77.25 to 77.27 apply to the fee under this subsection.

SECTION 2800m. 195.35 of the statutes is renumbered 195.35 (1) and amended to read:

195.35 (1) If any director, officer, employee or agent of a railroad ~~shall do or cause, in the course of the discharge of his or her duties, wilfully, wantonly or recklessly causes~~ to be done or ~~permit permits~~ to be done any matter, act or thing in this chapter prohibited or declared to be unlawful, or ~~shall omit wilfully, wantonly or recklessly fails~~ to do any act, matter or thing required to be done by this chapter, the railroad shall be liable to the person injured thereby in treble the amount of damages sustained in consequence of the violation. No recovery as in this section provided shall affect a recovery by the state of the penalty prescribed for such violation.

SECTION 2800s. 195.35 (2) of the statutes is created to read:

195.35 (2) The burden of proof in an action under sub. (1) rests with the person injured to prove the case by clear and convincing evidence.

SECTION 2981m. 196.202 (2) of the statutes is amended to read:

196.202 (2) (title) SCOPE OF REGULATION. Except as provided under subs. (3) and (4), ~~no this section, a~~ cellular mobile radio telecommunications utility is not subject to this chapter.

SECTION 2982. 196.202 (4) (a) of the statutes is amended to read:

196.202 (4) (a) On the first day of the first January following the date on which subscribers to all cellular mobile radio telecommunications utilities in a geographic service area, defined by the federal communications commission under 47 USC 154 (i), constitute 2% 7% or more of the population in that service area, every cellular mobile radio telecommunications utility providing service in that area is subject to s. 196.203.

SECTION 2982b. 196.202 (5) of the statutes is created to read:

196.202 (5) BILLING. (a) A cellular mobile radio telecommunications utility may not charge a customer for an incomplete call.

(b) After June 30, 1995, a cellular mobile radio telecommunications utility may not charge a customer a daily access fee if the customer initiates a cellular telephone call from a location within this state but outside of the customer's home coverage area.

~~SECTION 2982bc. 196.491 (3) (d) 3 of the statutes is amended to read:~~ **Vetoed in Part**

~~196.491 (3) (d) 3. The design and location or route is in the public interest considering alternative sources of supply, alternative locations or routes, individual hardships, engineering, economic, safety, reliability and environmental factors. In its consideration of environmental factors, the commission may not determine that the design and location or route is not in the public interest because of the impact of air pollution if the proposed facility will meet the requirements of ss. 144.30 to 144.426.~~

~~SECTION 2982br. 196.491 (3) (d) 4 of the statutes is amended to read:~~

~~196.491 (3) (d) 4. The proposed facility will not have undue adverse impact on other environmental values such as, but not limited to, ecological balance, public health and welfare, historic sites, geological formations, the aesthetics of land and water and recreational use. In its consideration of the impact on other environmental values, the commission may not determine that the proposed facility will have an undue adverse impact on those values because of the impact of air pollution if the proposed facility will meet the requirements of ss. 144.30 to 144.426.~~

SECTION 2982bs. 196.64 of the statutes is renumbered 196.64 (1) and amended to read:

196.64 (1) If a director, officer, employee or agent of a public utility, in the course of the discharge of his or her duties, wilfully, wantonly or recklessly does, causes or permits to be done any matter, act or thing prohibited or declared to be unlawful under this chapter or ch. 197, or wilfully, wantonly or recklessly fails to do any act, matter or thing required to be done by it under this chapter, the public utility shall be liable to the person injured thereby in treble the amount of damages sustained in consequence of the violation. No recovery as in this section provided shall affect a recovery by the state of the penalty prescribed for such violation.

SECTION 2982bt. 196.64 (2) of the statutes is created to read:

196.64 (2) The burden of proof in an action under sub. (1) rests with the person injured to prove the case by clear and convincing evidence.

SECTION 2982c. 196.675 of the statutes is amended to read:

196.675 (title) Unlawful for carriers and public utilities to employ assistant district attorneys or judicial officers. (1) No common carrier operating within this state and no public utility, except a municipal public utility, may retain or employ an assistant district attorney, ~~city attorney or assistant city attorney~~ or any person holding a judicial office.

(2) If any assistant district attorney, ~~city attorney or assistant city attorney~~ or any person holding a judicial office violates this section, the ~~assistant district attorney's~~ or judge's office shall be deemed vacant.

(3) This section does not apply to court commissioners and does not prohibit a ~~city attorney or assistant city attorney employed by a city on a part time basis from being employed and retained by a railroad not operating within the city or by a common or contract motor carrier, as defined in s. 194.01 (1) or (2).~~

~~SECTION 2982m. 196.857 (1) (intro.) of the statutes is amended to read:~~

Vetoed
in Part

~~196.857 (1) (intro.) The commission shall establish and administer a program to provide to farmers on-site technical assistance related to stray voltage. In cooperation with the department of agriculture, food and trade and consumer protection, the commission shall investigate the causes of stray voltage on individual farms, recommend to farmers solutions to stray voltage problems and evaluate the effectiveness of on-site technical assistance. The commission shall assess annually all of the following amounts to public utilities which produce electricity and which have annual gross operating revenues related to electricity in excess of \$100,000,000 in proportion to their respective electric gross operating revenues during the last calendar year, derived from intrastate operations:~~

SECTION 2983. 196.857 (3) of the statutes is amended to read:

196.857 (3) This section does not apply after August 31, 1991 1993.

SECTION 2984. 196.858 (4) of the statutes is repealed.

SECTION 2984m. 196.858 (5) of the statutes is created to read:

196.858 (5) A telecommunications utility may not recover the assessment under this section by billing a customer for the assessment on a separate line in a billing statement.

SECTION 2985m. 215.13 (44) of the statutes is amended to read:

215.13 (44) ACT AS TRUSTEE. Act as trustee of trusts created or organized in the United States under the self-employed individuals tax retirement act of 1962, and amendments thereto, and which qualify for specific tax treatment under section 401 (d) or 408 (a) of the U.S. internal revenue code of 1954, if the funds of such trust are invested in savings accounts or deposits in such association or in obligations or securities issued by such association. Individual accounts and records shall be kept by the association for each par-

ticipant and shall show in proper detail all transactions therein.

SECTION 2987g. 218.01 (2) (b) of the statutes is amended to read:

218.01 (2) (b) Application for license shall be made to the licensor, at such time, in such form and ~~contain~~ with such information as the licensor shall require and shall be accompanied by the required fee. ~~Except as provided in par. (bb), the~~ The licensor may require in ~~such application, or otherwise, the applicant to provide information relating to the applicant's solvency, his financial standing or other any pertinent matter that is commensurate with the safeguarding of the public interest in the locality in which said the applicant proposes to engage in business, all of which except that information relating to the applicant's solvency and financial standing may not be required except as provided in par. (h) 1. The information provided may be considered by said the licensor in determining the fitness of said the applicant to engage in business as set forth in this section.~~

SECTION 2987i. 218.01 (2) (bb) of the statutes is amended to read:

218.01 (2) (bb) ~~The licensor may not require information relating to the solvency or financial standing of A motor vehicle dealer or an applicant for a motor vehicle dealer license if the applicant provides shall provide and maintain in force a bond of not less than \$25,000 under conditions specified in par. (h). The bond shall be executed in the name of this state for the benefit of any person who sustains a loss because of an act of a motor vehicle dealer that constitutes grounds for the suspension or revocation of a license under this section.~~

SECTION 2991fm. 218.01 (2) (d) 8. a. of the statutes is amended to read:

218.01 (2) (d) 8. a. Except as provided in subd. 8. b., for motor vehicle dealers, to the commissioner, \$50 \$10.

SECTION 2991gm. 218.01 (2) (d) 8. b. of the statutes is amended to read:

218.01 (2) (d) 8. b. For motor vehicle dealers that operate as a sales finance company ~~and or that~~ carry or retain time sales contracts for more than 30 days, to the commissioner, the same as for sales finance companies under par. (dr), except for gross volume of \$100,000 or less, \$50.

SECTION 2992c. 218.01 (2) (h) of the statutes is renumbered 218.01 (2) (h) 2 and amended to read:

218.01 (2) (h) 2. Provided the licensor has reasonable cause to doubt the financial responsibility of the applicant or licensee or the compliance by the applicant or licensee with this section, the licensor may require the applicant or licensee to furnish and maintain a bond in the form, amount and with the sureties it approves, but not less than \$5,000, nor more than ~~\$15,000~~ \$100,000, conditioned upon the applicant or licensee complying with the statutes applicable to the licensee and as indemnity for any loss sustained by

any person by reason of any acts of the licensee constituting grounds for suspension or revocation of the license under this section. The bonds shall be executed in the name of this state for the benefit of any aggrieved parties; provided that the aggregate liability of the surety to all such parties shall, in no event, exceed the amount of the bond. The ~~above~~ bonding requirements in this subdivision shall not apply to manufacturers, factory branches, and their agents and is in addition to the bond required of a motor vehicle dealer under par. (bb).

SECTION 2992g. 218.01 (2) (h) 1 of the statutes is created to read:

218.01 (2) (h) 1. If the licensor has reasonable cause to doubt the financial responsibility of the applicant or licensee or the compliance by the applicant or licensee with this section, the licensor may require the applicant or licensee to furnish information relating to the applicant's or licensee's solvency and financial standing.

SECTION 2992n. 218.01 (2) (h) 3 of the statutes is created to read:

218.01 (2) (h) 3. An applicant or licensee furnishing information under subd. 1 may designate the information as a trade secret, as defined in s. 134.90 (1) (c), or as confidential business information. The licensor shall notify the applicant or licensee providing the information 15 days before any information designated as a trade secret or as confidential business information is disclosed to the legislature, a state agency, as defined in s. 13.62 (2), a local governmental unit, as defined in s. 605.01 (1), or any other person. The applicant or licensee furnishing the information may seek a court order limiting or prohibiting the disclosure. In such cases, the court shall weigh the need for confidentiality of the information against the public interest in the disclosure.

SECTION 2992r. 218.01 (2) (i) of the statutes is amended to read:

218.01 (2) (i) Application for dealers' licenses shall be submitted to the department in duplicate and, ~~except for information relating to the applicant's solvency or financial standing as provided in par. (bb),~~ shall contain such information as the licensors require. Application for sales finance company licenses shall contain such information as the commissioner requires. No motor vehicle dealer or sales finance company, unless so licensed, shall be permitted to register or receive or use registration plates under ss. 341.47 to 341.57. The department shall transmit the duplicate copy of each application for a dealer's license to the commissioner with the fee required under par. (d) 8. The commissioner may not refund the fee required under par. (d) 8. The commissioner shall approve a sales finance company license for a dealer if no prior sales finance company license has been suspended or revoked, and if the applicant

meets the requirements of this section relating to sales finance companies.

SECTION 2992w. 218.01 (2) (j) of the statutes is amended to read:

218.01 (2) (j) ~~Unless a dealer furnishes a bond of not less than \$25,000 under conditions provided by pars. (bb) and (h), every A~~ motor vehicle dealer licensed in accordance with the provisions of this section shall make reports to the licensor at such intervals and showing such information as the licensor may require. ~~The licensor may not require information relating to the solvency or financial standing of a dealer if the dealer keeps the bond in force.~~

SECTION 2992y. 218.01 (3) (a) 3 of the statutes is amended to read:

218.01 (3) (a) 3. Filing a materially false or fraudulent income or franchise tax return as certified by the department of revenue.

SECTION 3004j. 218.10 (1g) of the statutes is amended to read:

218.10 (1g) "Department" means the department of ~~transportation~~ administration.

SECTION 3004m. 218.11 (6) (c) of the statutes is amended to read:

218.11 (6) (c) Filing a materially false or fraudulent income or franchise tax return as certified by the department of revenue.

SECTION 3006bb. 218.14 (1) (a), (b) and (d) of the statutes are amended to read:

218.14 (1) (a) That the primary housing unit meets those standards prescribed by law or administrative rule of the department or of the department of industry, labor and human relations, which are in effect at the time of its manufacture.

(b) That the primary housing unit is free from defects in material and workmanship and is reasonably fit for human habitation if it receives reasonable care and maintenance as defined by rule of the department of industry, labor and human relations.

(d) That if during any period of time after notification of a defect, the primary housing unit is uninhabitable, as defined by rule of the department of industry, labor and human relations, that period of time shall not be considered part of the one-year warranty period.

SECTION 3006bd. 218.16 of the statutes is amended to read:

218.16 Departmental rules. The department of ~~industry, labor and human relations~~ shall promulgate rules and establish standards necessary to carry out the purposes of ss. 218.14 and 218.15.

SECTION 3006bf. 218.17 (2) of the statutes is amended to read:

218.17 (2) In any court action brought by the ~~department of industry, labor and human relations~~ for violations of this subchapter, the department may recover all costs of testing and investigation, in addi-

tion to costs otherwise recoverable, if it prevails in the action.

SECTION 3006d. 218.21 (1m) of the statutes is amended to read:

218.21 (1m) The department may not require information relating to the applicant's solvency or financial standing if the applicant provides a bond in the amount provided in sub. (4) and under conditions specified in s. 218.01 (2) (h) 2.

SECTION 3006h. 218.21 (4) (a) of the statutes is amended to read:

218.21 (4) (a) Unless the applicant furnishes a bond, or other adequate collateral as security, of not less than \$25,000 under conditions provided by s. 218.01 (2) (h) 2, every application shall be accompanied by a current financial statement to determine the applicant's solvency as required under sub. (1). Except as provided in par. (b), this paragraph does not apply to the application of a scrap metal processor.

SECTION 3006p. 218.21 (6) of the statutes is amended to read:

218.21 (6) A bond may be required under conditions as provided by s. 218.01 (2) (h) 2.

SECTION 3006t. 218.22 (1) (intro.) of the statutes is amended to read:

218.22 (1) (intro.) The department shall issue a license to the applicant for a motor vehicle salvage dealer's license upon the receipt of a properly completed application form accompanied by the fee required under sub. (2) (c) or (d), upon being satisfied that the applicant is financially solvent or that the applicant has furnished a bond, or other adequate collateral as security, of not less than \$25,000 under conditions provided by s. 218.01 (2) (h) 2, and of good character and:

SECTION 3006w. 218.22 (3) (c) of the statutes is amended to read:

218.22 (3) (c) Filing a materially false or fraudulent income or franchise tax return as certified by the department of revenue.

SECTION 3008m. 218.32 (3) (c) of the statutes is amended to read:

218.32 (3) (c) Filing a materially false or fraudulent income or franchise tax return as certified by the department of revenue.

SECTION 3010m. 218.41 (3) (c) of the statutes is amended to read:

218.41 (3) (c) Filing a materially false or fraudulent income or franchise tax return as certified by the department of revenue.

SECTION 3013m. 218.51 (4) (c) of the statutes is amended to read:

218.51 (4) (c) Filing a materially false or fraudulent income or franchise tax return as certified by the department of revenue.

SECTION 3016. 220.285 of the statutes is amended to read:

220.285 Reproduction and destruction of records; evidence. (1) Any state bank, mutual savings bank, trust company bank, ~~licensees under ss. 138.09 and 218.01~~ licensee under s. 138.09, 138.12, 218.01, 218.02, 218.04 or 218.05 or ch. 217 or credit union may cause any or all records kept by such bank, ~~licensees under ss. 138.09 and 218.01~~ licensee or credit union to be recorded, copied or reproduced by any photostatic, photographic or miniature photographic process ~~which~~ or by optical imaging if the process employed correctly, accurately and permanently copies, reproduces or forms a medium for copying ~~or, reproducing or recording~~ the original record on a film or other durable material; ~~and such. A bank, licensees under ss. 138.09 and 218.01~~ licensee or credit union may thereafter dispose of the original record after first obtaining the written consent of the commissioner of banking. This section, excepting that part of it which requires written consent of the commissioner of banking, is applicable to national banking associations insofar as it does not contravene federal law.

(2) Any photographic, photostatic or miniature photographic copy or reproduction or copy reproduced from a film record ~~made from or any copy of a record generated from optical disk storage of a bank record, record of a licensee under ss. 138.09 and 218.01~~ or credit union record is deemed to be an original record for all purposes and shall be treated as an original record in all courts or administrative agencies for the purpose of its admissibility in evidence. A facsimile, exemplification or certified copy of any such photographic copy or reproduction ~~or, copy reproduced from a film record or copy generated from optical disk storage of a record~~ shall, for all purposes, be deemed a facsimile, exemplification or certified copy of the original record.

SECTION 3017b. 221.04 (3e) of the statutes is created to read:

221.04 (3e) MEMBERSHIP AND INVESTMENTS IN FEDERAL HOME LOAN BANK. (a) Subject to review by the commissioner of banking under par. (b), a bank may, with the approval of its board of directors, purchase and hold capital stock of the federal home loan bank for the purpose of becoming a member of the federal home loan bank as provided in the federal home loan bank act, 12 USC 1421 to 1449. A bank that becomes a member may exercise borrowing privileges or use any other service offered to a member by the federal home loan bank if the privileges or service is not in conflict with the laws of this state. Without becoming a member, a bank may exercise deposit privileges and use other services offered to nonmembers by the federal home loan bank.

(b) A bank that intends to become a member of the federal home loan bank shall give the commissioner of banking written notice of its intention to apply for membership. The commissioner may prohibit a bank from becoming a member if the bank's capital and undistributed surplus is less than the amount required for that bank or if the commissioner finds that the

bank is in an unsafe or unsound condition. The commissioner shall have 30 days after the date on which the notice is received to issue a prohibition under this paragraph. The commissioner may extend the time for issuing a prohibition up to 30 additional days if the commissioner notifies the bank before the initial 30-day period expires that the commissioner is extending the time limit.

SECTION 3018d. 221.33 (3) of the statutes is created to read:

221.33 (3) Notwithstanding sub. (1), a bank that is a member of the federal home loan bank may borrow money from the federal home loan bank for a term not to exceed 20 years and may pledge bank assets having a value that does not exceed 2 times the amount of the loan as collateral to secure the loan. Total assets pledged under this subsection may not exceed 4 times the amount of the bank's capital and surplus.

SECTION 3019. 222.21 (1) (a) of the statutes is amended to read:

222.21 (1) (a) Every mutual savings bank formed under this chapter shall possess the powers and be subject to the general laws relating to corporations, so far as applicable, and shall be subject to all of the provisions of ss. 220.04, 220.05, 220.07, 220.08 to 220.086, 220.10, 221.04 (1) (jm) and (k) ~~and~~, (3) ~~and~~ (3e), 221.045, 221.046, 221.08 (9m) and 221.31.

SECTION 3020. 222.21 (1) (b) of the statutes is amended to read:

222.21 (1) (b) In addition to the foregoing general powers ~~and if s. 221.04 (3e) is not applicable~~, a mutual savings bank may borrow money ~~under par. (c), or if par. (c) is not applicable~~ in an emergency upon such terms and for such periods as the board of trustees or directors shall determine, for the purpose of repaying depositors and to pledge or hypothecate securities as collateral for loans so obtained.

SECTION 3021. 222.21 (1) (c) of the statutes is repealed.

SECTION 3024. 227.01 (13) (jL) of the statutes is repealed.

Vetoed in Part SECTION 3024m. 227.01 (13) (t) of the statutes is amended to read:

227.01 (13) (t) Ascertains and determines prevailing hours of labor, wage rates and truck rental rates under s. 103.50 and prevailing wage rates and hours of labor under s. 66.292, 103.48 or 103.49, except that any action or inaction which ascertains and determines prevailing hours of labor, wage rates and truck rental rates under ss. 66.292, 103.48, 103.49 and 103.50 is subject to judicial review under s. 227.40.

SECTION 3025m. 227.01 (13) (zk) of the statutes is created to read:

227.01 (13) (zk) Establishes guidelines under s. 101.38 (2), (4) or (6) for the Wisconsin service corps program under s. 101.38.

Vetoed in Part SECTION 3026m. 227.01 (13) (zL) of the statutes is created to read:

~~227.01 (13) (zL) Establishes procedures and guidelines for awarding grants and loans to day care centers under s. 560.205 (3) and (4).~~

Vetoed in Part

~~SECTION 3026p. 227.01 (13) (zm) of the statutes is created to read:~~

~~227.01 (13) (zm) Implements the family preservation program under s. 48.987.~~

Vetoed in Part

SECTION 3036j. 228.01 of the statutes is amended to read:

228.01 Recording of documents and public records by mechanical process authorized. Whenever any officer of any county having a population of 500,000 or more is required or authorized by law to file, record, copy, recopy or replace any document, court order, plat, paper, written instrument, writings, record or book of record, on file or of record in his or her office, notwithstanding any other provisions in the statutes, the officer may do so by photostatic, photographic, microphotographic, microfilm, optical imaging or other mechanical process which produces a clear, accurate and permanent copy or reproduction of the original document, court order, plat, paper, written instrument, writings, record or book of record in accordance with the standards specified in ~~s. under~~ ss. 16.61 (7) and 16.612. Any such officer may also reproduce by such processes or transfer from optical disk storage any document, court order, plat, paper, written instrument, writings, record or book of record which has previously been filed, recorded, copied or recopied. Optical imaging of any document is subject to authorization under s. 59.145 (1).

SECTION 3036k. 228.04 of the statutes is amended to read:

228.04 Inspection of records and copies of records. Every custodian of public records in counties having a population of 500,000 or more shall keep them in such arrangement and condition as to make them easily accessible for convenient use. Photographic, photostatic, microphotographic, microfilm, optical disk or other mechanical process of records shall be considered as accessible for convenient use regardless of the size of such records, provided that a suitable means for public inspection of the records is provided by the agency maintaining the records. Except as otherwise expressly provided by law, ~~he the custodian~~ shall permit all public records in his or her custody to be inspected, examined, abstracted or copied at reasonable times and under his or her supervision and regulation by any person; and ~~he the custodian~~ shall, upon the demand of any person, furnish certified copies thereof on payment in advance of fees not to exceed the fees prescribed by law.

SECTION 3036m. 228.05 of the statutes is amended to read:

228.05 Marginal references. The register of deeds of any county having a population of 500,000 or more who has copied a document by microphotography ~~or~~, microfilm or optical imaging that is accepted by him

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or her for recording or filing shall also, as a substitute for marginal references required, prepare an index for documents of ancillary nature for which marginal references are required. Such index for ancillary documents shall be prepared and maintained to show the document number or volume and page of the original recording or filing plus a record of any and all recordings or filings affecting or pertinent to such original recording or filing requiring marginal references subsequent to the date on which the county begins such recording or recopying by microphotography or microfilm or optical imaging.

SECTION 3038. 230.048 (3m) of the statutes is repealed.

SECTION 3039d. 230.08 (2) (e) 1 of the statutes is amended to read:

230.08 (2) (e) 1. Administration — 40 11.

Vetoed in Part SECTION 3039f. 230.08 (2) (e) 2 of the statutes is amended to read:

~~230.08 (2) (e) 2. Agriculture, food and trade and consumer protection — 6 5.~~

SECTION 3039g. 230.08 (2) (e) 6m of the statutes is created to read:

230.08 (2) (e) 6m. Investment board — 1.

Vetoed in Part SECTION 3039h. 230.08 (2) (e) 7 of the statutes is amended to read:

~~230.08 (2) (e) 7. Justice — 4 5.~~

SECTION 3041. 230.08 (2) (w) of the statutes is amended to read:

230.08 (2) (w) The program director for crime victims compensation and victim and witness services in the department of justice.

SECTION 3041g. 230.08 (2) (zm) of the statutes is created to read:

230.08 (2) (zm) The privacy advocate under s. 19.625 (1).

SECTION 3041m. 230.08 (4) (a) of the statutes is amended to read:

230.08 (4) (a) The number of administrator positions specified in sub. (2) (e) includes all administrator positions specifically authorized by law to be employed outside the classified service in each department, board or commission and the historical society. In this paragraph, "department" has the meaning given under s. 15.01 (5), "board" means the educational communications board, investment board, public defender board and board of vocational, technical and adult education and "commission" means the public service commission. Notwithstanding sub. (2) (z), no division administrator position exceeding the number authorized in sub. (2) (e) may be created in the unclassified service.

SECTION 3041r. 230.08 (4) (b) 1 of the statutes is amended to read:

230.08 (4) (b) 1. Functions of the department of revenue relating to income, franchise, sales or excise tax administration.

SECTION 3041s. 230.21 (3) of the statutes is amended to read:

230.21 (3) The administrator shall designate classifications in prison industries in the department of ~~health and social services~~ corrections as critical positions requiring expeditious hiring and shall develop such recruitment, examination and certification processes as will provide the department with prompt certification when qualified applicants can be found, provided that due notice has been given and proper competitive standards have been maintained.

SECTION 3041t. 230.213 of the statutes is created to read:

230.213 Affirmative action procedures for corrections positions. The administrator may, to meet affirmative action objectives, establish such recruitment, examination and certification procedures for positions in the department of corrections and for positions in juvenile correctional institutions within the division of youth services in the department of health and social services as will enable the department of corrections and the division of youth services in the department of health and social services to increase the number of employees of a specified gender or a specified racial or ethnic group in those positions. The administrator shall design the procedures to obtain a work force in the department of corrections and in juvenile correctional institutions within the division of youth services in the department of health and social services that reflects the relevant labor pool. The administrator may determine the relevant labor pool from the population of the state or of a particular geographic area of the state, whichever is more appropriate for achieving the affirmative action objective.

SECTION 3044. 230.22 (3) of the statutes is repealed and recreated to read:

230.22 (3) The administrator may establish separate recruitment, evaluation and certification procedures for certain entry professional positions. ~~Not more than 25% of all vacancies in an entry professional positions may be limited to persons with a degree from an institution of higher education, as defined in s. 108.02 (18), or a degree under an associate degree program, as defined in s. 38.01 (1).~~

SECTION 3046. 230.35 (1m) (a) (intro.) of the statutes is amended to read:

230.35 (1m) (a) (intro.) Employees appointed to career executive positions under the program established under s. 230.24 or positions designated in s. 19.42 (10) (L) or 20.923 (4), (4m), (8) and (9) or authorized under s. 230.08 (2) (e) shall be entitled to annual leave of absence without loss of pay based upon accumulated continuous state service at the rate of:

SECTION 3047. 230.35 (2) of the statutes is amended to read:

230.35 (2) Leave of absence with pay owing to sickness and leave of absence without pay, other than annual leave and leave under s. 103.10, shall be regu-

Vetoed in Part

lated by rules of the secretary, except that unused sick leave shall accumulate from year to year. After July 1, 1973, employees appointed to career executive positions under the program established under s. 230.24 or positions designated in s. 19.42 (10) (L) or 20.923 (4), (4m), (8) and (9) or authorized under s. 230.08 (2) (e) shall have any unused sick leave credits restored if they are reemployed in a career executive position or in a position under s. 19.42 (10) (L) or 20.923 (4), (4m), (8) and (9) or authorized under s. 230.08 (2) (e), regardless of the duration of their absence. Restoration of unused sick leave credits if reemployment is to a position other than those specified above shall be in accordance with rules of the secretary.

SECTION 3048. 230.45 (1) (j) of the statutes is amended to read:

230.45 (1) (j) Receive complaints of discharge or discrimination under s. 46.90 (4) (b) and, except as provided in sub. (1m), process the complaints in the same manner that employment discrimination complaints are processed under s. 111.39.

SECTION 3049. 230.45 (1m) of the statutes is created to read:

Vetoed in Part 230.45 (1m) (a) The commission shall waive the investigation and determination of probable cause of any complaint that is filed by a complainant under sub. (1) or s. 103.10 (12) (b) at the complainant's request. If the commission waives the investigation and probable cause determination, the commission shall proceed with a hearing on the complaint. The commission's waiver of an investigation and probable cause determination does not affect the commission's right to attempt to resolve the complaint by conference, conciliation or persuasion.

Vetoed in Part (b) Paragraph (a) does not apply to any complaint that is filed by a complainant after December 31, 1993.

Vetoed in Part SECTION 3049m. 230.85 (1m) of the statutes is created to read:

230.85 (1m) (a) Complaints under sub. (1) shall be arbitrated under this subsection rather than investigated under sub. (2) if any of the following occurs:

1. The complainant, within 30 days after he or she files a complaint, notifies the commission that he or she desires arbitration.

2. The complainant and the respondent, at any time after a complaint is filed and before it is resolved, notify the commission that they desire arbitration.

3. The commission, at any time after a complaint is filed and before it is resolved, determines that it cannot satisfactorily investigate the complaint within a reasonable time or that arbitration would serve the purposes of this subchapter more effectively than would investigation.

(b) If an event under par. (a) occurs, the Wisconsin employment relations commission shall, within 5 days after the commission notifies it of the event under par. (a), send to the parties a list of 5 arbitrators who have

attended a day-long training session on this subchapter conducted by the commission, at least 3 of whom either are on a labor arbitration panel that deals with disputes between this state and state employees or are employed by, or under contract with, this state for service as an arbitrator, a hearing officer or an examiner.

(c) The parties, within 5 days of receipt of a list under par. (b), shall each strike 2 names from the list, after agreeing upon, or deciding by means of a coin flip, which is to strike first.

(d) The arbitrator selected under par. (c) shall do all of the following:

1. Within 10 days after receiving notice of his or her selection, hold a conference with the parties to clarify the issues, to consider amending the pleadings, to attempt to obtain admissions of fact and relevant documents, to limit the number of witnesses who will appear, otherwise to facilitate the complaint's disposition and to attempt conciliation.

2. Make a memorandum of the conference under subd. 1.

3. Within 30 days after the conference under subd. 1, or later if both parties agree, hold a hearing.

4. Make a record of the hearing under subd. 3.

5. Within 7 days after the hearing under subd. 3, close the record.

6. Within 15 days after the record is closed under subd. 5, decide the case on the basis of this subchapter and relevant case law.

(e) The arbitrator may do all of the following:

1. Exercise the same authority that the commission exercises under subs. (3) and (5).

2. Issue a subpoena under ch. 885.

3. Draw reasonable inferences from a party's failure to produce documents that the party is directed to produce.

(f) The arbitrator shall be paid \$400 per day and expenses. The parties shall each pay 50% of the money owed to the arbitrator unless the arbitrator determines that one party is indigent, in which case the other party shall pay the full amount. The arbitrator may require payment in full or in part before rendering services. If the complainant prevails, the arbitrator may require the respondent to pay all of the money owed to the arbitrator. If the respondent prevails and the arbitrator determines that the complaint is frivolous under s. 814.245 (11), the arbitrator may require the complainant to pay the entire amount due to the arbitrator.

SECTION 3050. 230.85 (2) of the statutes is amended to read:

230.85 (2) The commission shall receive and, except as provided in s. 230.45 (1m), investigate any complaint under sub. (1) that is not arbitrated under sub. (1m). In the course of investigating or otherwise processing such a complaint, the commission may require that an interview with any employee described

Vetoed in Part

Vetoed in Part

in s. 230.80 (3), except a management or supervisory employee who is a party to or is immediately involved in the subject matter of the complaint, be conducted outside the presence of the appointing authority or any representative or agent thereof unless the employee voluntarily requests that presence. An appointing authority shall permit an employee to be interviewed without loss of pay and to have an employee representative present at the interview. An appointing authority of an employee to be interviewed may require the commission to give the appointing authority reasonable notice prior to the interview. If the commission finds probable cause to believe that a retaliatory action has occurred or was threatened, it may endeavor to remedy the problem through conference, conciliation or persuasion. If that endeavor is not successful, the commission shall issue and serve a written notice of hearing, specifying the nature of the retaliatory action which has occurred or was threatened, and requiring the person named, in this section called the "respondent", to answer the complaint at a hearing. The notice shall specify the place of hearing and a time of hearing not less than 30 days after service of the complaint upon the respondent nor less than 10 days after service of the notice of hearing. If, however, the commission determines that an emergency exists with respect to a complaint, the notice of hearing may specify a time of hearing within 30 days after service of the complaint upon the respondent, but not less than 10 days after service of the notice of hearing. The testimony at the hearing shall be recorded or taken down by a reporter appointed by the commission.

~~SECTION 3050abd. 230.87 (1) of the statutes is amended to read:~~

Vetoed
in Part

~~230.87 (1) Findings and orders of the commission or of an arbitrator under this subchapter are subject to judicial review under ch. 227. Upon that review, or in any enforcement action, the department of justice shall represent the commission or arbitrator unless a conflict of interest results from that representation. A court may order payment of a prevailing appellant employee's reasonable attorney fees by a governmental unit respondent, or by a governmental unit employing a respondent who is a natural person if that governmental unit received notice and an opportunity to appear before the court.~~

~~SECTION 3050abe. 230.88 (2) (a) and (c) of the statutes are amended to read:~~

~~230.88 (2) (a) A final order issued under s. 230.85 or 230.87 which has not been appealed and for which the time of appeal has passed binds all parties who were subjected to the jurisdiction of the commission, the arbitrator or the court and who received an opportunity to be heard. With respect to these parties, the decree is conclusive as to all issues of law and fact decided.~~

~~(c) No later than 10 days before the specified time of hearing under s. 230.85 (2), an employee shall notify the commission or arbitrator orally or in writing if he or she has commenced or will commence an action in a~~

~~court of record alleging matters prohibited under s. 230.83 (1). If the employee does not substantially comply with this requirement, the commission or arbitrator may assess against the employee any costs attributable to the failure to notify. Failure to notify the commission or arbitrator does not affect a court's jurisdiction to proceed with the action. Upon commencement of such an action in a court of record, the commission or arbitrator has no jurisdiction to process a complaint filed under s. 230.85 except to dismiss the complaint and, if appropriate, to assess costs under this paragraph.~~

Vetoed
in Part

~~SECTION 3050ac. 231.01 (7) (a) 4 of the statutes is amended to read:~~

~~231.01 (7) (a) 4. Any structure useful for the operation of a health facility or educational facility, including facilities or supporting service structures essential or convenient for the orderly conduct of the health facility or educational facility, except that "project" does not include a parking structure or facility for an educational facility.~~

~~SECTION 3050am. 231.02 (2) of the statutes is amended to read:~~

~~231.02 (2) The authority shall appoint an executive director and associate executive director who shall not be members of the authority and who shall serve at the pleasure of the authority. They shall receive such compensation as the authority fixes, except that the compensation of any the executive director shall not exceed the maximum of the salary range established under s. 20.923 (1) for positions assigned to executive salary group 4 and the compensation of each other employee 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 executive director or associate executive director or other person designated by resolution of the authority shall keep a record of the proceedings of the authority and shall be custodian of all books, documents and papers filed with the authority, the minute book or journal of the authority and its official seal. The executive director or associate executive director or other person may cause copies to be made of all minutes and other records and documents of the authority and may give certificates under the official seal of the authority to the effect that such copies are true copies, and all persons dealing with the authority may rely upon such certificates.~~

~~SECTION 3050ar. 231.17 of the statutes is amended to read:~~

~~231.17 Investment of funds. The authority may invest any funds in bonds, notes, certificates of indebtedness, treasury bills or other securities constituting direct obligations of, or obligations the principal and interest of which are guaranteed by, the United States; in those certificates of deposit or time deposits constituting direct obligations of any bank which are insured by the federal deposit insurance corporation; in certificates of deposit constituting direct obligations~~

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of any credit union which are insured by the Wisconsin credit union savings insurance corporation or the national board, as defined in s. 186.01 (3m); in certificates of deposit constituting direct obligations of any savings and loan association which are insured by the federal savings and loan insurance corporation; or in short-term discount obligations of the federal national mortgage association; or in any of the investments provided under s. 66.04 (2) (a). Any such securities may be purchased at the offering or market price thereof at the time of such purchase.

SECTION 3050b. 231.35 (3) (d) of the statutes, as created by 1989 Wisconsin Act 317, is amended to read:

231.35 (3) (d) The principal amount of the loan is at least \$100,000, but not more than \$1,000,000 \$500,000.

SECTION 3050e. 231.35 (3) (g) of the statutes, as created by 1989 Wisconsin Act 317, is amended to read:

231.35 (3) (g) The borrower provides proof of local community support for the acquisition, construction, remodeling or conversion to be financed by the loan proceeds, as required by the rules promulgated by the department of development under sub. (7) (a) by obtaining a loan guarantee of at least 20% of the loan principal from the community or another 3rd party that is acceptable to the participating lender and to the authority.

SECTION 3050h. 231.35 (3) (h), (i) and (j) of the statutes are created to read:

231.35 (3) (h) The term of the loan is not longer than 10 years.

(i) The borrower establishes a reserve fund of not less than 10% of the loan principal.

(j) The total of the borrower's reserve fund under par. (i), the 3rd-party loan guarantee under par. (g) and the guarantee under sub. (4) (a) 1 will not exceed 90% of the loan principal.

SECTION 3050L. 231.35 (4) (a) 1 of the statutes, as created by 1989 Wisconsin Act 317, is amended to read:

231.35 (4) (a) 1. Except as provided in subd. 2, the The authority shall guarantee payment or collection of 90% 20% of the principal of loans guaranteed under sub. (3).

SECTION 3050m. 231.35 (4) (a) 2 of the statutes, as created by 1989 Wisconsin Act 317, is repealed.

SECTION 3050p. 231.35 (5) (b) (intro.) and 1 of the statutes, as created by 1989 Wisconsin Act 317, are consolidated, renumbered 231.35 (5) (b) and amended to read:

231.35 (5) (b) In the event of a default on a guaranteed loan, the authority shall pay to the participating lender, from the rural hospital loan fund and in accordance with the terms and conditions of the guarantee agreement entered into under sub. (6), which

~~ever of the following applies: 1. For a loan guaranteed under sub. (4) (a) 1, 90% 20% of the unpaid principal amount of the defaulted guaranteed loan.~~

SECTION 3050r. 231.35 (5) (b) 2 of the statutes, as created by 1989 Wisconsin Act 317, is repealed.

SECTION 3050s. 231.35 (7) (a) of the statutes, as created by 1989 Wisconsin Act 317, is repealed.

~~SECTION 3050t. 232.05 (2) (h) of the statutes is created to read:~~

~~232.05 (2) (h) Make available to the Milwaukee city assessor all of the information needed to make the estimate under s. 232.10.~~

~~SECTION 3050w. 232.10 of the statutes is created to read:~~

~~232.10 Estimate of value. The city of Milwaukee shall annually provide to the department of revenue an estimate of the full value of the property that is exempt under s. 70.11 (31).~~

~~SECTION 3051c. 234.01 (6) (b), (8) (b) and (9) (a) of the statutes are amended to read:~~

~~234.01 (6) (b) If the corporation receives a loan or advance under this chapter, the chairperson of the authority, acting with the prior approval of the majority of the voting 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.~~

~~(8) (b) If the limited-profit entity receives a loan or advance under this chapter, the chairperson of the authority, acting with the prior approval of the majority of the voting 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.~~

~~(9) (a) 5. That if the corporation receives a loan or advance under this chapter, the chairperson of the authority, acting with the prior approval of the majority of the voting members of the authority, may, on~~

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determination 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, that some part of the net income or net earnings of the corporation is inuring to the benefit of any private person, that the corporation is in some manner controlled or under the direction of or acting in the substantial interest of any private person seeking to derive benefit or gain therefrom or seeking to eliminate or minimize losses in any dealings or transactions therewith 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 provisions of such articles of incorporation or of any other provisions of law.

SECTION 3051g. 234.02 (1) of the statutes is amended to read:

234.02 (1) There is created a public body corporate and politic to be known as the "Wisconsin housing and economic development authority". The members of the authority shall be the secretary of development or his or her designee and the administrator of the division of housing in the department of administration or his or her designee, as nonvoting members, and 6 public members nominated by the governor, and with the advice and consent of the senate appointed, for staggered 4-year terms commencing on the dates their predecessors' terms expire. In addition, one senator of each party and one representative to the assembly of each party appointed as are the members of standing committees in their respective houses shall serve as members of the authority. A member of the authority shall receive no compensation for services but shall be reimbursed for necessary expenses, including travel expenses, incurred in the discharge of duties. Subject to the bylaws of the authority respecting resignations, each member shall hold office until a successor has been appointed and has qualified. A certificate of appointment or reappointment of any member shall be filed with the authority and the certificate shall be conclusive evidence of the due and proper appointment.

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SECTION 3051m. 234.02 (2) of the statutes is amended to read:

234.02 (2) The powers of the authority shall be vested in the members thereof in office. A majority of the voting members of the authority constitutes a quorum for the purpose of conducting its business and exercising its powers and for all other purposes, notwithstanding the existence of any vacancies. Action may be taken by the authority upon a vote of a majority of the voting members present, unless the bylaws of the authority require a larger number. Meetings of the members of the authority may be held anywhere within or without the state.

SECTION 3052. 234.034 of the statutes is amended to read:

234.034 Consistency with state housing strategy plan. Subject to agreements with bondholders or noteholders, the authority shall exercise its powers and perform its duties related to housing consistent with the state housing strategy plan under s. 560.115, 1983 stats 16.31.

SECTION 3053. 234.06 (1) of the statutes is amended to read:

234.06 (1) The authority may, as authorized in the state housing strategy plan under s. 560.115, 1983 stats. 16.31, use the moneys held in the housing development fund to make temporary loans to eligible sponsors, with or without interest, and with such security for repayment, if any, as the authority determines reasonably necessary and practicable, solely from the housing development fund, to defray development costs for the construction of proposed housing projects for occupancy by persons and families of low and moderate income. No temporary loan may be made unless the authority may reasonably anticipate that satisfactory financing may be obtained by the eligible sponsor for the permanent financing of the housing project.

SECTION 3054. 234.06 (3) of the statutes is amended to read:

234.06 (3) The authority may, as authorized in the state housing strategy plan under s. 560.115, 1983 stats. 16.31, use the moneys held in the housing development fund to establish and administer programs of grants to counties, municipalities and eligible sponsors of housing projects for persons of low and moderate income, to pay organizational expenses, administrative costs, social services, technical services, training expenses or costs incurred or expected to be incurred by counties, municipalities or sponsors for land and building acquisition, construction, improvements, renewal, rehabilitation, relocation or conservation under a plan to provide housing or related facilities, if the costs are not reimbursable from other private or public loan, grant or mortgage sources.

SECTION 3055. 234.165 (2) (b) 2 of the statutes is amended to read:

234.165 (2) (b) 2. Before August 31 the authority shall submit to the governor a plan for expending or encumbering the surplus. The part of the plan related to housing shall be consistent with the state housing strategy plan under s. 560.115, 1983 stats 16.31. The surplus certification under subd. 1 and the plan under this subdivision may be included in one report.

SECTION 3055m. 234.165 (2) (d) of the statutes is created to read:

234.165 (2) (d) The authority shall allocate a portion of its surplus in a plan prepared under par. (b) to match federal funds available to this state under the Stewart B. McKinney homeless assistance act, 42 USC 11361 to 11402.

SECTION 3055r. 234.165 (2) (e) of the statutes is created to read:

234.165 (2) (e) The authority shall give consideration in its surplus plans to providing funds for the homesite demonstration grant program under s. 16.32.

SECTION 3056. 234.18 (2) of the statutes is amended to read:

234.18 (2) In addition to bonds or notes issued under sub. (1), the authority may not have outstanding at any one time notes and bonds for any of its corporate purposes in an aggregate principal amount exceeding \$125,000,000, excluding bonds and notes issued to refund outstanding bonds and notes authorized under this subsection. Bonds and notes authorized under this subsection and issued for the purpose of economic development may be issued only with the consent of the department of development. The department may not impose conditions inconsistent with the state housing strategy plan under s. ~~560.115, 1983 stats~~ 16.31.

SECTION 3057. 234.25 (1) (e) of the statutes is amended to read:

234.25 (1) (e) An evaluation of its progress in implementing within its own housing programs the goals, policies and objectives of the state housing strategy plan under s. ~~560.115, 1983 stats~~ 16.31, and recommendations for legislation to improve its ability to carry out its programs consistent with the state housing strategy plan.

SECTION 3058. 234.265 (2) of the statutes is amended to read:

234.265 (2) Records or portions of records consisting of personal or financial information provided by a person seeking a grant or loan under s. 234.08, 234.49, 234.59, 234.65, 234.67, 234.70, 234.765, 234.82, 234.83, 234.90, 234.905 or 234.907, seeking financial assistance under ss. 234.75 to 234.802, seeking investment of funds under s. 234.03 (18m) or in which the authority has invested funds under s. 234.03 (18m), unless the person consents to disclosure of the information.

SECTION 3059. 234.41 (3) of the statutes is amended to read:

234.41 (3) Moneys of the veterans housing loan 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 ~~and, subject to agreement with bondholders, be paid over upon request to the board of the~~ department of veterans affairs ~~for deposit and deposited~~ in the veterans trust fund after payment or repayment of any deficits arising in the veterans capital reserve fund and after payment of expenses contained in sub. (4).

SECTION 3060. 234.43 (2) (e) of the statutes is amended to read:

234.43 (2) (e) Any surplus remaining after satisfaction of all obligations of pars. (a) to (d) shall be paid over ~~upon request of the board of~~ to the department

of veterans affairs ~~for deposit and deposited~~ in the veterans trust fund.

SECTION 3061c. 234.49 (1) (f) (intro.) of the statutes is amended to read:

234.49 (1) (f) (intro.) "Housing rehabilitation loan" means a loan to finance eligible rehabilitation. The maximum amount of a housing rehabilitation loan is ~~\$15,000~~ \$17,500. The term of any housing rehabilitation loan, the repayment of which is made in monthly or other periodic instalments, may not exceed 15 years. Housing rehabilitation loans include:

~~SECTION 3063m. 234.65 (1) (cm) of the statutes is amended to read:~~

~~234.65 (1) (cm) No bonds or notes may be issued under this section after December 31, 1991 1993, except bonds or notes issued to refund outstanding bonds and notes issued under this section.~~

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SECTION 3064. 234.67 (1) (a) of the statutes is repealed.

SECTION 3065. 234.67 (1) (b) of the statutes is repealed.

SECTION 3066. 234.67 (1) (e) of the statutes is amended to read:

234.67 (1) (e) "Participating lender" means a bank, credit union, savings and loan association or other person, who makes loans for working capital or to finance physical plant needs, equipment or machinery and who has entered into an agreement with the authority under ~~sub. (5) s.~~ 234.93 (2) (a).

SECTION 3067. 234.67 (1) (gm) of the statutes is repealed.

SECTION 3068. 234.67 (2) (intro.) of the statutes is amended to read:

234.67 (2) ELIGIBLE LOANS. (intro.) A loan made by a participating lender is eligible for guarantee of collection ~~by the authority from the Wisconsin development reserve fund under s. 234.93~~ if all of the following apply:

SECTION 3069. 234.67 (3) (a) of the statutes is amended to read:

234.67 (3) (a) Subject to par. (b), the authority shall guarantee collection of a percentage, not exceeding 90%, of the principal of any loan eligible for a guarantee under sub. (2). The authority shall establish the percentage of the unpaid principal of an eligible loan that will be guaranteed, using the procedures described in the guarantee agreement under ~~sub. (5) (a) s.~~ 234.93 (2) (a). The authority may establish a single percentage for all guaranteed loans or establish different percentages for eligible loans on an individual basis.

SECTION 3070. 234.67 (3) (b) of the statutes is amended to read:

234.67 (3) (b) ~~The~~ Except as provided in s. 234.93 (3), the total principal amounts of all loans which the authority may guarantee under par. (a) may not exceed \$10,000,000.

SECTION 3071. 234.67 (4) of the statutes is repealed.

SECTION 3072. 234.67 (5) and (6) of the statutes are repealed.

SECTION 3073. 234.67 (7) of the statutes is repealed.

SECTION 3074. 234.67 (8) of the statutes is repealed.

SECTION 3075. 234.67 (9) of the statutes is repealed.

SECTION 3076. 234.68 of the statutes is repealed.

SECTION 3077. 234.765 (1) (intro.) of the statutes is amended to read:

234.765 (1) (intro.) The authority may use money from the ~~drought assistance and development loan~~ Wisconsin development reserve fund under s. 234.93 to guarantee a loan if all of the following apply:

SECTION 3078. 234.765 (5) of the statutes is repealed.

SECTION 3079. 234.82 (2) (intro.) of the statutes is amended to read:

234.82 (2) GUARANTEE REQUIREMENTS. (intro.) The authority may use money from the ~~drought assistance and development loan~~ Wisconsin development reserve fund to guarantee a business improvement loan if all of the following apply:

SECTION 3080. 234.82 (2) (c) of the statutes is amended to read:

234.82 (2) (c) The lender is a financial institution that enters into an agreement under ~~sub. (5) s. 234.93~~ (2) (a).

SECTION 3081. 234.82 (4) (intro.) of the statutes is amended to read:

234.82 (4) ELIGIBLE LOAN. (intro.) A loan may be eligible for guarantee of collection ~~under sub. (2) by the authority from the Wisconsin development reserve fund under s. 234.93~~ if all of the following requirements are met:

SECTION 3082. 234.82 (5) of the statutes is repealed.

SECTION 3083. 234.82 (6) of the statutes is amended to read:

234.82 (6) INTEREST SUBSIDY. Annually, from the ~~drought assistance and development loan~~ Wisconsin development reserve fund under s. 234.92, the authority may pay a financial institution that makes a loan to a borrower that is guaranteed under this section an amount equal to up to 3.5% of the outstanding balance of the loan.

SECTION 3084. 234.82 (7) (a) of the statutes is amended to read:

234.82 (7) (a) Subject to par. (b), the authority shall guarantee collection of a percentage, not exceeding 90%, of the principal of any loan eligible for a guarantee under sub. (2). The authority shall establish the percentage of the principal of an eligible loan that will be guaranteed, using the procedures described in the agreement under ~~sub. (5) s. 234.93 (2) (a).~~ The author-

ity may establish a single percentage for all guaranteed loans or establish different percentages for eligible loans on an individual basis.

SECTION 3085. 234.82 (7) (b) 1 of the statutes is renumbered 234.82 (7) (b) and amended to read:

234.82 (7) (b) Except as provided in ~~sub. 2 s. 234.93 (3)~~, the total guaranteed principal amounts of all loans which the authority may guarantee under par. (a) may not exceed \$5,000,000.

SECTION 3086. 234.82 (7) (b) 2 of the statutes is repealed.

SECTION 3087. 234.82 (7) (c) of the statutes is repealed.

SECTION 3088. 234.82 (8) and (9) of the statutes are repealed.

SECTION 3089. 234.83 of the statutes is created to read:

234.83 Targeted development loan guarantee program. (1) GUARANTEE REQUIREMENTS. The authority may use money from the Wisconsin development reserve fund to guarantee a loan under this section if all of the following apply:

(a) The borrower qualifies as an eligible borrower under sub. (2).

(b) The loan qualifies as an eligible loan under sub. (3).

(c) The lender is a financial institution that enters into an agreement under s. 234.93 (2) (a).

(2) ELIGIBLE BORROWER. Any of the following qualifies as an eligible borrower if unable to obtain adequate business financing on reasonable terms:

(a) A business, as defined in s. 560.60 (2).

(b) The elected governing body of a federally recognized American Indian tribe or band in this state.

(3) ELIGIBLE LOANS. (a) A loan is eligible for guarantee of collection from the Wisconsin development reserve fund under s. 234.93 if all of the following apply:

1. The borrower uses the loan proceeds for a business development project in a targeted area. Loan proceeds may be used for direct or related expenses associated with the purchase or improvement of land, buildings, machinery, equipment or inventory.

2. Loan proceeds are not used to refinance existing debt or for operating or entertainment expenses.

3. The interest rate on the loan, including any origination fees or other charges, is approved by the authority.

4. The loan term does not extend beyond 15 years after the date on which the financial institution disburses the loan unless the loan is extended by the authority.

5. The total principal amount of all loans to the borrower that are guaranteed under this section does not exceed \$250,000.

6. The financial institution obtains a security interest in the physical plant, equipment, machinery or other assets.

7. The financial institution believes that it is reasonably likely that the borrower will be able to repay the loan in full with interest.

8. The financial institution agrees to the percentage of guarantee established for the loan by the authority.

9. The authority believes that the loan will have a positive economic impact on the targeted area in terms of job creation and retention.

(b) When considering whether a business development project will be located in a targeted area under par. (a) 1, the authority shall consider all of the factors set out in s. 560.605 (2m) (a) to (h).

(4) **GUARANTEE OF COLLECTION.** (a) Subject to par. (b), the authority shall guarantee collection of a percentage, not exceeding 90%, of the principal of any loan eligible for a guarantee under sub. (1). The authority shall establish the percentage of the principal of an eligible loan that will be guaranteed, using the procedures described in the agreement under s. 234.93 (2) (a). The authority may establish a single percentage for all guaranteed loans or establish different percentages for eligible loans on an individual basis.

(b) Except as provided in s. 234.93 (3), the total guaranteed principal amount of all loans which the authority may guarantee under par. (a) may not exceed \$5,000,000.

SECTION 3090. 234.90 (1) (intro.) of the statutes is amended to read:

234.90 (1) **DEFINITIONS.** (intro.) In this section ~~and in s. 234.91:~~

SECTION 3091. 234.90 (1) (am) of the statutes is repealed.

SECTION 3092. 234.90 (1) (d) of the statutes is amended to read:

234.90 (1) (d) "Participating lender" means a bank, production credit association, credit union, savings and loan association or other person who makes agricultural production loans and who has entered into an agreement with the authority under ~~sub. (7) s. 234.93 (2) (a).~~

SECTION 3093. 234.90 (2) (intro.) of the statutes is amended to read:

234.90 (2) **ELIGIBLE LOANS.** (intro.) An agricultural production loan made by a participating lender is eligible for guarantee ~~by the authority of collection from the Wisconsin development reserve fund under s. 234.93~~ if all of the following apply:

SECTION 3094. 234.90 (5) of the statutes is amended to read:

234.90 (5) **INTEREST REDUCTION.** The authority shall pay, from the moneys ~~appropriated under s. 20.490 (3) (b) in the Wisconsin development reserve fund,~~ to each participating lender an amount equal to 2% of the principal amount of any agricultural production loan guaranteed under sub. (4).

SECTION 3095. 234.90 (6) of the statutes, as affected by 1991 Wisconsin Act 4, is repealed.

SECTION 3096. 234.90 (7) of the statutes is repealed.

SECTION 3097. 234.90 (7m) of the statutes, as affected by 1991 Wisconsin Act 4, is repealed.

SECTION 3098. 234.90 (8) of the statutes is repealed.

SECTION 3099g. 234.90 (9) of the statutes, as affected by 1991 Wisconsin Act 4, is repealed.

SECTION 3100. 234.90 (10) of the statutes is repealed.

SECTION 3101. 234.905 (1) (intro.) of the statutes is amended to read:

234.905 (1) **DEFINITIONS.** (intro.) In this section ~~and in s. 234.92:~~

SECTION 3102. 234.905 (1) (c) of the statutes is repealed.

SECTION 3103. 234.905 (1) (f) of the statutes is amended to read:

234.905 (1) (f) "Participating lender" means a bank, production credit association, credit union, savings and loan association or other person who makes agricultural production drought assistance loans and who has entered into an agreement with the authority under ~~sub. (7) s. 234.93 (2) (a).~~

SECTION 3104. 234.905 (2) (intro.) of the statutes is amended to read:

234.905 (2) **ELIGIBLE LOANS.** (intro.) An agricultural production drought assistance loan made by a participating lender is eligible for guarantee of collection ~~by the authority from the Wisconsin development reserve fund under s. 234.93~~ if all of the following apply:

SECTION 3105. 234.905 (4) (b) 1 of the statutes is renumbered 234.905 (4) (b) and amended to read:

234.905 (4) (b) Except as provided in ~~subd. 2 s. 234.93 (3),~~ the total principal amounts of all agricultural production drought assistance loans which the authority may guarantee under par. (a) may not exceed \$30,000,000.

SECTION 3106. 234.905 (4) (b) 2 of the statutes is repealed.

SECTION 3107. 234.905 (5) of the statutes, as affected by 1991 Wisconsin Act 4, is amended to read:

234.905 (5) **INTEREST REDUCTION.** The authority shall pay, from the moneys in the ~~drought assistance and development loan~~ Wisconsin development reserve fund ~~under s. 234.92,~~ to each participating lender an amount equal to 3.5% of the principal amount of any guaranteed loan to reduce interest payments on the guaranteed loan paid by a farmer, except that the authority shall make interest reduction payments for no more than 3 years of the repayment term of any guaranteed loan.

SECTION 3108. 234.905 (6) of the statutes, as affected by 1991 Wisconsin Act 4, is repealed.

SECTION 3109. 234.905 (7) of the statutes is repealed.

SECTION 3110. 234.905 (7m) of the statutes, as affected by 1991 Wisconsin Act 4, is repealed.

SECTION 3111. 234.905 (8) of the statutes is repealed.

SECTION 3111m. 234.905 (9) of the statutes, as affected by 1991 Wisconsin Act 4, is repealed.

SECTION 3112. 234.905 (10) of the statutes, as affected by 1991 Wisconsin Act 4, is repealed.

SECTION 3113. 234.907 (1) (a) of the statutes is repealed.

SECTION 3114. 234.907 (1) (b) of the statutes is repealed.

SECTION 3115. 234.907 (1) (c) of the statutes is repealed.

SECTION 3116. 234.907 (1) (e) of the statutes is amended to read:

234.907 (1) (e) "Participating lender" means a bank, credit union, savings and loan association or other person, who makes loans for working capital or to finance physical plant needs, equipment or machinery and who has entered into an agreement with the authority under ~~sub. (5)~~ s. 234.93 (2) (a).

SECTION 3117. 234.907 (2) (intro.) of the statutes is amended to read:

234.907 (2) ELIGIBLE LOANS. (intro.) A loan made by a participating lender is eligible for guarantee of collection ~~by the authority from the Wisconsin development reserve fund under s. 234.93~~ if all of the following apply:

SECTION 3117m. 234.907 (2) (a) (intro.) and (c) of the statutes are amended to read:

234.907 (2) (a) (intro.) The loan is made for working capital or to finance any of the following items, if the working capital or item is necessary to, or used to, process or market a product from a raw agricultural commodity produced in this state or to commercially harvest whitefish from Lake Superior:

(c) ~~The~~ Subject to par. (cm), the total principal amount of all loans to the borrower that are guaranteed under this section will not exceed \$750,000.

SECTION 3117p. 234.907 (2) (cm) of the statutes is created to read:

234.907 (2) (cm) The total principal amount extended to the borrower for loans that are guaranteed under this section and that are made for working capital or an item necessary to, or used to, commercially harvest whitefish from Lake Superior will not exceed \$100,000.

SECTION 3117r. 234.907 (2) (d) and (h) of the statutes are amended to read:

234.907 (2) (d) The borrower's principal place of operations for processing or marketing a product from a raw agricultural commodity is located in a town, village or city in this state with a population of less than 50,000. This paragraph does not apply to a borrower that harvests whitefish from Lake Superior.

(h) The loan results in new or more viable methods for the processing or marketing of a product from a raw agricultural commodity or enables the borrower to comply with the rules promulgated by the department of natural resources for the commercial fishing of whitefish in Lake Superior.

SECTION 3118. 234.907 (3) of the statutes is amended to read:

234.907 (3) GUARANTEE OF COLLECTION. (a) Subject to par. (b), the authority shall guarantee collection of a percentage, not exceeding 90%, of the principal of any loan eligible for a guarantee under sub. (2). The authority shall establish the percentage of the unpaid principal of an eligible loan that will be guaranteed, using the procedures described in the guarantee agreement under ~~sub. (5)~~ (a) s. 234.93 (2) (a). The authority may establish a single percentage for all guaranteed loans or establish different percentages for eligible loans on an individual basis.

(b) ~~The~~ Except as provided in s. 234.93 (3), the total principal amounts of all loans which the authority may guarantee under par. (a) may not exceed the difference between \$30,000,000 and the total principal amount of agricultural production drought assistance loans guaranteed under s. 234.905 (4).

SECTION 3119. 234.907 (4) of the statutes is repealed.

SECTION 3120. 234.907 (5) and (6) of the statutes are repealed.

SECTION 3121. 234.907 (7) of the statutes is repealed.

SECTION 3122. 234.907 (8) of the statutes is repealed.

SECTION 3123. 234.907 (9) of the statutes is repealed.

SECTION 3124. 234.91 of the statutes is repealed.

SECTION 3125. 234.92 of the statutes is repealed.

SECTION 3126. 234.93 of the statutes is created to read:

234.93 Wisconsin development reserve fund. (1) ESTABLISHMENT OF FUND. There is established under the jurisdiction and control of the authority, for the purpose of providing funds for guaranteeing loans, a Wisconsin development reserve fund, consisting of all of the following:

(a) Moneys appropriated to the authority under s. 20.490 (5) (a) and (q) or received by the authority for the Wisconsin development reserve fund from any other source.

(b) Any income from investment of money in the Wisconsin development reserve fund by the authority under s. 234.03 (18).

(c) Any moneys transferred from the recycling loan fund, agricultural production loan fund or drought assistance and development loan fund.

(2) PROGRAM ADMINISTRATION. (a) The authority shall enter into a guarantee agreement with any bank, production credit association, credit union, savings

and loan association or other person who wishes to participate in a loan program guaranteed by the Wisconsin development reserve fund. The authority may determine all of the following, consistent with the terms of the specific loan guarantee program:

1. The form of the agreement.
2. Any conditions upon which the authority may refuse to enter into such an agreement.
3. Any procedures required to carry out the agreement, including default procedures and procedures for determining the guaranteed percentage of each loan.

(b) A guarantee agreement between the authority and a bank, production credit association, credit union, savings and loan association or other person under s. 234.67 (5), 1989 stats., s. 234.82 (5), 1989 stats., s. 234.90 (7), 1989 stats., s. 234.905 (7), 1989 stats., or s. 234.907 (5), 1989 stats., in effect immediately before the effective date of this paragraph [revisor inserts date], shall continue in full force and effect, as if entered into under par. (a).

(c) The authority may not use any moneys other than those in the Wisconsin development reserve fund for programs guaranteed by the Wisconsin development reserve fund.

(d) The authority may establish an eligibility criteria review panel, consisting of experts in finance and in the subject area of the loan guarantee program, to advise the authority about lending requirements and issues related to a loan guarantee program.

(3) INCREASES IN LOAN GUARANTEES. The authority may request permission from the secretary of administration to increase the total principal amounts of loans that it may guarantee under a program guaranteed by the Wisconsin development reserve fund. The secretary of administration may authorize an increase if the secretary determines that the Wisconsin development reserve fund contains sufficient funds to guarantee loans in the requested amount. If the secretary authorizes an increase, the secretary shall notify the joint committee on finance in writing of his or her action. If the cochairpersons of the committee do not notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the proposed increase within 14 working days after the date of the secretary's notification, the authority may proceed with the proposed increase. If, within 14 working days after the date of the secretary's notification, the cochairpersons of the committee notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the proposed increase, the proposed increase may take effect only upon approval of the committee.

(4) BALANCE TRANSFER. (a) Annually on June 30, until no balance remains, the authority shall transfer to the general fund any balance remaining in the Wisconsin development reserve fund on that date, after deducting an amount sufficient for all of the following:

1. To pay all outstanding claims under the programs guaranteed by funds from the Wisconsin development reserve fund.

2. To fund guarantees under all of the programs guaranteed by funds from the Wisconsin development reserve fund.

(b) When the authority makes a transfer under par. (a), the executive director of the authority shall provide to the secretary of administration and to the joint committee on finance a signed statement listing the amounts deducted to pay outstanding claims and to fund guarantees under each of the programs guaranteed by funds from the Wisconsin development reserve fund and explaining how each amount was calculated or otherwise determined.

~~(c) Notwithstanding par. (a), on June 30, 1993, the authority shall transfer to the general fund from the Wisconsin development reserve fund, the balance calculated under par. (a) on that date or \$5,130,000, whichever is greater.~~ **Vetoed in Part**

(5) ANNUAL REPORT. On or before November 1 annually, the authority shall submit to the chief clerk of each house of the legislature for distribution under s. 13.172 (2) and to the joint committee on finance an annual report on the number and total dollar amount of guaranteed loans under each of the programs guaranteed by the Wisconsin development reserve fund, the default rate on the loans and any other information on a program guaranteed by the Wisconsin development reserve fund that the authority determines is significant.

(6) MORAL OBLIGATION. Recognizing its moral obligation, the legislature expresses its expectation that, if called upon to do so, it shall make an appropriation to meet all demands for funds guaranteed by the Wisconsin development reserve fund.

SECTION 3126g. 234.935 of the statutes is created to read:

234.935 Cultural and architectural landmark loan guarantees. (1) DEFINITION. In this section, "cultural and architectural landmark" means real property and improvements designated in an executive order as a valued historical landmark and an architectural masterpiece, or an educational tourist center located adjacent to the real property and improvements designated in an executive order as a valued historical landmark and an architectural masterpiece.

(2) GUARANTEE REQUIREMENTS. The authority may use money from the Wisconsin development reserve fund to guarantee a loan under this section if all of the following apply:

(a) The borrower qualifies as an eligible borrower under sub. (3).

(b) The loan qualifies as an eligible loan under sub. (4).

(c) The lender is the authority, or a financial institution that enters into an agreement under s. 234.93 (2) (a), or both.

(3) **ELIGIBLE BORROWER.** An organization qualifies as an eligible borrower if all of the following apply:

(a) The organization is exempt from federal income taxation under 26 USC 501 (c) (3).

(b) The organization owns or leases a cultural and architectural landmark.

(4) **ELIGIBLE LOAN.** A loan is eligible for guarantee of collection from the Wisconsin development reserve fund under s. 234.93 if all of the following apply:

(a) The borrower uses the loan proceeds for acquiring, constructing, improving, rehabilitating or equipping a cultural and architectural landmark.

(b) The loan proceeds are used for the purchase or improvement of land, buildings, machinery or equipment, or for related expenses.

(c) The loan proceeds are not used for entertainment expenses or for refinancing existing debt.

(d) The lender obtains a security interest for repayment of the loan in real or personal property of the debtor.

(5) **GUARANTEE OF COLLECTION.** (a) Subject to pars. (b) and (c), the authority may guarantee collection of a percentage, not exceeding 90%, of the principal of any loan eligible for guarantee under sub. (2). The authority shall establish the percentage of the principal of an eligible loan that will be guaranteed, using the procedures described in the agreement under s. 234.93 (2) (a). The authority may establish a single percentage for all guaranteed loans or establish different percentages for eligible loans on an individual basis.

(b) The total principal amount of all loans that the authority may guarantee under this section may not exceed \$8,000,000.

(c) Prior to guaranteeing a loan under this section, the authority shall document to the secretary of administration that the Wisconsin development reserve fund contains sufficient funds to guarantee the loan.

SECTION 3126m. Chapter 235 of the statutes is created to read:

CHAPTER 235

WORLD DAIRY CENTER AUTHORITY

235.01 Definition. In this chapter, "authority" means the world dairy center authority.

235.02 Creation and organization. (1) **CREATION.** There is created a public body corporate and politic to be known as the "world dairy center authority".

(2) **MEMBERS.** The authority consists of the following members:

(a) One public member appointed by the governor to serve a one-year term expiring on June 30 and to serve as chairperson of the authority.

(b) The president of the university of Wisconsin system, or the president's designee.

(c) The secretary of agriculture, trade and consumer protection, or the secretary's designee.

(d) The secretary of development, or the secretary's designee.

(e) The county executive of Dane county, or the county executive's designee.

(f) One member of each house of the legislature from the political party with the most members in that house, appointed as are members of standing committees.

(g) One member of each house of the legislature from the political party with the 2nd most members in that house, appointed as are members of standing committees.

(h) Twelve members appointed by the governor to serve 4-year terms expiring on June 30. Members appointed under this paragraph shall include all of the following:

1. One member to represent the greater Madison chamber of commerce.

2. Eleven members who are directors of the world dairy center association, to represent resident members of the association.

(i) Two members who are directors of the world dairy center association, appointed by the chairperson of the world dairy center association to serve 4-year terms expiring on June 30, to represent nonresident members of the association.

(3) **RESIGNATION AND VACATION OF MEMBERSHIP.** Subject to the bylaws of the authority respecting resignations, each member of the authority shall hold office until a successor is appointed and qualified unless the member vacates or is removed from his or her office. A member who serves as a result of holding another office or position vacates his or her office as a member when he or she vacates the other office or position. A member who ceases to qualify for office vacates his or her office.

(4) **EXECUTIVE DIRECTOR.** The governor shall ~~nominate, and with the advice and consent of the senate appoint,~~ the executive director of the authority to serve a 2-year term expiring on June 30 of each odd-numbered year. **Vetoed in Part**

(5) **MEETINGS AND DELEGATION.** (a) A majority of the membership of the authority constitutes a quorum to do business. A vacancy in the membership of the authority shall not impair the right of a quorum to exercise all of the rights and perform all of the duties of the authority. The authority may take action based on the vote of a majority of the members of the authority present, unless the bylaws of the authority require a larger number.

(b) The members of the authority may meet anywhere inside or outside the state. Notice of meetings shall be as provided in the bylaws of the authority.

(c) The authority may delegate by resolution to one or more of its members or its executive director any powers and duties that it considers proper.

(6) **LIMITED LIABILITY.** A cause of action may not arise against and a civil liability may not be imposed on a member or executive director of the authority for

any act or omission in the performance of his or her powers and duties under this chapter, unless the person asserting liability proves that the act or omission constitutes wilful misconduct.

235.03 Powers. The authority has all of the powers necessary or convenient to carry out its duties under s. 235.04. In addition, the authority may:

- (1) Adopt, amend and repeal bylaws.
- (2) Adopt an official seal.
- (3) Maintain an office.
- (4) Sue and be sued.
- (5) Accept a gift, grant, loan or other contribution from private or public sources.
- (6) Execute contracts and other instruments.

235.04 Duties. The authority shall do all of the following:

- (1) Establish a center for the development of dairying in the United States and the world.
- (2) Analyze worldwide trends in the dairy industry and recommend actions to be taken by this state to compete in the global dairy market.
- (3) Coordinate access to commercial, technical and general dairy information.
- (4) Promote Wisconsin and United States dairy cattle, technology, products and services in the global dairy market.
- (5) Develop new markets for dairy and dairy-related products.
- (6) Cooperate with the department of agriculture, trade and consumer protection.

Vetoed in Part SECTION 3126b. 235.02 (2) (c) of the statutes, as created by 1991 Wisconsin Act ... (this act), is amended to read:

235.02 (2) (c) The secretary of agriculture, food and trade and consumer protection, or the secretary's designee.

SECTION 3126c. 235.04 (6) of the statutes, as created by 1991 Wisconsin Act ... (this act), is amended to read:

235.04 (6) Cooperate with the department of agriculture, food and trade and consumer protection.

SECTION 3126r. 236.02 (4) of the statutes is amended to read:

236.02 (4) "Department" means the department of agriculture, food and trade and consumer protection.

SECTION 3126rb. 236.292 of the statutes is created to read:

236.292 Certain restrictions void. All restrictions on platted land that interfere with the development of the ice age trail under s. 23.17 are void.

Vetoed in Part SECTION 3126rc. 301.005 of the statutes is created to read:

301.005 Objectives of educational programs. (1) The department shall provide comprehensive educational programs in state correctional institutions. The

educational programs shall include all of the following objectives.

(a) To provide a range of educational programs that offer functional literacy through postsecondary instruction, including academic, vocational and life skills sufficient to provide prisoners with the opportunity to develop to their potential, enhance their economic independence, attain a sense of accomplishment and establish a basis for lifelong learning.

(b) To provide appropriate faculty and staff, teaching supplies and materials, equipment and facilities to meet the needs of prisoners.

(c) To provide screening and assessment to determine the educational needs of each prisoner and develop an attainable program plan for each prisoner.

(2) The department, the state correctional institutions and the instructional staff of the state correctional institutions shall share responsibility for the development and modification of educational programs. The department, state correctional institutions and instructional staff shall solicit and consider the recommendations of prisoners in the development, evaluation and modification of educational programs.

SECTION 3126rs. 301.01 (2) (b) of the statutes is amended to read:

301.01 (2) (b) Any resident of Ethan Allen school or Lincoln Hills school a secured correctional facility, as defined in s. 48.02 (15m).

SECTION 3126t. 301.01 (2) (d) of the statutes is created to read:

301.01 (2) (d) Any child participating in the mother-young child care program under s. 301.049.

SECTION 3126tg. 301.01 (5) of the statutes is created to read:

301.01 (5) "Type 1 prison" means a state prison under s. 302.01, but excludes any institution that meets the criteria under s. 302.01 solely because of its status under s. 301.048 (4) (b).

SECTION 3126tm. 301.01 (6) of the statutes is created to read:

301.01 (6) "Type 2 prison" means a state prison under s. 302.01 that meets the criteria under s. 302.01 solely because of its status under s. 301.048 (4) (b).

SECTION 3126tr. 301.03 (2m) of the statutes is amended to read:

301.03 (2m) Provide alcohol or other drug abuse treatment at each state prison except a Type 2 prison, the correctional institution authorized under s. 301.046, a minimum security correctional institution authorized under s. 301.13 or a state-local shared correctional facility established under s. 301.14. The department shall provide this treatment at the minimum security correctional institution authorized under s. 301.132.

SECTION 3127. 301.03 (3c) of the statutes is created to read:

Vetoed in Part

Vetoed in Part

301.03 (3c) If requested by the department of health and social services, contract with that department to supervise persons who are conditionally transferred or discharged under s. 51.37 (9) or conditionally released under s. 971.17 (3).

Vetoed
in Part

~~SECTION 3127c. 301.03 (6p) of the statutes is created to read:~~

~~301.03 (6p) Maintain a long-range plan for providing educational services to prisoners.~~

SECTION 3127g. 301.03 (6r) of the statutes is created to read:

301.03 (6r) By January 30 of each year, submit a report to the joint committee on finance and to the chief clerk of each house of the legislature, for distribution to the appropriate standing committees under s. 13.172 (3), on the number of prisoners that the department considers to be violent and the total number of prisoners.

SECTION 3128. 301.03 (12) of the statutes is amended to read:

301.03 (12) Cooperate and coordinate its activities with other state and local agencies to provide educational, social, health and other services to offenders, except as provided in s. 302.386 (5).

Vetoed
in Part

~~SECTION 3128d. 301.037 of the statutes is created to read:~~

~~301.037 Council on educational programs. The council on educational programs shall.~~

~~(1) Review and make recommendations on revisions of the long-range educational plan under s. 301.03 (6p).~~

~~(2) Review and make recommendations on development and modifications of educational programs for prisoners.~~

~~(3) Advise the department in the development of the long-range educational plan under 1991 Wisconsin Act ... (this act), section 9112 (2g).~~

~~SECTION 3128dc. 301.037 (3) of the statutes, as created by 1991 Wisconsin Act ... (this act), is repealed.~~

Vetoed
in Part

~~SECTION 3128dg. 301.046 (1) of the statutes is amended to read:~~

~~301.046 (1) INSTITUTION STATUS. The department shall establish and operate a community residential confinement program as a correctional institution under the charge of a superintendent. The department shall design the program to include not more than 500 prisoners at a time. Under the program, the department shall confine prisoners in their places of residence or other places designated by the department. The secretary may allocate and reallocate existing and future facilities as part of the institution. The institution is subject to s. 301.02 and is a state prison as defined in s. 302.01. Construction or establishment of the institution shall be in compliance with all state laws except s. 32.035 and ch. 91. In addition to the exemptions under s. 13.48 (13), construction or establishment of facilities for the institution are not subject~~

~~to the ordinances or regulations relating to zoning, including zoning under ch. 91, of the county and municipality in which the construction or establishment takes place and are exempt from inspections required under s. 301.36.~~

SECTION 3128dm. 301.046 (3) (intro.) of the statutes is amended to read:

301.046 (3) ELIGIBILITY. (intro.) The department shall determine those prisoners who are confined under sub. (1). A Except as provided in sub. (3m), a prisoner is eligible for this confinement only under all of the following conditions:

SECTION 3128g. 301.046 (3) (a) of the statutes is repealed.

SECTION 3128h. 301.046 (3) (b) of the statutes is renumbered 301.046 (5m) and amended to read:

301.046 (5m) (title) FEE. The prisoner agrees to shall pay any fee charged under s. 301.135 (3).

SECTION 3128hrc. 301.046 (3) (d) of the statutes is amended to read:

301.046 (3) (d) The prisoner is eligible for parole under s. 304.06 (1) (b) or is serving a sentence that is not longer than 3 years.

~~SECTION 3128hr. 301.046 (3) (e) of the statutes is created to read:~~

~~301.046 (3) (e) The department is not prohibited from transferring the prisoner under s. 973.013 (1m) (b).~~

Vetoed
in Part

SECTION 3128hs. 301.046 (3m) of the statutes is created to read:

301.046 (3m) INTENSIVE SANCTIONS PROGRAM PARTICIPANTS. The department may confine any intensive sanctions program participant under sub. (1).

SECTION 3128ht. 301.046 (5) of the statutes is amended to read:

301.046 (5) ELECTRONIC SURVEILLANCE. The department shall monitor any prisoner's confinement under sub. (1) by the use of an electronic device worn continuously on the prisoner's person, except the or by the confinement of the prisoner in supervised places designated by the department. The department may permit the prisoner to leave confinement for employment, education or other rehabilitative activities.

SECTION 3128hv. 301.048 of the statutes is created to read:

301.048 Intensive sanctions program. (1) PROGRAM ADMINISTRATION AND DESIGN. The department shall administer an intensive sanctions program under the charge of the administrator of the division of intensive sanctions. The department shall design the program to provide all of the following:

Vetoed
in Part

(a) Punishment that is less costly than ordinary imprisonment and more restrictive than ordinary probation or parole supervision.

(b) Component phases that are intensive and highly structured.

(c) A series of component phases for each participant that is based on public safety considerations and the participant's needs for punishment and treatment.

(2) **ELIGIBILITY.** A person enters the intensive sanctions program only if he or she has been convicted of a felony and only under one of the following circumstances:

(a) A court sentences him or her to the program under s. 973.032.

(b) He or she is a prisoner serving a felony sentence not punishable by life imprisonment and the department directs him or her to participate in the program.

(c) The parole commission grants him or her parole under s. 304.06 and requires his or her participation in the program as a condition of parole under s. 304.06 (1x).

(d) The department and the person agree to his or her participation in the program as an alternative to revocation of probation or parole.

(3) **COMPONENT PHASES.** (a) The department shall provide each participant with one or more of the following sanctions:

1. Placement in a Type 1 prison or a jail, county reforestation camp, residential treatment facility or community-based residential facility. The department may not place a participant under this paragraph for more than one year or, if applicable, the period specified by the court under s. 973.032 (3) (b), whichever is shorter, except as provided in s. 973.032 (4).

2. Intensive or other field supervision.

3. Electronic monitoring.

4. Alcohol or other drug abuse outpatient treatment and services.

5. Mental health treatment and services.

6. Community service.

7. Restitution.

8. Other programs as prescribed by the department.

(b) The department may provide the sanctions under par. (a) in any order and may provide more than one sanction at a time. Subject to the cumulative time restrictions under par. (a) 1, the department may return to a sanction that was used previously for a participant. A participant is not entitled to a hearing regarding the department's exercise of authority under this subsection unless the department provides for a hearing by rule.

(4) **STATUS.** (a) A participant is in the custody and under the control of the department, subject to its rules and discipline. A participant entering the program under sub. (2) (a) or (b) is a prisoner, except as provided in s. 302.11 (6). A participant entering the program under sub. (2) (c) is a parolee. A participant entering the program under sub. (2) (d) remains a probationer or parolee, whichever is applicable.

(b) The department shall operate the program as a correctional institution. The secretary may allocate and reallocate existing and future facilities as part of

the institution. The institution is subject to s. 301.02 and is a state prison as defined in s. 302.01. Construction or establishment of the institution shall be in compliance with all state laws except s. 32.035 and ch. 91. In addition to the exemptions under s. 13.48 (13), construction or establishment of facilities for the institution are not subject to the ordinances or regulations relating to zoning, including zoning under ch. 91, of the county and municipality in which the construction or establishment takes place and are exempt from inspections required under s. 301.36.

(5) **ESCAPE.** Any intentional failure of a participant to remain within the extended limits of his or her placement under sub. (3) (a) 1 or to return within the time prescribed by the administrator of the division is considered an escape under s. 946.42 (3) (a).

(6) **DISCHARGE.** The department may discharge a participant from participation in the program and from departmental custody and control at any time.

(7) **REIMBURSEMENT.** The department shall provide reimbursement to counties and others for the actual costs incurred under sub. (3), as authorized by the department, from the appropriations under s. 20.410 (1) (ai) and (dt).

(8) **EDUCATION.** The department and the director of state courts shall educate judges, district attorneys, criminal defense attorneys, county sheriffs, jail administrators and members of the public regarding the intensive sanctions program.

(9) **INFORMATION FOR THE SENTENCING COMMISSION.** The department shall provide the sentencing commission with information to assist the commission in promulgating rules under s. 973.011 (2). The department shall charge the commission for the actual costs of providing the information.

(10) **RULES.** The department shall promulgate rules to implement this section.

SECTION 3128i. 301.049 of the statutes is created to read:

301.049 Mother-young child care program. (1) **PROGRAM.** The department shall administer a mother-young child care program allowing females to retain, during participation in the program, the physical custody of their children.

(2) **ELIGIBILITY.** (a) The department shall provide the program for females who are:

1. Prisoners; or

2. On probation or parole and who, if approved by department under par. (b) ~~and~~, would participate in the program as an alternative to revocation of probation or parole.

Vetoed
in Part

(b) A female covered under par. (a) and her child ~~who has not attained the age of 6 years~~ may enter the program if all of the following conditions are met:

Vetoed
in Part

1. The female covered under par. (a) consents to participate.

2. The department approves the female and her ~~child for participation in the program.~~

Vetoed
in Part

Vetoed
in Part

~~(c) A female covered under par. (a) who is pregnant may enter the program if she consents to participate and the department approves her participation in the program.~~

~~(d) In making approval determinations under pars. (b) and (c) among potential participants, the department shall give priority to any potential participant who is pregnant or who has a child who has not attained the age of one year.~~

(3) SERVICES. The department shall do all of the following under the program:

(a) Place program participants in the least restrictive placement consistent with community safety and correctional needs and objectives.

(b) Provide a stable, safe and stimulating environment for each child participating in the program.

Vetoed
in Part

~~(c) Ensure that health care services are provided for each program participant.~~

(d) Provide program services with the goal of achieving a stable relationship between each mother and her child during and after participation in the program.

(e) Prepare each mother to be able to live in a safe, lawful and stable manner in the community upon parole or discharge.

Vetoed
in Part

(4) PURCHASE OF SERVICES. The department shall purchase the services of a private, nonprofit organization to administer the mother-young child care program. The department shall select the organization in accordance with the department's request for proposal procedures.

SECTION 3128km. 301.055 (1) of the statutes is amended to read:

301.055 (1) PRISONER POPULATION LIMIT. Beginning May 1, 1990, there is a prisoner population limit applicable to the number of prisoners at all state prisons. For calculations under this section, the number of prisoners includes all prisoners physically located at a state prison, but does not include any prisoner who is confined in the institution authorized under s. 301.046 (1) or in a Type 2 prison. From May 1, 1990, to May 31, 1991, the prisoner population limit is 6,360 and thereafter the limit is 6,386, except the department may modify the limit by rule to reflect changes in prison population capacity.

SECTION 3128m. 301.09 of the statutes is created to read:

301.09 Grants for pilot programs or demonstration projects. Whenever the department provides a grant after the effective date of this section [revisor inserts date], for a pilot program or demonstration project, the department shall do all of the following:

(1) State on the grant application that the funding for the program or project will be provided by the department once or for a limited period of time, whichever is applicable.

(2) Require the applicant to provide, as part of the grant application, a plan that describes:

(a) How activities funded by the grant will be phased out or how the program or project will be eliminated; or

(b) What other funding sources will be available to support the program or project when state funding is eliminated.

SECTION 3128r. 301.113 of the statutes is created to read:

301.113 Educational disbursements. (1) Following enactment of the executive budget bill or bills under s. 16.47, or any subsequent revision of appropriations to the department that affects educational expenditures, the department shall establish, for each state correctional institution, an authorized level of disbursements by the department for all of the following:

(a) Educational staff salaries and benefits
(b) Contracted educational services
(c) Educational supplies and materials
(d) Capital equipment used for educational programs.

(2) No reallocation of the authorized level of disbursements for the categories of disbursements in sub. (1) (a) to (d), within a state correctional institution or between state correctional institutions, may be made without the prior written approval of the secretary.

(3) The department shall report annually, not later than 90 days after the end of the fiscal year, its total expenditures for all state correctional institutions for the categories of disbursements in sub. (1) (a) to (d). The department shall submit the report to the governor, to the joint committee on finance, and to the chief clerk of each house of the legislature for distribution to the appropriate standing committees under s. 13.172 (3).

SECTION 3128s. 301.13 of the statutes is amended to read:

301.13 Minimum security correctional institutions. The department may establish and operate minimum security correctional institutions. The secretary may allocate and reallocate existing and future facilities as part of these institutions. The institutions are subject to s. 301.02 and are state prisons as defined in s. 302.01. ~~Inmates Except as provided in s. 973.013 (1m)~~ (b) 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 employees of the institutions shall be subject to the same laws as pertain to other penal institutions. ~~Inmates Except as provided in s. 973.013 (1m)~~ (a) inmates shall not be received on direct commitment from the courts. In addition to the exemptions under s. 13.48 (13), construction or establishment of facilities at institutions which are community correctional residential centers initially established prior to July 2, 1983, shall not be subject to the ordinances or regulations relating to zoning, including zoning under ch. 91, of the county and municipality in which the construction or establishment takes place. The department shall establish a

Vetoed
in Part

Vetoed
in Part

Vetoed
in Part

procedure for soliciting responses from interested communities and persons regarding potential sites for the institutions under this section, except the procedure does not apply to the 125-bed community correctional center in the city of Waupun. The department shall consider locations proposed under this procedure and may consider any other locations on its own initiative. The department need not promulgate rules regarding the site consideration procedures under this section.

SECTION 3128sd. 301.132 of the statutes is created to read:

301.132. Minimum security correctional institution; treatment. In addition to the program under s. 302.05, the department shall operate a minimum security institution in the city of Milwaukee to provide treatment for prisoners with alcohol or other drug abuse problems and who are serving sentences that provide imprisonment for not less than 18 months nor more than 42 months. The department shall give priority for transfers to this institution to prisoners with those problems who would transfer directly after initial assessment and evaluation in the correctional system or who have been imprisoned as a result of a probation or parole revocation. In addition, the department shall receive inmates on direct commitment from the courts under s. 973.013 (1m) (a).

SECTION 3128sx. 301.135 of the statutes is amended to read:

301.135 (title) Electronic monitoring. (1) The department may contract with counties to provide electronic monitoring services relating to criminal offenders. The department shall charge a fee to counties for providing these services.

(2) The department may charge a fee to offenders under its supervision to cover the costs associated with electronic monitoring.

(4) The department shall set the fees under this section charged to offenders under subs. (2) and (3) by rule.

SECTION 3128t. 301.135 (3) of the statutes is created to read:

301.135 (3) The department may charge a fee to offenders who are confined under s. 301.046 or who are in the intensive sanctions program under s. 301.048.

SECTION 3128v. 301.14 of the statutes is amended to read:

Vetoed
in Part

301.14 State-local shared correctional facilities. In cooperation with any county or group of counties, the department may contract for the establishment and operation of state-local shared correctional facilities under s. 302.45. Except as provided in s. 302.45 (4), the secretary may allocate and reallocate existing and future facilities as state-local shared correctional facilities. The shared facilities shall be institutions under s. 301.02 and shall be prisons under s. 302.01. Inmates Except as provided in s. 973.013 (1m) (b), inmates

from Wisconsin state prisons may be transferred to these facilities and, except as Except as to any separate rules established in the contract governing a shared facility, these inmates shall be subject to all laws pertaining to inmates of other penal institutions of this state. Officers and employees of the facilities shall be subject to the same laws as pertain to other penal institutions. Inmates may not be received on direct commitment from the courts.

Vetoed
in Part

SECTION 3128vd. 301.16 (title) of the statutes is amended to read:

301.16 (title) Construction or establishment of certain institutions.

SECTION 3128x. 301.16 (1n) of the statutes is created to read:

301.16 (1n) In addition to the institutions under sub. (1), the department shall establish an adult medium security correctional institution located in the town of Brockway in Jackson county.

Vetoed
in Part

SECTION 3129. 301.16 (1o) (c) of the statutes is repealed.

SECTION 3129c. 301.16 (1p) of the statutes is amended to read:

301.16 (1p) Inmates Except as provided in s. 973.013 (1m) (b), inmates from the Wisconsin state prisons may be transferred to the institutions under this section and they shall be subject to all laws pertaining to inmates of other penal institutions of this state. Officers and employees 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.

Vetoed
in Part

SECTION 3129d. 301.18 (1) (bg) of the statutes is created to read:

301.18 (1) (bg) Provide the facilities necessary for 200 beds for the correctional institution under s. 301.132.

SECTION 3129ed. 301.18 (1) (bw) of the statutes is created to read:

301.18 (1) (bw) Provide the facilities necessary for not more than 750 beds at the correctional institution under s. 301.16 (1n).

Vetoed
in Part

SECTION 3130. 301.18 (1) (bx) of the statutes is amended to read:

301.18 (1) (bx) Provide the facilities necessary for the Racine correctional institution under s. 301.16 (1o).

SECTION 3130f. 301.19 (1) (d) of the statutes is amended to read:

301.19 (1) (d) The Kettle Moraine correctional institution shall not exceed a 387-bed capacity. Upon completion of the expansion project authorized in the 1989-91 state building program, the institution shall not exceed a 557-bed capacity. Upon completion of the expansion project authorized in the 1991-93 state building program, the institution shall not exceed a 617-bed capacity.

SECTION 3130g. 301.19 (1) (e) of the statutes is amended to read:

301.19 (1) (e) The Dodge correctional institution shall not exceed a 359-bed capacity. Upon the completion of the expansion project at the institution authorized in the 1991-93 state building program, the institution shall not exceed a 779-bed capacity.

~~SECTION 3130gm. 301.21 (1) (intro.) of the statutes is amended to read:~~

Vetoed
in Part

~~301.21 (1) (intro.) The Except as provided in s. 973.013 (1m) (b), the department may enter into one or more contracts with the state of Minnesota for the transfer and confinement in Minnesota of prisoners who have been committed to the custody of the department. Any such contract shall provide for all of the following:~~

SECTION 3130h. 301.27 (4) of the statutes is amended to read:

301.27 (4) BUTTER AND CHEESE. No butter or cheese not made wholly and directly from pure milk or cream, salt and harmless coloring matter may be used in any of the institutions of the department, except for the institution authorized under s. 301.046 (1) or a Type 2 prison.

Vetoed
in Part

~~SECTION 3130i. 301.28 (2) (c) of the statutes is created to read:~~

~~301.28 (2) (c) The department shall provide training programs under par. (b) in Milwaukee county and the city of Oshkosh.~~

SECTION 3130m. 301.287 of the statutes is created to read:

301.287 Correctional officer overtime. The department shall maintain a central monitoring system to record the amount of overtime worked by correctional officers.

SECTION 3131. 302.01 of the statutes is amended to read:

302.01 State prisons named and defined. The penitentiary at Waupun is named "Waupun Correctional Institution". The correctional treatment center at Waupun is named "Dodge Correctional Institution". The penitentiary at Green Bay is named "Green Bay Correctional Institution". The medium/maximum penitentiary at Portage is named "Columbia Correctional Institution". The medium security institution at Oshkosh is named "Oshkosh 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 medium security penitentiary at Plymouth is named "Kettle Moraine Correctional Institution". The penitentiary at the village of Sturtevant in Racine county is named "Racine Correctional Institution". The resource facility at Oshkosh is named "Wisconsin Resource Center". The institutions named in this section, the

Vetoed
in Part

~~(a) (1a), correctional institution authorized under s.~~

301.046 (1), correctional institution authorized under s. 301.048 (4) (b), minimum security correctional institutions authorized under s. 301.13 ~~or 301.132,~~ and state-local shared correctional facilities when established under s. 301.14, are state prisons.

Vetoed
in Part

SECTION 3131c. 302.02 (4y) of the statutes is created to read:

302.02 (4y) CORRECTIONAL INSTITUTION; INTENSIVE SANCTIONS PROGRAM. For all purposes of discipline and judicial proceedings the correctional institution under s. 301.048 (4) (b) and precincts thereof shall be deemed, as to each inmate, to be in the county in which the inmate is assigned, and the courts of that county shall have jurisdiction of all crimes committed within the same. Every activity conducted under the jurisdiction of and by the institution under s. 301.048 (4) (b) wherever located is a precinct of the institution.

SECTION 3131f. 302.045 (1) of the statutes is amended to read:

302.045 (1) PROGRAM. The department shall provide a challenge incarceration program for inmates selected to participate under sub. (2). The program shall provide participants with strenuous physical exercise, manual labor, personal development counseling, substance abuse treatment and education, military drill and ceremony and counseling in preparation for release on parole. The department shall design the program to include not less than 50 ~~nor more than 75~~ participants at a time and so that a participant may complete the program in not less ~~more~~ than 180 days. The department may restrict participant privileges as necessary to maintain discipline.

SECTION 3131g. 302.045 (2) (intro.) of the statutes is amended to read:

302.045 (2) PROGRAM ELIGIBILITY. (intro.) The Except as provided in sub. (4), the department may place any inmate in the challenge incarceration program if the inmate meets all of the following criteria:

SECTION 3131m. 302.045 (2) (b) of the statutes is amended to read:

302.045 (2) (b) The inmate has not attained the age of 24 ~~30~~, as of the date the inmate will begin participating in the program.

SECTION 3131n. 302.045 (2) (d) of the statutes is amended to read:

302.045 (2) (d) The department determines, during assessment and evaluation, that the inmate has a ~~controlled~~ substance abuse problem.

SECTION 3131p. 302.045 (3) of the statutes is amended to read:

302.045 (3) PAROLE ELIGIBILITY. If Except as provided in sub. (4), if the department determines that an inmate has successfully completed the challenge incarceration program, the parole commission shall parole the inmate under s. 304.06, regardless of the time the inmate has served. When the parole commission grants parole under this subsection, it must require the parolee to participate in an intensive supervision program for drug abusers as a condition of parole.

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SECTION 3131q. 302.045 (4) of the statutes is created to read:

Vetoed
in Part

302.045 (4) INTENSIVE SANCTIONS PROGRAM PARTICIPANTS. The department may place any intensive sanctions program participant in the challenge incarceration program. The participant is not subject to subs. (2) (b) to (e) and (3) but is subject to sub. (2) (a).

Vetoed
in Part

SECTION 3131r. 302.055 of the statutes is amended to read:

302.055 Transfer of inmates to resource center. The department may transfer an inmate from a prison, jail or other criminal detention facility to the Wisconsin resource center if there is reason to believe that the inmate is in need of individualized care. The inmate is entitled to a transfer hearing by the department on the transfer to the Wisconsin resource center.

Vetoed
in Part

SECTION 3131r. 302.06 of the statutes is renumbered 302.06 (1) and amended to read:

302.06 (1) The sheriff shall deliver to the reception center designated by the department every person convicted in the county and sentenced to the Wisconsin state prisons or to the intensive sanctions program as soon as may be after sentence, together with a copy of the judgment of conviction. The warden or superintendent shall deliver to the sheriff a receipt acknowledging receipt of the prisoner person, naming the prisoner person, which receipt the sheriff shall file in the office of the clerk who issued the copy of the judgment of conviction. When transporting or delivering a client the person to any of the Wisconsin state prisons the sheriff shall be accompanied by an adult of the same sex as the client person. If the sheriff and the client person are of the same sex, this requirement shall be deemed is satisfied and a third 3rd person shall is not be required.

Vetoed
in Part

SECTION 3131r. 302.06 (2) of the statutes is created to read:

302.06 (2) The sheriff shall deliver a person sentenced under s. 973.013 (1m) (a) to the correctional institution under s. 301.132 instead of the reception center designated by the department.

SECTION 3131s. 302.11 (1i) of the statutes is created to read:

302.11 (1i) An inmate serving a sentence to the intensive sanctions program is entitled to mandatory release. The mandatory release date under sub. (1) is established at two-thirds of the sentence under s. 973.032 (3) (a).

SECTION 3131t. 302.11 (6) of the statutes is amended to read:

302.11 (6) Any inmate released on parole under sub. (1) or s. 304.02 or 304.06 (1) is subject to all conditions and rules of parole until the expiration of the sentence or until he or she is discharged by the department. Except as provided in ch. 304, releases from

prison shall be on the Tuesday or Wednesday preceding the release date. The department may discharge a parolee on or after his or her mandatory release date or after 2 years of supervision. Any inmate sentenced to the intensive sanctions program who is released on parole under sub. (1) remains in the program unless discharged by the department under s. 301.048 (6).

SECTION 3131r. 302.18 (1) of the statutes is amended to read:

302.18 (1) Inmate. Except as provided in s. 973.013 (1m) (b), inmates of a prison may be transferred and retransferred to another prison by the department.

Vetoed
in Part

SECTION 3132. 302.18 (7) of the statutes is amended to read:

302.18 (7) Except as provided in s. 973.013 (3m), the department of corrections shall keep all prisoners under 16 years of age in secured juvenile correctional facilities, but the department of health and social services, with the concurrence of the department of corrections, may transfer them to adult correctional institutions after they attain 16 years of age.

SECTION 3132f. 302.255 of the statutes is renumbered 302.255 (1).

Vetoed
in Part

SECTION 3132g. 302.255 (2) of the statutes is created to read:

302.255 (2) An inmate who is subject to s. 973.013 (1m) may be transferred under s. 302.25 only as provided in s. 973.013 (1m) (b).

SECTION 3132h. 302.27 of the statutes is amended to read:

302.27 Contracts for temporary housing for prisoners. The department may contract with local governments for temporary housing in county jails or the Milwaukee county house of correction for persons sentenced to imprisonment in state prisons or to the intensive sanctions program. The rate under any such contract may not exceed \$60 per person per day. Nothing in this section limits the authority of the department to place persons in jails under s. 301.048 (3) (a) 1.

SECTION 3132j. 302.31 of the statutes is amended to read:

302.31 Use of jails. The county jail may be used for the detention of persons charged with crime and committed for trial; for the detention of persons committed to secure their attendance as witnesses; to imprison persons committed pursuant to a sentence or held in custody by the sheriff for any cause authorized by law; for the detention of persons sentenced to imprisonment in state penal institutions or the Milwaukee county house of correction, until they are removed to said institutions; for the detention of persons participating in the intensive sanctions program; for the temporary detention of persons in the custody of the department; and for other detentions authorized by law. The county jail may be used for the temporary placement of persons in the custody of the department, and persons who have attained the age of

18 years but have not attained the age of 25 years who are in the legal custody of the department of health and social services under s. 48.355 (4) or 48.366 and who have been taken into custody pending revocation of aftercare under s. 48.357 (5) or 48.366 (5).

SECTION 3132k. 302.33 (1) of the statutes is amended to read:

302.33 (1) The maintenance of persons who have been sentenced to the state penal institutions; persons in the custody of the department, except as provided in sub. (2) and s. 301.048 (7); persons accused of crime and committed for trial; persons committed for the nonpayment of fines and expenses; and persons sentenced to imprisonment therein, while in the county jail, shall be paid out of the county treasury. No claim may be allowed to any sheriff for keeping or boarding any person in the county jail unless the person was lawfully detained therein.

SECTION 3132m. 302.33 (2) (a) 3 of the statutes is amended to read:

302.33 (2) (a) 3. After verification by the department, it shall reimburse the county at a rate of \$36 per person per day prior to January 1, 1993, and \$40 per person per day thereafter, subject to the conditions in subds. 1 and 2. ~~If \$700,000 for fiscal year 1989-90 and \$1,330,700 for fiscal year 1991-92, \$1,475,400 for fiscal year 1992-93 and \$1,620,100 for any fiscal year thereafter is insufficient to provide complete reimbursement at that rate, the department shall prorate the payments to counties for that fiscal year. The department shall not reimburse a county unless that county informs the department of the amount of reimbursement to which it is entitled under this subsection no later than September 1 of the fiscal year following the fiscal year for which reimbursement is requested.~~

SECTION 3132r. 302.335 (2) (b) of the statutes is amended to read:

302.335 (2) (b) The division shall begin a final revocation hearing within ~~60~~ 50 calendar days after the person is detained in the county jail or other county facility. The department may request the division to extend this deadline by not more than ~~7~~ 10 additional calendar days, upon notice to the probationer or parolee, the sheriff or other person in charge of the facility, and the division. The division may grant the request. This paragraph does not apply if the probationer or parolee has waived the right to a final revocation hearing.

SECTION 3133. 302.386 (title) of the statutes is amended to read:

302.386 (title) Medical and dental services for prisoners and forensic patients.

SECTION 3134. 302.386 of the statutes is renumbered 302.386 (1) and amended to read:

302.386 (1) ~~The liability of the state~~ Except as provided in sub. (5), liability for medical and dental services furnished to residents housed in prisons identified in s. 302.01 or in ~~Ethan Allen school or Lincoln Hills school~~ a secured correctional facility as

defined in s. 48.02 (15m) or to forensic patients in state institutions for those services which are not provided by employees of the department shall be limited to the amounts payable under ss. 49.43 to 49.47, except s. 49.468, for similar services. The department may waive any such limit if it determines that needed services cannot be obtained for the applicable amount. No provider of services may bill the resident or patient for the cost of services exceeding the amount of the ~~state's~~ liability under this ~~section~~ subsection.

SECTION 3135. 302.386 (2) to (4) of the statutes are created to read:

302.386 (2) The liability of the state for medical and dental services under sub. (1) does not extend to that part of the medical or dental services of a resident housed in a prison identified in s. 302.01 or in a secured correctional facility as defined in s. 48.02 (15m) for which any of the following applies:

(a) The resident has the financial ability to pay.

(b) The service is payable under any of the following:

1. A disability insurance policy under subch. VI of ch. 632.

2. Worker's compensation under ch. 102.

3. Benefits from the state department of veterans affairs or the federal department of veterans affairs.

4. Hill-Burton benefits under 42 USC 291c (e).

5. Medicare benefits under 42 USC 1395 to 1395ccc, as limited by 42 USC 402 (x).

6. Third-party liability other than that in subds. 1 to 5.

(3) The department may require a resident housed in a prison identified in s. 302.01 or in a secured correctional facility as defined in s. 48.02 (15m) who earns wages during residency and who receives medical or dental services to pay a deductible, coinsurance, copayment or similar charge upon the medical or dental service that he or she receives. The department shall collect the allowable deductible, coinsurance, copayment or similar charge. No provider of services may deny care or services because the resident is unable to pay the applicable deductible, coinsurance, copayment or similar charge, but an inability to pay these charges does not relieve the resident of liability for the charges unless the department excepts or waives the liability under criteria that the department shall establish by rule.

(4) The department shall promulgate rules to establish all of the following:

(a) The specific medical or dental services on which a deductible, coinsurance, copayment or similar charge may be imposed under sub. (3).

(b) The amounts of deductibles, coinsurances, copayments or similar charges that may be imposed on the medical or dental services under par. (a).

SECTION 3136. 302.386 (5) of the statutes is created to read:

302.386 (5) The state is not required to provide medical or dental services to any of the following:

(a) Any prisoner who is confined in the institution authorized in s. 301.046 (1).

(b) Any participant in the intensive sanctions program under s. 301.048 unless he or she is imprisoned in a Type 1 prison other than the institution authorized in s. 301.046 (1).

SECTION 3136m. 302.425 (2m) of the statutes is created to read:

302.425 (2m) INTENSIVE SANCTIONS PROGRAM PARTICIPANTS. Notwithstanding the agreement requirements under sub. (3), the department may place any intensive sanctions program participant in a home detention program.

Vetoed in Part SECTION 3136n. 302.45 (1) of the statutes is amended to read:

302.45 (1) The department and any county or group of counties may contract for the cooperative establishment and use of state-local shared correctional facilities. Inmates Except as provided in s. 973.013 (1m) (b), inmates sentenced to the Wisconsin state prisons, a county jail, a county reforestation camp or a county house of correction may be transferred to a shared facility by the department, sheriff or superintendent, respectively, under the agreement covering use of the facility. Any inmate confined in a state-local shared correctional facility shall be deemed to be serving time in the penal institution to which he or she was sentenced and shall be eligible to earn good time credit against his or her sentence as provided under ss. 302.11, 302.12, 302.43, 303.07 and 303.19 for that institution.

SECTION 3137. 303.015 (3) of the statutes is amended to read:

303.015 (3) In this section, "prison industries" does not include any prison correctional farm operation.

SECTION 3138. 303.04 (title) of the statutes is amended to read:

303.04 (title) Correctional farms.

SECTION 3138m. 303.065 (4) (b) of the statutes is amended to read:

303.065 (4) (b) The wages of inmates gainfully employed shall be collected by the prison responsible for his or her care. Such The wages are not subject to garnishment either in the hands of the employer or the prison during the inmate's term and shall be disbursed only as provided in this section, but for tax purposes they are income of the prisoner. This paragraph does not apply to wages of inmates participating in the intensive sanctions program.

SECTION 3139. 303.069 of the statutes is created to read:

303.069 Correctional institution enterprises; activities of inmates. The department shall record the source of all moneys received under s. 20.410 (1) (kc), crediting each amount received to the institution

where the inmate activity occurred. The department shall allocate moneys under s. 20.410 (1) (kc) so that the allocation of each institution does not exceed its credit.

SECTION 3139c. 304.02 (4) of the statutes is created to read:

304.02 (4) Notwithstanding subs. (1) to (3), if a person is sentenced under s. 973.032, he or she is not eligible for a release to parole supervision under this section.

SECTION 3139e. 304.06 (1) (b) of the statutes is amended to read:

304.06 (1) (b) Except as provided in sub. (1m) or s. 161.49 (2) ~~or~~, 302.045 (3) or 973.032 (5), the parole commission may parole an inmate of the Wisconsin state prisons or any felon or any person serving at least one year or more in the Milwaukee county house of correction or a county reforestation camp organized under s. 303.07, when he or she has served 25% of the sentence imposed for the offense, or 6 months, whichever is greater. Except as provided in s. 973.014, the parole commission may parole an inmate serving a life term when he or she has served 20 years, as modified by the formula under s. 302.11 (1) and subject to extension using the formulas under s. 302.11 (2). The person serving the life term shall be given credit for time served prior to sentencing under s. 973.155, including good time under s. 973.155 (4). The secretary may grant special action parole releases under s. 304.02. The department or the parole commission shall not provide any convicted offender or other person sentenced to the department's custody any parole eligibility or evaluation until the person has been confined at least 60 days following sentencing.

SECTION 3139f. 304.06 (1) (c) 1 of the statutes is amended to read:

304.06 (1) (c) 1. The office of the judge court that participated in the trial or that accepted the inmate's plea of guilty or no contest, whichever is applicable.

SECTION 3139g. 304.06 (1m) of the statutes is renumbered 304.06 (1m) (intro.) and amended to read:

304.06 (1m) (intro.) The parole commission may waive the 25% or 6-month service of sentence requirement under sub. (1) (b) if under any of the following circumstances:

(a) If it determines that extraordinary circumstances warrant an early release and the sentencing court has been notified and permitted to comment upon the proposed recommendation.

SECTION 3139m. 304.06 (1m) (b) of the statutes is created to read:

304.06 (1m) (b) If the department recommends that the person be placed on parole that includes the condition under sub. (1x) and the commission orders that condition.

SECTION 3139r. 304.06 (1x) of the statutes is created to read:

304.06 (1x) The parole commission may require as a condition of parole that the person is placed in the intensive sanctions program under s. 301.048. In that case, the person is in the legal custody of the department under that section and is subject to revocation of parole under sub. (3).

SECTION 3139v. 304.071 (2) of the statutes is amended to read:

304.071 (2) If a prisoner is not eligible for parole under s. 161.49 (2) or s. 973.032 (5), he or she is not eligible for parole under this section.

SECTION 3139w. 340.01 (2g) of the statutes is amended to read:

340.01 (2g) "All-terrain vehicle" means an engine-driven device which has a net weight of ~~500~~ 650 pounds or less, which has a width of ~~46~~ 48 inches or less, which is equipped with a seat designed to be straddled by the operator and which is designed to travel on 3 or more low-pressure tires. A low-pressure tire is a tire which has a minimum width of 6 inches, which is designed to be mounted on a rim with a maximum diameter of 12 inches and which is designed to be inflated with an operating pressure not to exceed 6 pounds per square inch as recommended by the manufacturer.

SECTION 3140. 340.01 (9r) (b) of the statutes is created to read:

340.01 (9r) (b) An adjudication of having violated a law enacted by a federally recognized American Indian tribe or band in this state.

SECTION 3142c. 340.01 (48m) of the statutes is amended to read:

340.01 (48m) "Record of conviction" means a report of conviction furnished to the department by a federally recognized American Indian tribe or band in this state or by another jurisdiction or as required by chs. 340 to 349 and 351.

SECTION 3142g. 341.04 (1) (intro.) of the statutes is amended to read:

341.04 (1) (intro.) It is unlawful for any person to operate or for an owner to consent to being operated on any highway of this state any motor vehicle, mobile home, trailer or semitrailer or any other vehicle for which a registration fee is specifically prescribed unless at the time of operation the vehicle in question either is registered in this state, or, except for registration under s. 341.30 or 341.305, a complete application for registration, including evidence of any test or inspection under s. 110.20 when required, accompanied by the required fee has been delivered to the department or deposited in the mail properly addressed with postage prepaid, or is exempt from registration.

SECTION 3142j. 341.05 (19) of the statutes is amended to read:

341.05 (19) Is a motor vehicle last previously registered in another jurisdiction or a repaired salvage vehicle operated to or from a location where it is to be inspected as required by ss. 342.06 (1) (g) and 342.07,

or an unregistered vehicle operated to or from a location where it is to be tested or inspected as required by s. 110.20.

~~SECTION 3143m. 341.08 (1m) of the statutes is created to read:~~

~~341.08 (1m) The forms for application for original registration and for renewal of registration under sub. (1) shall include a place for an applicant who is a natural person to designate that the applicant's name and address may not be disclosed under s. 341.17 (9) and a statement indicating the effect of making such a designation.~~

SECTION 3144d. 341.09 (5) of the statutes is amended to read:

341.09 (5) The department may issue a temporary operation permit or plate which is valid for a period of 30 days upon request of the owner of a vehicle which is subject to the annual emission test or inspection required by s. 110.20 (6). The department shall charge a fee of \$3 for each temporary operation permit or plate issued under this subsection. The department shall determine the size, color, design, form and specification of the plate.

SECTION 3144dm. 341.10 (10) of the statutes is amended to read:

341.10 (10) The vehicle is required to be tested or inspected under s. 110.20 (6) and:

(a) The vehicle has not been tested or inspected; or

(b) The most recent test or inspection of the vehicle under s. 110.20 (6) indicates noncompliance ~~with one or more applicable emissions limitations~~ unless the department has issued a temporary waiver certificate under s. 110.20 (10) (b) or a waiver of compliance under s. 110.20 (13).

~~SECTION 3144dx. 341.10 (14) of the statutes is amended to read:~~

~~341.10 (14) After December 31, 1993, the vehicle has a mobile air conditioner, as defined in s. 100.45 130.33 (1) (b), the distribution of which in this state would be prohibited under s. 100.45 130.33 (2).~~

~~SECTION 3144dv. 341.13 (1) (c) of the statutes is amended to read:~~

~~341.13 (1) (c) The registration number, including the prefix which may consist of one or more letters, shall be located prominently in the center of the plate and shall be at least 3 inches high and of a clearly distinguishable design and, except for personalized registration plates having 7 positions under s. 341.145 (1) (a) or (b), shall be at least 3 inches high.~~

SECTION 3144dx. 341.14 (1e) (a) of the statutes is amended to read:

341.14 (1e) (a) Whenever any resident of this state, who is registering or has registered a motorcycle, submits a statement from a physician licensed to practice medicine in any state, from a chiropractor licensed to practice chiropractic in any state ~~or~~, from a Christian Science practitioner residing in this state and listed in the Christian Science journal or from the U.S. depart-

Vetoed
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in Part

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in Part

ment of veterans affairs certifying to the department that the resident is disabled so as not to be able to get about without great difficulty or temporarily physically disabled by any physical condition that renders the person unable to walk or unable to walk without great difficulty, the department shall procure, issue and deliver to the disabled person a plate of a special design in lieu of the plate which ordinarily would be issued for the motorcycle. The ~~physician's, chiropractor's or practitioner's~~ statement shall state whether the disability is permanent or temporary and, if temporary, the opinion of the physician, chiropractor or practitioner or U.S. department of veterans affairs as to the duration of the disability. The plate shall be so designed as to readily apprise law enforcement officers of the fact that the motorcycle is owned by a 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 plate.

Vetoed
in Part

~~SECTION 3144s. 341.145 (1) (a) of the statutes is amended to read:~~

~~341.145 (1) (a) A registration plate for an owned automobile or station wagon or a motor home registered for an annual registration period under s. 341.29 or 341.295 or a motorcycle or a motor truck, dual purpose motor home or dual purpose farm truck which has a gross weight of not more than 8,000 pounds, or a farm truck which has a gross weight of not more than 12,000 pounds, which displays a registration number composed of letters or numbers, or both, requested by the applicant. Personalized registration plates under this paragraph shall be of the same color and design as regular registration plates and shall consist of numbers or letters, or both, not exceeding 5 positions and not less than one position for a plate issued for a motorcycle or not exceeding 6 7 positions and not less than 2 positions for all other plates.~~

~~SECTION 3144f. 341.145 (1) (b) of the statutes is amended to read:~~

~~341.145 (1) (b) A registration plate of the same color and design as provided in s. 341.14 (6m) for an owned automobile, station wagon or motor truck having a gross weight of not more than 8,000 pounds, which displays a registration number composed of letters or numbers, or both, not exceeding 6 7 positions and not less than 2 positions, requested by the applicant.~~

SECTION 3144i. 341.145 (3) of the statutes is amended to read:

341.145 (3) In addition to the regular application fee provided under s. 341.25 (1) (a), (c) or (j) or (2) or 341.26 (3) (a) 2 or (am), the applicant for a personalized registration plate issued on an annual basis shall pay a fee of \$40 \$15 for the issuance of the plate and \$40 \$15 in each succeeding year to maintain the plate. In addition to the regular application fee provided under s. 341.25 (1) (b) or 341.26 (3) (a) 1, the applicant for a personalized registration plate issued on a bien-

nial basis shall pay a fee of ~~\$20~~ \$30 for issuance of the plate if the plate is issued during the first year of the biennial registration period or ~~\$10~~ \$15 for issuance of the plate if the plate is issued during the 2nd year of the biennial registration period. The fee to maintain a personalized plate issued on a biennial basis is ~~\$20~~ \$30. The fee for reissuance of a personalized plate shall be ~~\$10~~ \$15 for an annual registration and ~~\$20~~ \$30 for a biennial registration. An applicant for personalized plates issued under sub. (1) (b) or (c) shall not be required to pay the fee for initial issuance of the plates.

~~SECTION 3144h. 341.17 (9) of the statutes is created to read:~~

~~341.17 (9) In providing copies under this section of s. 19.35, of any written information collected or prepared under this chapter or ch. 342 which consists in whole or in part of the names and addresses of 10 or more persons, the department may not disclose the name or address of any person who has made a designation under s. 341.08 (1m) that his or her name and address not be released under this subsection. This subsection does not apply to the provision of information to a person receiving a registration list under sub. (4), a person sold registration information used to conduct a vehicle recall by the manufacturer of the vehicle or other persons specified by the department by rule.~~

SECTION 3144q. 341.25 (1) (a) of the statutes is amended to read:

341.25 (1) (a) For each automobile or station wagon, a fee of \$25 \$40, except that an automobile registered in this state prior to September 1, 1947, at a fee of less than \$18 shall be registered at such lesser fee plus an additional fee of \$2.

SECTION 3144r. 341.25 (1) (b) of the statutes is amended to read:

341.25 (1) (b) For each motorcycle or moped with a curb weight of 1,499 pounds or less, except a specially designed vehicle under s. 341.067, which is designed for the transportation of persons rather than property, a biennial fee of \$14 \$20. Registration plates issued under this paragraph expire on April 30 of even-numbered years.

SECTION 3144s. 341.25 (1) (j) 1 to 7 of the statutes are amended to read:

341.25 (1) (j) 1. Not more than 5,000	\$ 30 <u>45</u>
2. Not more than 8,000	36 <u>51</u>
3. Not more than 12,000	48 <u>63</u>
4. Not more than 16,000	60 <u>75</u>
5. Not more than 20,000	72 <u>87</u>
6. Not more than 26,000	84 <u>99</u>
7. More than 26,000	96 <u>111</u>

SECTION 3144t. 341.25 (2) (a) to (c) of the statutes are amended to read:

341.25 (2) (a) Not more than 4,500	\$ 30 <u>45</u>
(b) Not more than 6,000	42 <u>57</u>

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(c) Not more than 8,000 57 72
SECTION 3144u. 341.25 (2) (cm) of the statutes is created to read:

341.25 (2) (cm) Not more than 10,000..... 111

SECTION 3144v. 341.25 (2) (d) to (k) of the statutes are amended to read:

341.25 (2) (d) Not more than 12,000 135 150

(e) Not more than 16,000 186 203

(f) Not more than 20,000..... 234 255

(g) Not more than 26,000 312 340

(h) Not more than 32,000 400 436

(i) Not more than 38,000 507 552

(j) Not more than 44,000 605 659

(k) Not more than 50,000 699 761

SECTION 3144w. 341.25 (2) (km) of the statutes is created to read:

341.25 (2) (km) Not more than 54,000 812

SECTION 3144x. 341.25 (2) (L) to (q) of the statutes are amended to read:

341.25 (2) (L) Not more than 56,000..... 794 865

(m) Not more than 62,000 898 978

(n) Not more than 68,000 1014 1,104

(o) Not more than 73,000 1153 1,256

(p) Not more than 76,000 1367 1,489

(q) Not more than 80,000 1682 1,832

SECTION 3145. 341.255 (title) of the statutes is amended to read:

341.255 (title) Registration certificate special handling; counter service and telephone transaction fees.

SECTION 3146. 341.255 (3) of the statutes is created to read:

341.255 (3) If the department permits the renewal of a previous year's registration by telephone with use of a credit card, the department shall charge a fee to be established by rule for each transaction. The fee shall approximate the cost to the department for providing this service to persons so requesting.

SECTION 3146d. 341.26 (2m) (a) of the statutes is amended to read:

341.26 (2m) (a) A fee of \$5 shall be paid to the department for the original issuance of a registration plate for any vehicle owned by this state or by any county or municipality or federally recognized Indian tribe or band in this state and operated exclusively, except for operation under s. 20.916 (7), in the public service by such state, county, municipality, Indian tribe or band. The registration shall be valid while the vehicle is owned and operated by the registrant and the registrant complies with s. 110.20 (6) ~~(intro.) and (b).~~

SECTION 3146dm. 341.26 (3) (g) 3m of the statutes is created to read:

341.26 (3) (g) 3m. Not more than 10,000 56

SECTION 3146e. 341.26 (3) (g) 11m of the statutes is created to read:

341.26 (3) (g) 11m. Not more than 54,000..... 424

SECTION 3146g. 341.63 (1) (e) of the statutes is amended to read:

341.63 (1) (e) The licensee of a vehicle registered under s. 341.26 (2m) (a) has not complied with the ~~annual emission test or inspection requirements of s. 110.20 (6) (intro.) and (b).~~

SECTION 3148. 342.06 (1) (g) of the statutes is amended to read:

342.06 (1) (g) If the vehicle is a used motor vehicle which was last previously registered in another jurisdiction, the applicant shall furnish any certificate of ownership issued by the other jurisdiction and a statement pertaining to the title history and ownership of such motor vehicle, such statement to be in the form the department prescribes, and shall furnish a certification by a ~~law enforcement officer or by an employee person~~ designated by the department by rule to the effect that the physical description of the motor vehicle has been checked and conforms to the description given in the application.

SECTION 3148j. 342.12 (3) (a) of the statutes is amended to read:

342.12 (3) (a) The applicant is a dealer licensed under s. 218.01 or 218.11 and is financially responsible as substantiated by the last financial statement on file with the ~~department~~ licensor, a finance company licensed under s. 138.09 or 218.01, a bank organized under the laws of this state, or a national bank located in this state; or

SECTION 3151c. 343.01 (2) (cg) of the statutes is amended to read:

343.01 (2) (cg) "Moving violation" means a violation of ch. 110, of ch. 194 or of chs. 341 to 349 and 351, or a local ordinance in conformity therewith or a law of a federally recognized American Indian tribe or band in this state in conformity with one or more provisions of ch. 110, of ch. 194 or of chs. 341 to 349 and 351, or the laws of another jurisdiction for which being on duty time with respect to a commercial motor vehicle or driving or operating a motor vehicle is an element of the offense.

SECTION 3152c. 343.03 (8) (c) 4 of the statutes, as affected by 1991 Wisconsin Act 12, is amended to read:

343.03 (8) (c) 4. Was convicted of a violation of a law of this state, or a local ordinance in conformity therewith or a law of a federally recognized American Indian tribe or band in this state in conformity with a law of this state, or any law of another jurisdiction relating to motor vehicle traffic control, other than a parking violation, arising in connection with any traffic accident.

SECTION 3153c. 343.05 (5) (b) 1 of the statutes is amended to read:

343.05 (5) (b) 1. Except as provided in subd. 2 and sub. (6), any person who violates sub. (3) (a) may be required to forfeit not more than \$200 for the first offense, may be fined not more than \$300 and impris-

oned for not more than 30 days for the 2nd offense occurring within 3 years, and may be fined not more than \$500 and imprisoned for not more than 6 months for the 3rd or subsequent offense occurring within 3 years. A violation of a local ordinance in conformity with this section or a violation of a law of a federally recognized American Indian tribe or band in this state in conformity with this section shall count as a previous offense.

SECTION 3155c. 343.055 (1) (a) of the statutes is amended to read:

343.055 (1) (a) *General.* Except as provided in ~~sub-~~ subs. (3) and (4) and notwithstanding s. 343.05 (2), operators of certain commercial motor vehicles specified in pars. (b) to ~~(d)~~ (e) are not required to hold commercial driver licenses, if the operator holds a valid operator's license not limited to "Class M" vehicles.

SECTION 3155e. 343.055 (1) (e) of the statutes is created to read:

343.055 (1) (e) *County correctional officers.* The operator of the commercial motor vehicle is a person employed as a correctional officer by a county and the person is operating the commercial motor vehicle to transport prisoners.

SECTION 3155i. 343.055 (4) of the statutes is amended to read:

343.055 (4) EFFECT OF WAIVERS. The waivers under this section shall apply to the extent permitted under federal law and shall exempt a person only from the requirement in s. 343.05 (2) to hold a commercial driver license to operate a commercial motor vehicle upon a highway in this state. A commercial motor vehicle operated under this waiver remains a commercial motor vehicle.

SECTION 3157c. 343.085 (4) of the statutes is amended to read:

343.085 (4) The secretary may require that a person be continued on probationary status beyond the period of first issuance if such person appears by the records of the department to have repeatedly violated any of the state traffic laws or any local ordinance in conformity therewith or any law of a federally recognized American Indian tribe or band in this state in conformity with any of the state traffic laws. A person may not be continued on probationary status due to a suspension under s. 343.30 (6).

SECTION 3158. 343.10 (1) (a) of the statutes is amended to read:

343.10 (1) (a) If a person's license or operating privilege is revoked or suspended under this chapter or s. 161.50 and if the person is engaged in an occupation, including homemaking or full-time or part-time study, or a trade making it essential that he or she operate a motor vehicle, the person, after payment of the fee provided in sub. (6), may file a petition setting forth in detail the need for operating a motor vehicle.

SECTION 3159. 343.10 (5) (b) of the statutes is amended to read:

343.10 (5) (b) *Limitations.* Occupational licenses are subject to the limitations specified in ss. 161.50, 343.30 (1q) (b) and (h), 343.305 (8) (d) and (10) (b) and (em) and, 343.31 (3m) and 343.32 (1m).

SECTION 3160c. 343.12 (2) (d) of the statutes is repealed and recreated to read:

343.12 (2) (d) Notwithstanding ss. 111.321, 111.322 and 111.335, has not been convicted of reckless driving under s. 346.62 or a local ordinance in conformity with s. 346.62 (2) or a law of a federally recognized American Indian tribe or band in this state in conformity with s. 346.62 (2), operating a motor vehicle while under the influence of an intoxicant or of a controlled substance under s. 346.63 (1) or (5) or a local ordinance in conformity therewith or a law of a federally recognized American Indian tribe or band in this state in conformity with s. 346.63 (1) or (5), a violation of s. 346.63 (2) or (6), a violation of s. 346.63 (1m), 1985 stats., a refusal to submit to testing under s. 343.305 (9) (d) or any of the offenses enumerated under s. 343.31 (1) or (2), or 2 or more offenses under s. 346.63 (7) or a local ordinance in conformity therewith or a law of a federally recognized American Indian tribe or band in this state in conformity with s. 346.63 (7), or a conviction of a law of another jurisdiction, as those terms are defined in s. 340.01 (9r) and (41m), respectively, which would be counted under s. 343.307 or a law prohibiting reckless or careless driving, as those or substantially similar terms are used in that jurisdiction's laws, within the 2-year period immediately preceding the date of application. Upon request of the operator or school, the department shall certify whether the operator meets this requirement.

SECTION 3161c. 343.12 (2) (e) of the statutes is amended to read:

343.12 (2) (e) Subject to ss. 111.321, 111.322 and 111.335, has not been convicted of a felony or offense against public morals in this state, including a conviction under the law of a federally recognized American Indian tribe or band in this state for an offense which, if the person had been convicted of the offense under the laws of this state, would have constituted a felony or offense against public morals, or in another jurisdiction, within the past 5 years.

~~SECTION 3161L. 343.14 (2) (h) and (i) 2 of the statutes are amended to read:~~

~~343.14 (2) (h) A certification by the applicant that the motor vehicle in which the person takes the driving skills test is a representative vehicle of the vehicle group that the person operates or expects to operate, and~~

~~(i) 2. Meets all of the driver qualifications for drivers in intrastate commerce as established by the department by rule and is applying for a commercial driver license valid only in this state for noninterstate operation, and~~

Vetoed
in Part

Vetoed in Part SECTION 3161u. 343.14 (2) (j) of the statutes is created to read:

343.14 (2) (j) A place for the applicant to designate that his or her name may not be disclosed, as provided under s. 343.235, or that his or her address not be disclosed as provided under s. 343.235 or 343.24 (1) or (2m) and a statement indicating the effect of making such a designation.

SECTION 3162c. 343.16 (5) (a) of the statutes is amended to read:

343.16 (5) (a) The secretary may require any applicant for a license or any licensed operator to submit to a special examination by such persons or agencies as the secretary may direct to determine incompetency, physical or mental disability, disease or any other condition which might prevent such applicant or licensed person from exercising reasonable and ordinary control over a motor vehicle. When the department requires the applicant to submit to an examination, the applicant shall pay the cost thereof. If the department receives an application for a renewal or duplicate license after voluntary surrender under s. 343.265 or receives a report from a physician or optometrist under s. 146.82 (3), or if the department has a report of 2 or more arrests within a one-year period for any combination of violations of s. 346.63 (1) or (5), or a local ordinance in conformity therewith or a law of a federally recognized American Indian tribe or band in this state in conformity with s. 346.63 (1) or (5), or s. 346.63 (1m), 1985 stats., or s. 346.63 (2) or (6) or 940.25, or s. 940.09 where the offense involved the use of a vehicle, the department shall determine, by interview or otherwise, whether the operator should submit to an examination under this section. The examination may consist of an assessment. If the examination indicates that education or treatment for a disability, disease or condition concerning the use of alcohol or a controlled substance is appropriate, the department may order a driver safety plan in accordance with s. 343.30 (1q). If there is noncompliance with assessment or the driver safety plan, the department shall suspend the person's operating privilege in the manner specified in s. 343.30 (1q) (d).

SECTION 3163. 343.19 (1) of the statutes is amended to read:

343.19 (1) If a license issued under this chapter or an identification card issued under s. 343.50 is lost or destroyed or the name or address named in the license or identification card is changed, the person to whom the license or identification card was issued may obtain a duplicate thereof or substitute therefor upon furnishing proof satisfactory to the department of name, date and place of birth and that the license or identification card has been lost or destroyed or that application for a duplicate license or identification card is required under s. 343.22 being made for a change of address or name. If the original license or identification card is found it shall immediately be transmitted to the department. Duplicates of

nonphoto licenses shall be issued as nonphoto licenses.

SECTION 3163r. 343.21 (1) (a) of the statutes is amended to read:

343.21 (1) (a) For the initial issuance ~~or renewal~~ of a license authorizing only the operation of ~~'Class D'~~ "Class D" motor vehicles, ~~\$9~~ \$15.

SECTION 3163s. 343.21 (1) (am) of the statutes is created to read:

343.21 (1) (am) For the renewal of a license authorizing only the operation of "Class D" motor vehicles, \$10.

SECTION 3163w. 343.21 (1) (i) of the statutes is amended to read:

343.21 (1) (i) For an instruction permit, ~~\$15~~ \$20.

SECTION 3164. 343.21 (1) (j) of the statutes is amended to read:

343.21 (1) (j) ~~For~~ Except as provided in sub. (3), for reinstatement of a license previously revoked or suspended, \$50.

SECTION 3164m. 343.21 (2) (a) of the statutes is amended to read:

343.21 (2) (a) In addition to the fees set under sub. (1), any applicant whose application for a permit, license, upgrade or endorsement, taken together with the applicant's currently valid license, if any, requires the department to administer a driving skills test of the applicant's ability to exercise ordinary and reasonable control in the operation of a motor vehicle shall pay to the department an examination fee of \$20 for an examination in a commercial motor vehicle other than a school bus and ~~\$5~~ \$10 for an examination in any other vehicle. Payment of the examination fee entitles the applicant to not more than 3 tests of the applicant's ability to exercise reasonable control in the operation of a motor vehicle. If the applicant does not qualify for issuance of a license, upgraded license or endorsement in 3 such tests, then a 2nd examination fee in the same amount shall be paid, which payment entitles the applicant to not more than 3 additional tests.

SECTION 3164p. 343.21 (2) (b) of the statutes is amended to read:

343.21 (2) (b) The operator shall pay to the department an examination fee of ~~\$5~~ \$10 for conducting the special examination requested under s. 121.555 (2) (cm), except that if the examination is in a commercial motor vehicle other than a school bus the fee is \$20. Payment of the examination fee entitles the person to not more than 3 tests of the person's ability to safely operate the vehicle proposed to be used under s. 121.555 (1) (a). If the applicant does not pass the examination for safe operation of the vehicle in 3 such tests, then a 2nd examination fee in the same amount shall be paid, which payment entitles the person to not more than 3 additional tests.

SECTION 3165. 343.21 (3) of the statutes is created to read:

343.21 (3) If an automatic reinstatement assessment was imposed under s. 345.54 (1), the person's license that was previously suspended shall be reinstated under s. 343.39 (1) (a) without payment of the fee specified in sub. (1) (j). This subsection does not apply to reinstatement of a person's license that was previously suspended if the court has forwarded to the department under s. 345.48 (4) a certificate showing that a notice of appeal from the conviction that resulted in suspension of the person's operating privilege under s. 343.30 has been taken.

SECTION 3166c. 343.22 (2) of the statutes is renumbered 343.22 (2) (intro.) and amended to read:

343.22 (2) (intro.) Whenever any person, after applying for or receiving a license containing a photograph under this chapter, or an identification card under s. 343.50, moves from the address named in the application or in the license or identification card issued to him or her or is notified by the local authorities or by the postal authorities that the address so named has been changed, the person shall, within 10 days thereafter, apply do one of the following:

(a) Apply for a duplicate license or identification card showing on the application the correct name and address. The licensee or identification card holder shall return the current license or identification card to the department along with the application for duplicate. If the licensee also holds any license not containing a photograph, the licensee shall endorse the new address on the license as provided in sub. (1).

SECTION 3166d. 343.22 (2) (b) of the statutes is created to read:

343.22 (2) (b) In lieu of applying for a duplicate license or identification card, notify the department in writing of his or her change of address. This paragraph does not apply to persons issued a commercial driver license or a license labeled "CDL-Occupational" as described in s. 343.03 (3) (b) and (e).

SECTION 3167. 343.22 (2m) of the statutes is amended to read:

343.22 (2m) Whenever any person, after applying for or receiving a license containing a photograph under this chapter, or an identification card under s. 343.50, is notified by the local authorities or by the postal authorities that the address named in the application or in the license or identification card issued to him or her has been changed, and the person shall, within 10 days thereafter, apply applies for a duplicate license or identification card showing on the application the correct name and address. The licensee or identification card holder shall return the current license or identification card to the department along with the application for duplicate. If the licensee also holds any license not containing a photograph, the licensee shall endorse the new address on the license as provided in sub. (1). Notwithstanding ss. 343.21 (1) (L) and 343.50 (7) under sub. (2), no fee shall be charged under s. 343.21 (1) (L) or 343.50 (7) for a the

duplicate license or identification card issued under this subsection.

~~SECTION 3167. 343.235 of the statutes is created to read:~~

~~343.235 Access to license records. In providing copies, under s. 19.35, of any written information collected or prepared under this chapter which consists in whole or in part of the names and addresses of 10 or more persons, the department may not disclose the name or address of any person who has made a designation under s. 343.14 (2) (j) that his or her name and address not be released under this section. This paragraph does not apply to the provision of information to a court, district attorney, county corporation counsel, city, village or town attorney, law enforcement agency or other persons specified by the department by rule.~~

Vetoed
in Part

~~SECTION 3167L. 343.24 (4) of the statutes is created to read:~~

~~343.24 (4) In furnishing any operating record to a person under sub. (1) or (2m), the department may not disclose the address of any person who has made a designation under s. 343.14 (2) (j) that his or her address not be released under sub. (1) or (2m). This paragraph does not apply to the provision of information to a court, district attorney, county corporation counsel, city, village or town attorney, law enforcement agency or other persons specified by the department by rule.~~

SECTION 3168c. 343.245 (2) (a) of the statutes is amended to read:

343.245 (2) (a) *Notification of convictions.* 1. To state. A person, after applying for or receiving a commercial driver license issued by this state, who is convicted of violating in a motor vehicle any law of this state or local ordinance adopted in conformity therewith or a law enacted by a federally recognized American Indian tribe or band in this state which is in conformity with any law of this state, or the law of another jurisdiction, relating to motor vehicle traffic control, other than parking violations, shall notify the department of the conviction in the manner specified by the department within 30 days after the date of conviction.

2. To employers. An employee, after applying for or receiving a commercial driver license issued by this state, who is convicted of violating in a motor vehicle any law of this state or local ordinance adopted in conformity therewith or a law enacted by a federally recognized American Indian tribe or band in this state which is in conformity with any law of this state, or the law of another jurisdiction, relating to motor vehicle traffic control, other than parking violations, shall notify his or her current employer in writing of the conviction within 30 days after the date of conviction.

SECTION 3169c. 343.30 (1q) (b) 1 of the statutes is amended to read:

343.30 (1q) (b) 1. The court shall suspend or revoke the person's operating privilege under this paragraph according to the number of previous improper refusals under s. 343.305 (9) (d) or convictions under s. 346.63 (1), or a local ordinance in conformity therewith or a law of a federally recognized American Indian tribe or band in this state in conformity with s. 343.305 (9) (d) or 346.63 (1), or s. 346.63 (1m), 1985 stats., or s. 346.63 (2) or 940.25, or s. 940.09 where the offense involved the use of a vehicle. Refusals and convictions arising out of the same incident shall be counted as one. If a person has a conviction for any offense under a local ordinance in conformity with s. 346.63 (1) (a) or (b) or both, or under a law of a federally recognized American Indian tribe or band in this state in conformity with s. 346.63 (1) (a) or (b) or both, or under the law of another jurisdiction that prohibits refusal of chemical testing or use of a motor vehicle while intoxicated or under the influence of alcohol, a controlled substance or a combination thereof, or with an excess or specified range of alcohol concentration, or under the influence of any drug to a degree that renders the person incapable of safely driving, as those or substantially similar terms are used in that jurisdiction's laws, that conviction shall count as a prior conviction under this subdivision.

SECTION 3170. 343.30 (4) of the statutes is renumbered 343.30 (4) (a) and amended to read:

343.30 (4) (a) Whenever a court or judge ~~suspends or~~ suspends or revokes an operating privilege under this section, the court or judge shall immediately take possession of any ~~suspended or~~ suspended or revoked license and shall forward it as provided in s. 345.48 to the department together with the record of conviction and notice of ~~suspension or~~ suspension or revocation. Whenever a court or judge restricts the operating privilege of a person ~~such, the~~ such, the restriction shall be endorsed upon the operator's license and notice of ~~such the~~ such the restriction forwarded to the department.

SECTION 3171. 343.30 (4) (b) of the statutes is created to read:

343.30 (4) (b) Whenever a court or judge suspends an operating privilege under this section, the court or judge shall immediately take possession of any suspended license and shall forward it as provided in s. 345.48 to the department together with the record of conviction and notice of suspension. If required by s. 345.54 (1), the court or judge shall impose an automatic reinstatement assessment of \$50. Whenever a court or judge restricts the operating privilege of a person, the restriction shall be endorsed upon the operator's license and notice of the restriction forwarded to the department.

SECTION 3172. 343.30 (5) of the statutes is amended to read:

343.30 (5) No court may suspend or revoke an operating privilege except as authorized by this chapter or ch. 48, 345 or 351 or s. ~~461.495~~ 161.50. When a court revokes, suspends or restricts a child's operating

privilege under s. ~~48.17 (2), 48.34 (7), (7m) or (8), 48.342 (1), 48.343 (2) or 48.345 (2) ch. 48,~~ the department of transportation shall not disclose information concerning or relating to the revocation, suspension or restriction to any person other than a court, district attorney, county corporation counsel, city, village or town attorney, law enforcement agency, or the minor whose operating privilege is revoked, suspended or restricted, or his or her parent or guardian. Persons entitled to receive this information shall not disclose the information to other persons or agencies.

SECTION 3172e. 343.30 (6) (a) of the statutes is amended to read:

343.30 (6) (a) In this subsection, "violation" means a violation of s. 125.07 (4) (a) or (b), 125.085 (3) (b), or 125.09 (2), ~~161.41 (1), (1m), (2r), (3), (3m), (3n) or (3r), 161.573 (2), 161.574 (2) or 161.575 (2)~~ or a local ordinance that strictly conforms to one of those statutes or a law of a federally recognized American Indian tribe or band in this state that strictly conforms to one of those statutes.

SECTION 3172g. 343.30 (6) (b) (intro.) of the statutes is amended to read:

343.30 (6) (b) (intro.) If a court imposes suspension or revocation of a person's operating privilege under s. ~~48.344 (2), (2b) or (2d)~~ or 125.07 (4) (c), the suspension or revocation imposed shall be one of the following:

SECTION 3173. 343.30 (6) (bm) of the statutes is created to read:

343.30 (6) (bm) If the court imposes a suspension of a person's operating privilege under s. 125.085 (3) (bd), the suspension shall be for 30 to 90 days.

SECTION 3175c. 343.305 (10) (b) 1 of the statutes is amended to read:

343.305 (10) (b) 1. The court shall revoke the person's operating privilege under this paragraph according to the number of previous improper refusals under sub. (9) (d) or convictions under s. 346.63 (1) or (5) or a local ordinance in conformity therewith or a law of a federally recognized American Indian tribe or band in this state in conformity with s. 346.63 (1) or (5), or s. 346.63 (1m), 1985 stats., or s. 346.63 (2) or (6) or 940.25, or s. 940.09 where the offense involved the use of a vehicle. Refusals and convictions arising out of the same incident shall be counted as one. If a person has a conviction for any offense under a local ordinance in substantial conformity with s. 346.63 (1) (a) or (b) or both, or s. 346.63 (1) (a) or (5) (a), or both, or a law of a federally recognized American Indian tribe or band in this state in substantial conformity with s. 346.63 (1) (a) or (b) or both, or s. 346.63 (1) (a) or (5) (a) or both, or under the law of another jurisdiction that is in conformity with 49 CFR 383.51 (b) (2) (i) or (ii) or both, or that prohibits refusal of chemical testing or use of a motor vehicle while intoxicated or under the influence of a controlled substance, or a combination thereof, or with an excess or specified range of alcohol concentration, or under the influence

of any drug to a degree that renders the person incapable of safely driving, as those or substantially similar terms are used in that jurisdiction's laws, that conviction shall count as a prior conviction under this subdivision.

SECTION 3177c. 343.307 (1) of the statutes is amended to read:

343.307 (1) For purposes of counting the number of refusals, revocations and convictions under s. 343.30 (1q) or 346.65 (2) on and after July 1, 1978, convictions for violations under s. 346.63 (1), or a local ordinance in conformity therewith or a law of a federally recognized American Indian tribe or band in this state in conformity with s. 346.63 (1), or s. 346.63 (1m), 1985 stats., or s. 346.63 (2) or 940.25, or s. 940.09 where the offense involved the use of a vehicle, convictions under the law of another jurisdiction that prohibits refusal of chemical testing or use of a motor vehicle while intoxicated or under the influence of a controlled substance, or a combination thereof, or with an excess or specified range of alcohol concentration, or under the influence of any drug to a degree that renders the person incapable of safely driving, as those or substantially similar terms are used in that jurisdiction's laws, refusals under s. 343.305 (9) (d) and revocations under s. 343.305 (10) prior to and after the treatment of any of those sections by chapter 193, laws of 1977, shall be counted and given the effect specified under s. 343.30 (1q) or 346.65 (2) on and after July 1, 1978. If the same elements of the offense must be proved under a local ordinance or under a law of a federally recognized American Indian tribe or band in this state as under s. 346.63 (1) (a) or (b) or both, the local ordinance or the law of a federally recognized American Indian tribe or band in this state shall be considered to be in conformity with s. 346.63 (1) (a) or (b) or both, for purposes of ss. 343.30 (1q) (b) 1, 343.305 (10) (b) 1 and 346.65 (2) (b) to (e).

SECTION 3178c. 343.307 (2) of the statutes is amended to read:

343.307 (2) For purposes of counting the number of refusals, revocations and convictions under s. 343.305 (9) (d) or (10) or 346.65 (2j) on and after December 20, 1989, convictions for violations under s. 346.63 (1) or (5) or a local ordinance in conformity therewith or a law of a federally recognized American Indian tribe or band in this state in conformity with s. 346.63 (1) or (5), or s. 346.63 (1m), 1985 stats., or s. 346.63 (2) or (6) or 940.25, or s. 940.09 where the offense involved the use of a vehicle, convictions under the law of another jurisdiction that is in substantial conformity with 49 CFR 383.51 (b) (2) (i) or (ii) or both, or that prohibits refusal of chemical testing or use of a motor vehicle while intoxicated or while under the influence of a controlled substance, or a combination thereof, or with an excess or specified range of alcohol concentration, or under the influence of any drug to a degree that renders the person incapable of safely driving, as those or substantially similar terms are used in that

jurisdiction's laws, refusals under s. 343.305 (9) (d) and revocations under s. 343.305 (10) prior to and after the treatment of any of those sections by chapter 193, laws of 1977, shall be counted and given the effect specified under s. 343.305 (9) (d) or (10) or 346.65 (2j) on and after December 20, 1989. If the same elements of the offense must be proved under a local ordinance or under a law of a federally recognized American Indian tribe or band in this state as under s. 346.63 (1) (a) or (b) or both, or s. 346.63 (5), the local ordinance or the law of a federally recognized American Indian tribe or band in this state shall be considered to be in conformity with s. 346.63 (1) (a) or (b) or both, or s. 346.63 (5), for purposes of ss. 343.305 (10) (b) 1 and 346.65 (2j) (b) and (c).

SECTION 3179. 343.31 (1) (intro.) of the statutes is amended to read:

343.31 (1) (intro.) The department shall revoke a person's operating privilege upon receiving a record of conviction showing that the person has been convicted of any of the following offenses under a state law or under a local ordinance which is in conformity therewith or under a law of a federally recognized American Indian tribe or band in this state which is in conformity with state law:

SECTION 3179m. 343.31 (1) (b) of the statutes is amended to read:

343.31 (1) (b) Upon the 2nd or any subsequent conviction for operation of a motor vehicle while under the influence of an intoxicant or controlled substance or a combination thereof, under the influence of any other drug to a degree which renders him or her incapable of safely driving, or under the combined influence of an intoxicant and any other drug to a degree which renders him or her incapable of safely driving, in accordance with the order of the court. This paragraph does not apply to a law of a federally recognized American Indian tribe or band in this state.

SECTION 3179p. 343.31 (1m) of the statutes is created to read:

343.31 (1m) The department shall revoke or suspend a person's operating privilege upon receiving a record of conviction showing that the person has been convicted under a law of a federally recognized American Indian tribe or band in this state which is in conformity with s. 346.63 (1).

SECTION 3180c. 343.31 (3) (bm) of the statutes is created to read:

343.31 (3) (bm) For any person convicted under a law of a federally recognized American Indian tribe or band in this state in conformity with s. 346.63 (1):

1. The department shall suspend or revoke the person's operating privilege under this paragraph according to the number of previous improper refusals under s. 343.305 (9) (d) or convictions under s. 346.63 (1), or a local ordinance in conformity therewith or a law of a federally recognized American Indian tribe or band in this state in conformity with s. 343.305 (9) (d) or

346.63 (1), or s. 346.63 (1m), 1985 stats., or s. 346.63 (2) or 940.25, or s. 940.09 where the offense involved the use of a vehicle. Refusals and convictions arising out of the same incident shall be counted as one. If a person has a conviction for any offense under a local ordinance in conformity with s. 346.63 (1) (a) or (b) or both, or under a law of a federally recognized American Indian tribe or band in this state in conformity with s. 346.63 (1) (a) or (b) or both, or under the law of another jurisdiction that prohibits refusal of chemical testing or use of a motor vehicle while intoxicated or under the influence of alcohol, a controlled substance or a combination thereof, or with an excess or specified range of alcohol concentration, or under the influence of any drug to a degree that renders the person incapable of safely driving, as those or substantially similar terms are used in that jurisdiction's laws, that conviction shall count as a prior conviction under this subdivision.

2. Except as provided in subd. 3 or 4, for the first such conviction, the department shall suspend the person's operating privilege for not less than 6 months nor more than 9 months. If an Indian tribal court in this state suspends the person's privilege to operate a motor vehicle on tribal lands for not less than 6 months nor more than 9 months for the conviction specified in par. (bm) (intro.), the department shall impose the same period of suspension. The person is eligible for an occupational license under s. 343.10 at any time.

3. If the number of refusals and convictions within a 5-year period equals 2, the department shall revoke the person's operating privilege for not less than one year nor more than 18 months. If an Indian tribal court in this state revokes the person's privilege to operate a motor vehicle on tribal lands for not less than one year nor more than 18 months for the conviction specified in par. (bm) (intro.), the department shall impose the same period of revocation. After the first 60 days of the revocation period, the person is eligible for an occupational license under s. 343.10.

4. If the number of refusals and convictions within a 5-year period equals 3 or more, the department shall revoke the person's operating privilege for not less than 2 years nor more than 3 years. If an Indian tribal court in this state revokes the person's privilege to operate a motor vehicle on tribal lands for not less than 2 years nor more than 3 years for the conviction specified in par. (bm) (intro.), the department shall impose the same period of revocation. After the first 90 days of the revocation period, the person is eligible for an occupational license under s. 343.10.

5. The 5-year period under this paragraph shall be measured from the dates of the refusals or violations which resulted in the revocations or convictions.

SECTION 3181c. 343.315 (2) (a) 1 to 3 of the statutes are amended to read:

343.315 (2) (a) 1. Section 346.63 (1) (a) or a local ordinance in conformity therewith or a law of a feder-

ally recognized American Indian tribe or band in this state in conformity with s. 346.63 (1) (a) or the law of another jurisdiction prohibiting driving or operating a motor vehicle while intoxicated or under the influence of alcohol, a controlled substance, or a combination thereof, or under the influence of any drug which renders the person incapable of safely driving, as those or substantially similar terms are used in that jurisdiction's laws.

2. Section 346.63 (1) (b) or (5) (a) or a local ordinance in conformity therewith or a law of a federally recognized American Indian tribe or band in this state in conformity with s. 346.63 (1) (b) or (5) (a) or the law of another jurisdiction prohibiting driving or operating a commercial motor vehicle while the person's alcohol concentration is 0.04 or more or with an excess or specified range of alcohol concentration, as those or substantially similar terms are used in that jurisdiction's laws.

3. Section 346.67, 346.68 or 346.69 or a local ordinance in conformity therewith or a law of a federally recognized American Indian tribe or band in this state in conformity with s. 346.67, 346.68 or 346.69 or the law of another jurisdiction prohibiting leaving the scene of an accident involving a motor vehicle driven or operated by the person, as those or substantially similar terms are used in that jurisdiction's laws.

SECTION 3181d. 343.315 (2) (a) 4 of the statutes is amended to read:

343.315 (2) (a) 4. Using a motor vehicle in the commission of a felony in this state, including a violation of a law of a federally recognized American Indian tribe or band in this state for an offense therein which, if the person had been convicted of the offense under the laws of this state, would have constituted a felony, or in another jurisdiction.

SECTION 3182c. 343.315 (2) (a) 5 and 6 of the statutes are amended to read:

343.315 (2) (a) 5. Section 343.305 (9) or a local ordinance in conformity therewith or a law of a federally recognized American Indian tribe or band in this state in conformity with s. 343.305 (9) or the law of another jurisdiction prohibiting refusal of a person driving or operating a motor vehicle to submit to chemical testing to determine the person's alcohol concentration or intoxication, as those or substantially similar terms are used in that jurisdiction's laws.

6. Section 346.63 (2) or (6), 940.09 or 940.25 or a law of a federally recognized American Indian tribe or band in this state in conformity with s. 346.63 (2) or (6), 940.09 or 940.25, or the law of another jurisdiction prohibiting causing or inflicting injury, great bodily harm or death through use of a motor vehicle while intoxicated or under the influence of alcohol, a controlled substance or a combination thereof, or with an alcohol concentration of 0.04 or more or with an excess or specified range of alcohol concentration, or under the influence of any drug to a degree that renders the person incapable of safely driving, as those or

substantially similar terms are used in that jurisdiction's laws.

SECTION 3183c. 343.315 (2) (f) 1 to 5 of the statutes are amended to read:

343.315 (2) (f) 1. Violating s. 346.57 (4) or a local ordinance in conformity therewith or a law of a federally recognized American Indian tribe or band in this state in conformity with s. 346.57 (4) by excessive speeding, or the law of another jurisdiction prohibiting excessive speeding by exceeding the posted speed limit by 15 or more miles per hour as those or substantially similar terms are used in that jurisdiction's law.

2. Violating any state or local law of this state or any law of a federally recognized American Indian tribe or band in this state in conformity with any state law or any law of another jurisdiction relating to motor vehicle traffic control, arising in connection with a fatal accident, other than parking, vehicle weight or vehicle defect violations.

3. Violating s. 346.62 or a local ordinance in conformity therewith or a law of a federally recognized American Indian tribe or band in this state in conformity with s. 346.62 or the law of another jurisdiction prohibiting reckless or careless driving of a motor vehicle or driving or operating a motor vehicle with wilful or wanton disregard for the safety of persons or property, as those or substantially similar terms are used in that jurisdiction's law.

4. Violating s. 346.07 (2), 346.08, 346.09, 346.10, 346.13, 346.24 (3) or 346.34 (1) (a) 3 or a local ordinance in conformity therewith or a law of a federally recognized American Indian tribe or band in this state in conformity with s. 346.07 (2), 346.08, 346.09, 346.10, 346.13, 346.24 (3) or 346.34 (1) (a) 3 or the law of another jurisdiction prohibiting improper or erratic lane changes or improper passing, or otherwise prohibiting the conduct described in sections 11-304 to 306 and 11-309 of the uniform vehicle code and model traffic ordinance (1987), as those or substantially similar terms are used in that jurisdiction's law.

5. Violating s. 346.14 or a local ordinance in conformity therewith or a law of a federally recognized American Indian tribe or band in this state in conformity with s. 346.14 or the law of another jurisdiction prohibiting following a vehicle too closely, or otherwise prohibiting the conduct described in section 11-310 of the uniform vehicle code and model traffic ordinance (1987), as those or substantially similar terms are used in that jurisdiction's law.

SECTION 3184c. 343.315 (2) (g) of the statutes is amended to read:

343.315 (2) (g) A person is disqualified from operating a commercial motor vehicle for the 24-hour period following issuance of a citation for violation of s. 346.63 (7) or a local ordinance in conformity therewith or a law of a federally recognized American Indian tribe or band in this state in conformity with s. 346.63 (7) or issuance of an out-of-service order for

violating 49 CFR 392.5 or the law of another jurisdiction in substantial conformity therewith.

SECTION 3185. 343.32 (title) of the statutes is amended to read:

343.32 (title) Other grounds for revocation or suspension of licenses; demerit points.

SECTION 3186c. 343.32 (1) (a) of the statutes is amended to read:

343.32 (1) (a) A record of conviction has been received showing that such person has been convicted under a state law or under a local ordinance enacted under ch. 349 or under a law of a federally recognized American Indian tribe or band in this state in conformity with one or more provisions of chs. 341 to 349, of a traffic violation which is a cause of an accident resulting in the death of another.

SECTION 3186e. 343.32 (1) (b) of the statutes is amended to read:

343.32 (1) (b) Such person has been convicted under state law or under a local ordinance which is in conformity therewith or under a law of a federally recognized American Indian tribe or band in this state which is in conformity with state law of altering his license, loaning his license to another or unlawfully or fraudulently using or permitting an unlawful or fraudulent use of a license.

SECTION 3187. 343.32 (1m) of the statutes is created to read:

343.32 (1m) (a) In this subsection, "another jurisdiction" means any state other than Wisconsin and includes the District of Columbia, the commonwealth of Puerto Rico and any territory or possession of the United States and any province of the Dominion of Canada.

(b) The secretary shall suspend or revoke a person's operating privilege for not less than 6 months nor more than 5 years whenever notice has been received of the conviction of such person under federal law or the law of a federally recognized American Indian tribe or band in this state or the law of another jurisdiction for any offense therein which, if the person had committed the offense in this state and been convicted of the offense under the laws of this state, would have required suspension or revocation of such person's operating privilege under s. 161.50. The person is eligible for an occupational license under s. 343.10 as follows:

1. For the first such conviction, at any time.

2. For a 2nd conviction within a 5-year period, after the first 60 days of the suspension or revocation period.

3. For a 3rd or subsequent conviction within a 5-year period, after the first 90 days of the suspension or revocation period.

(c) For purposes of counting the number of convictions under par. (b), convictions of any violation of ch. 161 shall be counted and given the effect specified under par. (b). The 5-year period under this subsection

tion shall be measured from the dates of the violations which resulted in the convictions.

SECTION 3188. 343.32 (3) of the statutes is amended to read:

343.32 (3) ~~A Except as provided in sub. (1m), a revocation under this section may be for any period not exceeding one year unless a different period is specifically prescribed by law.~~

SECTION 3191t. 343.345 (1) of the statutes is amended to read:

343.345 (1) If a person under the age of 18 fails to pay the forfeiture imposed by a court for his first moving vehicle violation, the court or judge shall, in lieu of a jail sentence, suspend the person's operating privilege for a period not less than 30 days nor more than 90 days. The time set by the court for payment of the forfeiture shall not exceed 30 days. ~~If the person pays the forfeiture after suspension under this section, the suspension shall be reduced to the minimum period of 30 days.~~

SECTION 3192. 343.345 (2) of the statutes is amended to read:

343.345 (2) If a court or judge suspends an operating privilege under this section, the court or judge shall immediately take possession of the suspended license and shall forward it to the department together with the notice of suspension, which shall clearly state that the suspension was for failure to pay a forfeiture imposed by the court. If required by s. 345.54 (1), the court or judge shall impose an automatic reinstatement assessment of \$50. If the forfeiture is and automatic reinstatement assessment are paid during a period of suspension, the court or judge shall immediately notify the department. Upon receipt of such notice, the department shall return the surrendered license ~~when the minimum period of suspension has passed.~~

SECTION 3193. 343.39 (1) (a) of the statutes is amended to read:

343.39 (1) (a) When, in the case of a suspended operating privilege, the period of suspension has terminated and an automatic reinstatement assessment was imposed under s. 345.54 (1) or the reinstatement fee specified in s. 343.21 (1) (j) has been paid to the department.

SECTION 3193g. 343.44 (2) (b) 1 of the statutes is amended to read:

343.44 (2) (b) 1. Except as provided in subd. 2, for a 2nd conviction under this section or a local ordinance in conformity with this section within 5 years, a person shall be fined not less than \$300 nor more than \$1,000 and shall be imprisoned for ~~not less than 10 5~~ days nor more than 6 months.

SECTION 3199m. 344.25 (5) of the statutes is amended to read:

344.25 (5) When the secretary receives certification of the entry of a damage judgment in accordance with s. 344.05 against a resident of this state which has been entered by an Indian tribal court in this state or by a

court in another jurisdiction, the secretary shall give notice to the person of the receipt of the certification of judgment. If satisfaction of such judgment is not made and copy of such satisfaction filed with the secretary within 30 days from the date such notice was given, the secretary shall revoke the license and registrations of such judgment debtor.

SECTION 3199n. 344.25 (6) of the statutes is created to read:

344.25 (6) Notwithstanding sub. (5), subs. (2) and (3) apply to a damage judgment in accordance with s. 344.05 against a resident of this state which has been entered by an Indian tribal court in this state.

SECTION 3201. 345.26 (1) (b) 1 of the statutes is amended to read:

345.26 (1) (b) 1. If the person makes a deposit for a violation of a traffic regulation, the person need not appear in court at the time fixed in the citation, and the person will be deemed to have tendered a plea of no contest and submitted to a forfeiture and a penalty assessment, if required by s. 165.87, and a jail assessment, if required by s. 302.46 (1), and an automatic reinstatement assessment, if required by s. 345.54 (1), plus any applicable fees prescribed in ch. 814, not to exceed the amount of the deposit that the court may accept as provided in s. 345.37; and

SECTION 3202. 345.26 (2) (b) of the statutes is amended to read:

345.26 (2) (b) In addition to the amount in par. (a), the deposit shall include court costs, including any applicable fees prescribed in ch. 814, any applicable penalty assessment and, any applicable jail assessment and any applicable automatic reinstatement assessment.

SECTION 3203. 345.36 (2) (b) of the statutes is amended to read:

345.36 (2) (b) Deem the nonappearance a plea of no contest and enter judgment accordingly. If the defendant has posted bond for appearance at that date, the court may also order the bond forfeited. The court shall promptly mail a copy of the judgment to the defendant. The judgment shall allow not less than 20 days from the date thereof for payment of any forfeiture, penalty assessment, jail assessment, automatic reinstatement assessment and costs imposed. If the defendant moves to open the judgment within 20 days after the date set for trial, and shows to the satisfaction of the court that the failure to appear was due to mistake, inadvertence, surprise or excusable neglect, the court shall open the judgment, reinstate the not guilty plea and set a new trial date. The court may impose costs under s. 814.07. The court shall immediately notify the department to delete the record of conviction based upon the original judgment.

SECTION 3204. 345.37 (1) (b) of the statutes is amended to read:

345.37 (1) (b) Deem the nonappearance a plea of no contest and enter judgment accordingly. If the defendant has posted bond for appearance at that date, the

court may also order the bond forfeited. The court shall promptly mail a copy or notice of the judgment to the defendant. The judgment shall allow not less than 20 days from the date thereof for payment of any forfeiture, penalty assessment, automatic reinstatement assessment and costs imposed. If the defendant moves to open the judgment within 6 months after the court appearance date fixed in the citation, and shows to the satisfaction of the court that the failure to appear was due to mistake, inadvertence, surprise or excusable neglect, the court shall open the judgment, accept a not guilty plea and set a trial date. The court may impose costs under s. 814.07. The court shall immediately notify the department to delete the record of conviction based upon the original judgment. If the offense involved is a nonmoving traffic violation and the defendant is subject to s. 345.28 (5) (c), a default judgment may be entered and opened as provided in s. 345.28 (5) (c).

SECTION 3205. 345.37 (2) of the statutes is amended to read:

345.37 (2) If the defendant has made a deposit under s. 345.26, the citation may serve as the initial pleading and the defendant shall be deemed to have tendered a plea of no contest and submitted to a forfeiture and a penalty assessment, if required by s. 165.87, and a jail assessment, if required by s. 302.46 (1), and an automatic reinstatement assessment, if required by s. 345.54 (1), plus costs, including any applicable fees prescribed in ch. 814, not exceeding the amount of the deposit. The court may either accept the plea of no contest and enter judgment accordingly, or reject the plea and issue a summons under ch. 968. If the defendant fails to appear in response to the summons, the court shall issue a warrant under ch. 968. If the court accepts the plea of no contest, the defendant may move within 6 months after the date set for the appearance to withdraw the plea of no contest, open the judgment and enter a plea of not guilty upon a showing to the satisfaction of the court that the failure to appear was due to mistake, inadvertence, surprise or excusable neglect. If on reopening, the defendant is found not guilty the court shall immediately notify the department to delete the record of conviction based on the original proceeding and shall order the defendant's deposit returned.

SECTION 3206. 345.37 (5) of the statutes is amended to read:

345.37 (5) Within 5 working days after forfeiture of deposit or entry of default judgment, the official receiving the forfeiture, the penalty assessment, if required by s. 165.87, ~~and the jail assessment, if required by s. 302.46 (1), and the automatic reinstatement assessment, if required by s. 345.54 (1),~~ shall forward to the department a certification of the entry of default judgment or a judgment of forfeiture.

SECTION 3207. 345.47 (1) (intro.) of the statutes is amended to read:

345.47 (1) (intro.) If the defendant is found guilty, the court may enter judgment against the defendant for a monetary amount not to exceed the maximum forfeiture, penalty assessment, if required by s. 165.87, ~~and the jail assessment, if required by s. 302.46 (1), and the automatic reinstatement assessment, if required by s. 345.54 (1),~~ provided for the violation and for costs under s. 345.53 and, in addition, may suspend or revoke his or her operating privilege under s. 343.30. If the judgment is not paid, the court shall order:

SECTION 3208. 345.47 (1) (b) of the statutes is amended to read:

345.47 (1) (b) In lieu of imprisonment and in addition to any other suspension or revocation, that the defendant's operating privilege be suspended for 30 days or until the person pays the forfeiture, the penalty assessment, if required by s. 165.87, ~~and the jail assessment, if required by s. 302.46 (1), whichever is longer and the automatic reinstatement assessment, if required by s. 345.54 (1),~~ but not to exceed 5 years. Suspension under this paragraph shall not affect the power of the court to suspend or revoke under s. 343.30 or the power of the secretary to suspend or revoke the operating privilege.

SECTION 3209. 345.47 (1) (c) of the statutes is amended to read:

345.47 (1) (c) If a court or judge suspends an operating privilege under this section, the court or judge shall immediately take possession of the suspended license and shall forward it to the department together with the notice of suspension, which shall clearly state that the suspension was for failure to pay a forfeiture, a penalty assessment, if required by s. 165.87, ~~and a jail assessment, if required by s. 302.46 (1), and an automatic reinstatement assessment, if required by s. 345.54 (1),~~ imposed by the court. If required by s. 345.54 (1), the court or judge shall impose an automatic reinstatement assessment of \$50. The notice of suspension and the suspended license, if it is available, shall be forwarded to the department within 48 hours after the order of suspension. If the forfeiture, penalty assessment ~~and, jail assessment and automatic reinstatement assessment~~ are paid during a period of suspension the court or judge shall immediately notify the department. Upon receipt of the notice ~~and payment of the reinstatement fee under s. 343.21 (1) (j),~~ the department shall return the surrendered license ~~when the minimum period of suspension has passed.~~

SECTION 3210. 345.47 (2) of the statutes is amended to read:

345.47 (2) The payment of any judgment may be suspended or deferred for not more than 60 days in the discretion of the court. In cases where a deposit has been made, any forfeitures, penalty assessments, jail assessments, automatic reinstatement assessments and costs shall be taken out of the deposit and the balance, if any, returned to the defendant.

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SECTION 3211. 345.47 (3) of the statutes is amended to read:

345.47 (3) When a defendant is imprisoned for nonpayment of a forfeiture, a penalty assessment ~~or~~, a jail assessment or an automatic reinstatement assessment for an action brought by a municipality located in more than one county, any commitment to a county institution shall be to the county in which the action was tried.

SECTION 3212. 345.48 (2) of the statutes is amended to read:

345.48 (2) If the defendant is found guilty of a traffic violation for which revocation of his or her operating privilege is mandatory under s. 343.31, or for which the court revokes or suspends his or her operating privilege under s. 343.30, the court shall immediately take possession of the suspended or revoked license. If required by s. 345.54 (1), the court shall impose an automatic reinstatement assessment of \$50. The revocation or suspension is effective immediately. The court ordered suspension or revocation shall be included as part of the report of conviction under sub. (1m).

SECTION 3213. 345.48 (4) of the statutes is amended to read:

345.48 (4) If notice of appeal is filed the court shall, within 5 working days after it is filed, forward to the department a certificate stating that a notice of appeal has been filed, rescind an automatic reinstatement assessment imposed by s. 345.54 (1) and shall return any surrendered license. Thereafter, the court shall notify the department as required under s. 343.325 (1) (b) and (c).

SECTION 3214. 345.49 (1) of the statutes is amended to read:

345.49 (1) Any person imprisoned under s. 345.47 for nonpayment of a forfeiture, a penalty assessment, if required by s. 165.87, ~~or~~, a jail assessment, if required by s. 302.46 (1), or an automatic reinstatement assessment, if required by s. 345.54 (1), may, on request, be allowed to work under s. 303.08. If the person does work, earnings shall be applied on the unpaid forfeiture, penalty assessment ~~or~~, jail assessment or automatic reinstatement assessment after payment of personal board and expenses and support of personal dependents to the extent directed by the court.

SECTION 3215. 345.49 (2) of the statutes is amended to read:

345.49 (2) Any person who is subject to imprisonment under s. 345.47 for nonpayment of a forfeiture, penalty assessment ~~or~~, jail assessment or automatic reinstatement assessment may be placed on probation to some person satisfactory to the court for not more than 90 days or until the forfeiture, penalty assessment ~~or~~, jail assessment or automatic reinstatement assessment is paid if that is done before expiration of the 90-day period. The payment of the forfeiture, penalty assessment ~~or~~, jail assessment or automatic reinstatement

assessment during that period shall be a condition of the probation. If the forfeiture, penalty assessment ~~or~~, jail assessment or automatic reinstatement assessment is not paid or the court deems that the interests of justice require, probation may be terminated and the defendant imprisoned as provided in sub. (1) or s. 345.47.

SECTION 3216. 345.54 of the statutes is created to read:

345.54 Automatic reinstatement assessment. (1) If a court or judge suspends a person's operating privilege under s. 343.30, 343.345, 345.47 (1) (b) or 800.09 (1) (c), there shall be imposed an automatic reinstatement assessment of \$50. The automatic reinstatement assessment shall not be imposed under s. 343.345, 345.47 (1) (b) or 800.09 (1) (c) if the basis for suspension of the person's operating privilege includes a failure to pay an automatic reinstatement assessment previously imposed by a court or judge. The automatic reinstatement assessment shall be rescinded if the court forwards to the department under s. 345.48 (4) a certificate showing that a notice of appeal from the conviction that resulted in suspension of the person's operating privilege under s. 343.30 has been taken and returns any surrendered license.

(2) If an automatic reinstatement assessment is imposed by a court of record, the clerk of the court shall collect and transmit such amount to the county treasurer as provided in s. 59.395 (5). The county treasurer shall then make payment to the state treasurer as provided in s. 59.20 (8t).

(3) If an automatic reinstatement assessment is imposed by a municipal court, the court shall collect and transmit the assessment to the county treasurer under s. 800.10 (2). The county treasurer shall then make payment to the state treasurer as provided in s. 59.20 (8t).

(4) If any deposit of bail is made for a noncriminal offense to which this section applies, the person making the deposit shall also deposit a sufficient amount to include the assessment prescribed in this section for forfeited bail. If bail is forfeited, the amount of the assessment shall be transmitted to the county treasurer under this section. If bail is returned, the assessment shall also be returned.

SECTION 3216c. 345.54 (1) of the statutes, as created by 1991 Wisconsin Act (this act), is repealed and recreated to read:

345.54 (1) If a court or judge suspends a person's operating privilege under s. 161.50, 343.30, 343.345, 345.47 (1) (b) or 800.09 (1) (c), there shall be imposed an automatic reinstatement assessment of \$50. The automatic reinstatement assessment shall not be imposed under s. 343.345, 345.47 (1) (b) or 800.09 (1) (c) if the basis for suspension of the person's operating privilege includes a failure to pay an automatic reinstatement assessment previously imposed by a court or judge. The automatic reinstatement assessment shall be rescinded if the court forwards to the department under s. 345.48 (4) a certificate showing that a

notice of appeal from the conviction that resulted in suspension of the person's operating privilege under s. 343.30 has been taken and returns any surrendered license.

SECTION 3217. 345.61 (2) (c) of the statutes is amended to read:

345.61 (2) (c) "Guaranteed arrest bond certificate" as used in this section means any printed card or other certificate issued by an automobile club, association or insurance company to any of its members or insureds, which card or certificate is signed by the member or insureds and contains a printed statement that the automobile club, association or insurance company and a surety company, or an insurance company authorized to transact both automobile liability insurance and surety business, guarantee the appearance of the persons whose signature appears on the card or certificate and that they will in the event of failure of the person to appear in court at the time of trial, pay any fine or forfeiture imposed on the person, including the penalty assessment required by s. 165.87 and the jail assessment required by s. 302.46 (1) and the automatic reinstatement assessment required by s. 345.54 (1), in an amount not exceeding \$200, or \$1,000 as provided in sub. (1) (b).

SECTION 3226m. 346.65 (1) (b) of the statutes is amended to read:

346.65 (1) (b) May be fined not less than \$50 nor more than \$500 or imprisoned for not more than one year in the county jail or both if the total of convictions under s. 346.62 (2) or a local ordinance in conformity therewith or a law of a federally recognized American Indian tribe or band in this state in conformity with s. 346.62 (2) equals 2 or more in a 4-year period. The 4-year period shall be measured from the dates of the violations which resulted in the convictions.

SECTION 3226n. 346.65 (2) (b) of the statutes is amended to read:

346.65 (2) (b) Shall be fined not less than \$300 nor more than \$1,000 and imprisoned for not less than 5 days nor more than 6 months if the total of revocations under s. 343.305 (10) (b) and convictions under s. 346.63 (1) or a local ordinance in conformity therewith or a law of a federally recognized American Indian tribe or band in this state in conformity with s. 343.305 (10) (b) or 346.63 (1), or s. 346.63 (1m), 1985 stats., or s. 346.63 (2) or 940.25, or s. 940.09 where the offense involved the use of a vehicle, equals 2 in a 5-year period, except revocations or convictions arising out of the same incident or occurrence shall be counted as one.

SECTION 3226p. 346.65 (2) (c) of the statutes is amended to read:

346.65 (2) (c) Shall be fined not less than \$600 nor more than \$2,000 and imprisoned for not less than 30 days nor more than one year in the county jail if the total of revocations under s. 343.305 (10) (b) and con-

victions under s. 346.63 (1) or a local ordinance in conformity therewith or a law of a federally recognized American Indian tribe or band in this state in conformity with s. 343.305 (10) (b) or 346.63 (1), or s. 346.63 (1m), 1985 stats., or s. 346.63 (2) or 940.25, or s. 940.09 where the offense involved the use of a vehicle, equals 3 in a 5-year period, except that revocations or convictions arising out of the same incident or occurrence shall be counted as one.

SECTION 3226pb. 346.65 (2) (d) of the statutes is amended to read:

346.65 (2) (d) Shall be fined not less than \$600 nor more than \$2,000 and imprisoned for not less than 60 days nor more than one year in the county jail if the total of revocations under s. 343.305 (10) (b) and convictions under s. 346.63 (1) or a local ordinance in conformity therewith or a law of a federally recognized American Indian tribe or band in this state in conformity with s. 343.305 (10) (b) or 346.63 (1), or s. 346.63 (1m), 1985 stats., or s. 346.63 (2) or 940.25, or s. 940.09 where the offense involved the use of a vehicle, equals 4 in a 5-year period, except that revocations or convictions arising out of the same incident or occurrence shall be counted as one.

SECTION 3226q. 346.65 (2) (e) of the statutes is amended to read:

346.65 (2) (e) Shall be fined not less than \$600 nor more than \$2,000 and imprisoned for not less than 6 months nor more than one year in the county jail if the total of revocations under s. 343.305 (10) (b) and convictions under s. 346.63 (1) or a local ordinance in conformity therewith or a law of a federally recognized American Indian tribe or band in this state in conformity with s. 343.305 (10) (b) or 346.63 (1), or s. 346.63 (1m), 1985 stats., or s. 346.63 (2) or 940.25, or s. 940.09 where the offense involved the use of a vehicle, equals 5 or more in a 5-year period, except that revocations or convictions arising out of the same incident or occurrence shall be counted as one.

SECTION 3227c. 346.65 (2w) of the statutes is amended to read:

346.65 (2w) In determining the number of prior convictions for purposes of sub. (2j), the court shall count revocations under s. 343.305 (10) (b) and convictions under s. 346.63 (1) or (5) or a local ordinance in conformity therewith or a law of a federally recognized American Indian tribe or band in this state in conformity with s. 343.305 (10) (b) or 346.63 (1) or (5), or s. 346.63 (1m), 1985 stats., or s. 346.63 (2) or (6) or 940.25, or s. 940.09 where the offense involved the use of a vehicle. Revocations under s. 343.305 (10) (b) and convictions arising out of the same incident or occurrence shall be counted as one. The 5-year period shall be measured from the dates of the refusals or violations which resulted in the revocation or convictions. If a person has a conviction for any offense under a local ordinance in conformity with s. 346.63 (1) (a) or (b) or both, or s. 346.63 (5), or a law of a federally

recognized American Indian tribe or band in this state in conformity with s. 346.63 (1) (a) or (b) or both, or s. 346.63 (5), or under the law of another jurisdiction that is in substantial conformity with 49 CFR 383.51 (b) (2) (i) or (ii) or both, or that prohibits refusal of chemical testing or use of a motor vehicle while intoxicated or under the influence of a controlled substance, or a combination thereof, or with an excess or specified range of alcohol concentration, or under the influence of any drug to a degree that renders the person incapable of safely driving, as those or substantially similar terms are used in that jurisdiction's laws, that conviction shall count as a prior conviction under this section.

SECTION 3228. 346.655 (1) of the statutes is amended to read:

346.655 (1) On or after July 1, 1988, if a court imposes a fine or a forfeiture for a violation of s. 346.63 (1) or (5), or a local ordinance in conformity therewith, or s. 346.63 (2) or (6) or 940.25, or s. 940.09 where the offense involved the use of a vehicle, it shall impose a driver improvement surcharge in an amount of \$250 in addition to the fine or forfeiture, penalty assessment and jail assessment and automatic reinstatement assessment.

SECTION 3229e. 347.48 (2m) (gm) of the statutes is amended to read:

347.48 (2m) (gm) Notwithstanding s. 349.02, a law enforcement officer ~~may not stop or inspect a vehicle solely to determine compliance with this subsection or sub. (1) or (2). This paragraph does not limit the authority of a law enforcement officer to issue a citation for a violation of this subsection or sub. (1) or (2) observed in the course of a stop or inspection made for other purposes, except that a law enforcement officer may not take a person into physical custody solely for a violation of this subsection or sub. (1) or (2).~~

SECTION 3229g. 347.48 (4) (a) 1 and 2 of the statutes are amended to read:

347.48 (4) (a) 1. No resident person, who is the parent or legal guardian of a child under the age of 2, may transport the child in a motor vehicle unless the child is properly restrained in a child safety restraint system approved by the department or, when present in the vehicle, permit the child to be transported in a motor vehicle unless he or she has provided for the proper restraint of the child. If a resident person who is not the parent or legal guardian of the child transports the child in a motor vehicle when the parent or legal guardian of the child is not present, the resident person shall properly restrain the child. In this subdivision, "properly restrained" means fastened in a manner prescribed by the manufacturer of the system which permits the system to act as a body restraint but does not include a system in which the only body restraint is a safety belt of the type required under sub. (1). The department shall, by rule, establish standards in compliance with applicable federal standards for approved types of child safety restraint systems for

those child restraint systems purchased after November 1, 1982. No resident person is required to have more than 3 child safety restraint systems in a vehicle.

2. No resident person, who is the parent or legal guardian of a child who is at least 2 years old but less than 4 years old, may transport the child in a motor vehicle unless the child is properly restrained in a child safety restraint system approved by the department under subd. 1 or in a safety belt approved by the department under sub. (2) or, when present in the vehicle, permit the child to be transported in a motor vehicle unless he or she has provided for the proper restraint of the child. If a resident person who is not the parent or legal guardian of the child transports the child in a motor vehicle when the parent or legal guardian of the child is not present, the resident person shall properly restrain the child. In this subdivision, "properly restrained" means fastened in a manner prescribed by the manufacturer of the system which permits the system to act as a body restraint.

SECTION 3229i. 347.48 (4) (c) 1 of the statutes is renumbered 347.48 (4) (c).

SECTION 3229k. 347.48 (4) (c) 2 of the statutes is repealed.

~~SECTION 3229km. 348.01 (2) (am) of the statutes is amended to read.~~

~~348.01 (2) (am) "Certified stationary scale" means a stationary scale which is tested and inspected annually for accuracy by the department of agriculture, food and trade and consumer protection or other authorized testing agency in accordance with specifications, tolerances, standards and procedures established by the national institute of standards and technology and the department of agriculture, food and trade and consumer protection for the testing and examination of scales.~~

SECTION 3229kr. 348.07 (4) of the statutes is amended to read:

348.07 (4) The secretary shall, by rule, designate the highways to which sub. (2) (f), (fm), (gm) and (gr) and s. 348.08 (1) (e) and (h) apply. The designation of highways under this subsection may not be inconsistent with the designation of highways made by the U.S. secretary of transportation under P.L. 97-424, section 411. The secretary may also designate additional highways by rule. In adopting a rule designating other highways, which may include 2-lane highways, the secretary shall specify the factors which resulted in the determination to designate the highways. These factors shall include, but are not limited to, safety, economics, energy savings, industry productivity and competition. Vehicles to which sub. (2) (f), (fm), (gm) and (gr) and s. 348.08 (1) (e) and (h) apply may also operate on undesignated highways for a distance of 5 miles or less in order to obtain access to a designated highway or to reach fuel, food, maintenance, repair, rest, staging, terminal or vehicle assembly facilities or points of loading or unloading. The secretary may, by rule, designate an access route of more than 5 miles

Vetoed
in Part

from a designated highway when the longer route provides safer and better access to a location which is within the 5-mile limit. Household goods carriers may operate between highways designated in this subsection and points of loading and unloading.

SECTION 3229n. 348.08 (1) (h) of the statutes is created to read:

348.08 (1) (h) Two new trailers or semitrailers to be used for transporting farm products or livestock may, without such permit, be drawn by a motor truck not exceeding 25 feet in length if each trailer or semitrailer is 28 feet 6 inches or less in length and the trailers or semitrailers are being transported directly from a manufacturer to a dealer or directly from a dealer to another dealer. The length of the first trailing unit does not include a frame extension by which the 2nd trailing unit is drawn.

Vetoed
in Part

SECTION 3229rv. 348.15 (5) (intro.) of the statutes is amended to read:

348.15 (5) (intro.) For enforcement of weight limitations specified by this chapter the gross weight, measured in pounds, imposed on the highway by any wheel or any one axle or by any group of 2 or more axles shall be determined by weighing the vehicles and load, either by single draft or multiple draft weighing on certified stationary scales or on portable scales in good working order which are tested in comparison to certified stationary scales within 90 days immediately prior to any weighing operation by the department of agriculture, food and trade and consumer protection or other authorized testing agencies for accuracy to within standard accepted tolerances. The weighing operation shall be performed in accordance with and under conditions accepted as good weighing technique and practice. In multiple draft weighing the sum of the weight of respective components shall be used to establish the weight of a combination of the components. It is recognized that the weight, determined in accordance with methods prescribed in this chapter, includes all statutory weights and represents the momentary load force or reaction imposed on the scale at the time of weighing. Such weights include any variation due to the following factors:

SECTION 3231m. 348.21 (3) (b) 2 of the statutes is amended to read:

Vetoed
in Part

348.21 (3) (b) 2. For the 2nd and each subsequent conviction within a 12-month period, a forfeiture of not less than \$100 nor more than \$300, plus an amount equal to: 2 cents for each pound of total excess load when the total excess is not over 2,000 pounds; 4 cents for each pound of total excess load if the excess is over 2,000 pounds and not over 3,000 pounds; 6 cents for each pound of total excess load if the excess is over 3,000 and not over 4,000 pounds; 8 cents for each pound of total excess load if the excess is over 4,000 pounds and not over 5,000 pounds; 10 cents for each pound of total excess load if the excess is over 5,000 pounds.

SECTION 3231n. 348.21 (3) (b) 3 of the statutes is created to read:

Vetoed
in Part

348.21 (3) (b) 3. Except as provided in subd. 5, for the 3rd conviction within a 12-month period, a forfeiture of not less than \$200 nor more than \$400, plus an amount equal to: 3 cents for each pound of total excess load when the total excess is not over 2,000 pounds; 6 cents for each pound of total excess load if the excess is over 2,000 pounds and not over 3,000 pounds; 12 cents for each pound of total excess load if the excess is over 3,000 and not over 4,000 pounds; 16 cents for each pound of total excess load if the excess is over 4,000 pounds and not over 5,000 pounds; 25 cents for each pound of total excess load if the excess is over 5,000 pounds.

SECTION 3231p. 348.21 (3) (b) 4 of the statutes is created to read:

348.21 (3) (b) 4. Except as provided in subd. 5, for the 4th and each subsequent conviction within a 12-month period, a forfeiture of not less than \$300 nor more than \$500, plus an amount equal to: 4 cents for each pound of total excess load when the total excess is not over 2,000 pounds; 8 cents for each pound of total excess load if the excess is over 2,000 pounds and not over 3,000 pounds; 24 cents for each pound of total excess load if the excess is over 3,000 and not over 4,000 pounds; 32 cents for each pound of total excess load if the excess is over 4,000 pounds and not over 5,000 pounds; 50 cents for each pound of total excess load if the excess is over 5,000 pounds.

SECTION 3231r. 348.21 (3) (b) 5 of the statutes is created to read:

348.21 (3) (b) 5. The forfeiture schedule under subd. 2 shall apply to a 3rd or subsequent conviction within a 12-month period if the violator was operating a vehicle or combination of vehicles being used for the purpose of agriculture, including forestry, at the time of the violation.

SECTION 3232. 348.25 (10) of the statutes is created to read:

348.25 (10) Notwithstanding any other provision of this section or ss. 348.26 to 348.28, the department may enter into a reciprocal agreement with another jurisdiction for the issuance or recognition of permits for oversize or overweight vehicles or loads if that jurisdiction's laws or rules on oversize or overweight permits are substantially similar to those imposed by this chapter. Any permit recognized by this state under a reciprocal agreement shall be considered a permit issued under this section for purposes of this chapter or s. 347.26 (10).

SECTION 3232bm. 348.27 (11) (a) of the statutes is amended to read:

Vetoed
in Part

348.27 (11) (a). If the secretary, after consultation with the secretary of agriculture, food and trade and consumer protection, determines that an agricultural transportation emergency exists with respect to the harvest of a particular crop, the secretary may autho-

Vetoed in Part ~~ize the issuance of permits to allow vehicles or combinations of vehicles which are transporting crops from field to storage or processing facilities to exceed the weight limitations under s. 348.15 or 348.16 by not more than 15% of the applicable weight limitations.~~

SECTION 3232c. 349.02 of the statutes is renumbered 349.02 (1).

SECTION 3232d. 349.02 (2) of the statutes is created to read:

349.02 (2) (a) Notwithstanding sub. (1), a police officer, sheriff, deputy sheriff, traffic officer or motor vehicle inspector may not stop or inspect a vehicle solely to determine compliance with a statute or ordinance specified under par. (b) unless the police officer, sheriff, deputy sheriff, traffic officer or motor vehicle inspector has reasonable cause to believe that a violation of a statute or ordinance specified under par. (b) has been committed. This paragraph does not limit the authority of a police officer, sheriff, deputy sheriff, traffic officer or motor vehicle inspector to make an arrest or issue a citation for a violation of any statute or ordinance specified under par. (b) observed in the course of a stop or inspection made for a lawful purpose. This paragraph does not apply to a traffic officer or motor vehicle inspector in the performance of duties under s. 110.075 (2).

(b) The statutes and ordinances covered under par. (a) are all of the following:

1. This chapter and local ordinances enacted under this chapter.
2. Chapter 161 and local ordinances that strictly conform to s. 161.573 (2), 161.574 (2) or 161.575 (2).

3. Chapters 341 to 348.

Vetoed in Part

~~4. Local ordinances enacted under s. 59.07 (107), 60.23 (21) or 66.051 (4).~~

SECTION 3233. 350.01 (9r) of the statutes is amended to read:

350.01 (9r) "Operation of a snowmobile" "Operate" means controlling the exercise of physical control over the speed or direction of a snowmobile or the physical manipulation or activation of any of the controls of a snowmobile necessary to put it in motion. "Operate" includes the operation of a snowmobile.

SECTION 3234. 350.01 (9w) of the statutes is amended to read:

350.01 (9w) "Operator" means a person who is engaged in the operation of operates a snowmobile, who is responsible for the operation of a snowmobile or who is supervising the operation of a snowmobile.

SECTION 3235. 350.01 (13m) of the statutes is created to read:

350.01 (13m) "Snowmobile distributor" means a person who sells or distributes snowmobiles to snowmobile dealers or who maintains distributor representatives.

SECTION 3236. 350.055 of the statutes is amended to read:

350.055 Safety certification program established.

The department shall establish a program of instruction on snowmobile laws, including the intoxicated snowmobiling law, regulations, safety and related subjects. The program shall be conducted by instructors certified by the department. The department may procure liability insurance coverage for certified instructors for work within the scope of their duties under this section. Persons satisfactorily completing this program shall receive certification from the department. The department may charge each person who enrolls in the course an instruction fee of \$5. The department shall authorize instructors conducting such courses meeting standards established by it to retain \$1 of the fee to defray expenses incurred locally to operate conduct the program. The remaining \$4 of the fee shall be retained by the department to defray a part of its expenses incurred to operate conduct the safety and accident reporting program. A person over the age of 12 years but under the age of 16 years who holds a valid certificate issued by another state or province of the Dominion of Canada need not obtain a certificate from the department if the course content of the program in such other state or province substantially meets that established by the department under this section.

SECTION 3237. 350.115 of the statutes is created to read:

350.115 Snowmobile registration restitution payments. (1) LEVY OF SNOWMOBILE REGISTRATION RESTITUTION PAYMENT. (a) If a court imposes a forfeiture for a violation of a provision of this chapter where the payment of a registration fee is required, the court shall impose a snowmobile registration restitution payment equal to the amount of the fee that was required and should have been obtained.

(b) If a forfeiture is suspended in whole or in part, the snowmobile registration restitution payment shall be reduced in proportion to the suspension unless the court directs otherwise.

(c) If any deposit is made for an offense to which this section applies, the person making the deposit shall also deposit a sufficient amount to include the snowmobile registration restitution payment prescribed in this section. If the deposit is forfeited, the amount of the snowmobile registration restitution payment shall be transmitted to the state treasurer under par. (d). If the deposit is returned, the snowmobile registration restitution payment shall also be returned.

(d) The clerk of the court shall collect and transmit to the county treasurer the snowmobile registration restitution payment and other amounts required under s. 59.395 (5). The county treasurer shall then make payment to the state treasurer as provided in s. 59.20 (5) (b).

(2) USE OF SNOWMOBILE REGISTRATION RESTITUTION PAYMENT FUNDS. All moneys collected from snowmo-

ble registration restitution payments shall be deposited in the conservation fund.

SECTION 3238. 350.12 (1) of the statutes is amended to read:

350.12 (1) REGISTRATION REQUIREMENT. After January 1, 1970, no person shall operate, and no owner shall give permission for the operation of any snowmobile within this state unless the operation of the snowmobile is registered with the department pursuant to this section ~~complies with sub. (3) (a) (intro.) or (5) (cm)~~ or is exempt from registration. No political subdivision shall have authority to register or license snowmobiles.

SECTION 3239. 350.12 (2) (intro.) of the statutes is amended to read:

350.12 (2) EXEMPTION. (intro.) A snowmobile is exempt from registration if it is one of the following:

SECTION 3240. 350.12 (2) (bn) of the statutes is created to read:

350.12 (2) (bn) In the registration application process in another state, province or country, if proof of the application for registration is carried on the operator and the snowmobile has not been in this state for more than 15 consecutive days.

SECTION 3241. 350.12 (3) (a) (intro.) of the statutes is amended to read:

350.12 (3) (a) (intro.) Except as provided under sub. (2) and (5) (cm), no person may operate and no owner may give permission for the operation of any snowmobile within this state unless the snowmobile is registered for public use or private use under this ~~section~~ paragraph or as an antique under par. (b) and has the registration decals displayed as required by sub. (5). ~~Any or unless the snowmobile has a reflectorized plate attached as required under par. (c) 3. A snowmobile that is not registered as an antique under par. (b) may be registered for public use. A snowmobile that is not registered as an antique under par. (b) and that is used exclusively on private property, as defined under s. 23.33 (1) (n), may be registered for private use. A snowmobile public-use registration certificate is valid for 2 years beginning the July 1 prior to the date of application if registration is made prior to April 1 and beginning the July 1 subsequent to the date of application if registration is made after April 1 and ending on June 30, 2 years thereafter. A snowmobile private-use registration certificate is valid from the date of issuance until ownership of the snowmobile is transferred. The fee for the issuance or renewal of a public-use registration certificate is \$20 except the fee is \$2 \$5 if it is a snowmobile owned and operated by a political subdivision of this state. There is no fee for the issuance of a private-use registration certificate or for the issuance of a registration certificate to the state.~~

SECTION 3242. 350.12 (3) (a) 1 of the statutes is repealed.

SECTION 3243. 350.12 (3) (b) of the statutes is amended to read:

350.12 (3) (b) Any person who is a resident of this state and the owner of a snowmobile which has a model year of 1966 or earlier may, upon application, register the snowmobile as an antique snowmobile. Upon payment of a fee of \$20, the applicant shall be furnished a registration certificate and decals of a distinctive design, in lieu of the design on the decals issued under par. (d), ~~which. The design shall show that the snowmobile is an antique. The registration shall be valid without payment of any additional registration fee while the snowmobile is owned by the applicant. The snowmobile shall be used only for special occasions such as displays and public entertainment or for necessary testing, maintenance and storage purposes.~~ Unless inconsistent with this paragraph, the provisions of this chapter applicable to other snowmobiles shall apply to antique snowmobiles.

SECTION 3244. 350.12 (3) (c) of the statutes is repealed and recreated to read:

350.12 (3) (c) 1. Every person who is a snowmobile manufacturer, snowmobile dealer, snowmobile distributor or snowmobile renter or any combination thereof engaged in business in this state shall register with the department and obtain from the department a commercial snowmobile certificate.

2. The fee for issuing or renewing a commercial snowmobile certificate is \$60. Upon receipt of the application form required by the department and the fee required under this subdivision, the department shall issue to the applicant a commercial snowmobile certificate and 3 reflectorized plates. The fee for additional reflectorized plates is \$20 per plate.

3. A person who is required to obtain a commercial snowmobile certificate under subd. 1 shall attach in a clearly visible place a reflectorized plate to any snowmobile that is not registered for public use and that the person leases, rents, offers for sale or otherwise allows to be used whenever the snowmobile is being operated.

4. The period of validity for a commercial snowmobile certificate is 2 years, to be calculated in the same manner as is the period of validity for a public-use registration certificate under par. (a).

SECTION 3245. 350.12 (3) (d) of the statutes is amended to read:

350.12 (3) (d) Upon receipt of the required fee, a sales tax report, payment of sales and use taxes due under s. 77.61 (1) and an application on forms prescribed by it, the department shall issue to the applicant a registration certificate stating the registration number, the name and address of the owner, and other information the department deems necessary. The department shall issue 2 registration decals per snowmobile owned by an individual owner, this state or a political subdivision of this state ~~or put in use by a~~

~~commercial owner.~~ The decals shall be no larger than 3 inches in height and 6 inches in width ~~and.~~ The decals shall contain reference to the state, the department, whether the snowmobile is registered for public use or private use under par. (a), or as an antique under par. (b), and shall show the expiration date of the registration.

SECTION 3246. 350.12 (3) (dm) of the statutes is repealed.

SECTION 3247. 350.12 (3) (e) of the statutes is amended to read:

350.12 (3) (e) If a commercial snowmobile certificate, registration certificate or, registration decal or reflectorized plate is lost or destroyed, the ~~owner~~ holder of the certificate, decal or plate may apply for a duplicate on forms provided for by the department accompanied by a fee of ~~\$4~~ \$5. Upon receipt of a proper application and the required fee, the department shall issue a duplicate certificate ~~or registration, decal or plate~~ to the owner applicant.

SECTION 3248. 350.12 (3g) of the statutes is created to read:

350.12 (3g) REGISTRATION OF CERTAIN SNOWMOBILES. (a) Registration certificates issued to persons under s. 350.12 (3) (c) (intro.), 1989 stats., before the effective date of this paragraph [revisor inserts date], shall remain valid until their expiration dates.

(b) A snowmobile put into use by a snowmobile renter before the effective date of this paragraph [revisor inserts date], shall be subject to the requirements that are applicable under s. 350.12 (3) (c) (intro.) and 5, 1989 stats., s. 350.12 (3) (d), 1989 stats., s. 350.12 (3) (dm), 1989 stats., and s. 350.12 (5) (b), 1989 stats., and is exempt from the requirement under sub. (3) (c) 3 until the expiration date of the snowmobile registration.

SECTION 3249. 350.12 (3m) (title) of the statutes is amended to read:

350.12 (3m) (title) SNOWMOBILE REGISTRATION RECEIPTS.

SECTION 3250. 350.12 (3m) (a) of the statutes is amended to read:

350.12 (3m) (a) *Deposited in the conservation fund.* All moneys collected ~~from snowmobile registrations~~ under this section shall be deposited in the conservation fund and credited to the snowmobile account established under s. 25.29 (1m).

SECTION 3251. 350.12 (3m) (b), (c) and (cm) of the statutes are repealed.

SECTION 3252. 350.12 (3m) (d) of the statutes is amended to read:

350.12 (3m) (d) (title) *Estimate.* On July 1 of each even-numbered year, the department shall estimate as accurately as possible the total registration receipts for a 2-year period and ~~allocate the estimated receipts for each year of the period, adjusting that allocation adjust the estimate~~ periodically to reflect actual receipts.

SECTION 3253. 350.12 (4) (a) (intro.) of the statutes is amended to read:

350.12 (4) (a) *Enforcement, administration and related costs.* (intro.) ~~From the snowmobile enforcement and administration account under sub. (3m) (b), moneys may be~~ The moneys appropriated from s. 20.370 (3) (aq), (4) (ft) and (is) and (8) (dq) may be used for the following:

SECTION 3254. 350.12 (4) (a) 4 of the statutes is amended to read:

350.12 (4) (a) 4. An amount necessary to pay the cost of law enforcement aids to counties as appropriated under s. 20.370 (4) (ft). On or before June 1, a county shall file with the department on forms prescribed by the department a detailed statement of the costs incurred by the county in the enforcement of this chapter during the preceding May 1 to April 30. The department shall audit the statements and determine the county's net costs for enforcement of this chapter. The department shall compute the state aids on the basis of 100% of these net costs and shall pay these aids on or before October 1. If the state aids payable to counties exceed the moneys available for such purpose, the department shall prorate the payments. The department may not encumber more than \$200,000 to provide law enforcement aids to counties in any fiscal year.

SECTION 3255. 350.12 (4) (b) (intro.) of the statutes is amended to read:

350.12 (4) (b) *Trail aids and related costs.* (intro.) ~~From the snowmobile trail aids account under sub. (3m) (c), moneys may be appropriated under s. 20.370 (1) (mq) and (4) (bs).~~ The appropriations moneys appropriated under s. 20.370 (1) (mq) and (4) (bs) and (bt) shall be used for land acquisition, development and maintenance, including the purchase of liability insurance, the cooperative snowmobile sign program, major reconstruction or rehabilitation to improve bridges on existing approved trails, signing of snowmobile routes, and state snowmobile trails and areas and distributed as follows:

SECTION 3256. 350.12 (4) (b) 1 of the statutes is amended to read:

350.12 (4) (b) 1. State aids and funds for maintenance costs shall be 100% of the actual cost of maintaining the trail per year up to a \$165 per mile per year maximum, except as provided in ~~subd. 1m pars. (bg) to (br).~~ Qualifying trails are trails approved by the board as snowmobile trails. State aid for the cost of the purchasing or leasing of land and the acquisition of easements, permits or other agreements may equal 100% of acquisition expense. Aids for major reconstruction or rehabilitation projects to improve bridges may equal 100% of eligible costs. Development shall begin the same year the land is acquired. Moneys available for development shall be distributed on a 100% grant basis, 75% at the time of approval but no later than January 1 and 25% upon completion of the project. A county application may include a request

for purchasing or leasing land or acquiring easements, permits or other agreements for the use of land, and for aids for development or maintenance of trails, including the purchase of liability insurance. Trail routes, sizes and specifications shall be prescribed only by the board.

SECTION 3256m. 350.12 (4) (b) 1m of the statutes is repealed.

SECTION 3257. 350.12 (4) (b) 2 of the statutes is amended to read:

350.12 (4) (b) 2. Not more than ~~\$30,000~~ \$15,000 annually for a cooperative sign program with snowmobile clubs for club snowmobile trails open to the public and meeting minimum trail construction standards. Clubs may apply to the department for free signs on forms prescribed by the department and submit required documentation as prescribed by departmental rule on or before April 15 of each year.

SECTION 3258. 350.12 (4) (b) 3 of the statutes is amended to read:

350.12 (4) (b) 3. Not more than \$30,000 for a route signing program of aids to cities, villages ~~or~~ towns or counties of up to 100% of the cost of initial signing of snowmobile routes which connect authorized trails or which offer entrance to or exit from trails leading to such municipalities. Aid may be provided under this subdivision to cities, villages, towns and counties for up to 100% of the cost of placing signs developed under s. 350.108 (1) (b) which briefly explain the intoxicated snowmobiling law along snowmobile routes. Applications and documentation shall be submitted to the department by April 15 of each year on forms prescribed by departmental rule.

SECTION 3258g. 350.12 (4) (bg) of the statutes is created to read:

**Vetoed
in Part** 350.12 (4) (bg) *Supplemental trail aid payments*. Of the moneys appropriated under s. 20.370 (4) (bt), the department shall make available in fiscal year 1991-92 and each fiscal year thereafter an amount equal to the amount calculated under s. 25.29 (1) (d) 2 to make payments to the department or a county under par. (bm) for trail maintenance costs ~~incurred in previous fiscal years~~ that exceed the maximum specified under par. (b) 1 before expending any of the amount for the other purposes specified in par. (b).

SECTION 3258m. 350.12 (4) (bm) of the statutes is created to read:

350.12 (4) (bm) *Supplemental trail aid payments; eligibility*. A county or the department shall be eligible for payments under par. (bg) if it applies for the aid and if all of the following apply:

1. The actual cost incurred by the department or the county in maintaining its trails that are qualified under par. (b) 1 or 4 in a previous fiscal year exceeds the maximum of \$165 per mile per year under par. (b) 1.

2. Of the actual cost incurred by the department or the county in maintaining its trails that are qualified

under par. (b) 1 or 4 for the fiscal year applicable under subd. 1, the actual cost incurred in grooming the trails exceeds a maximum of \$130 per mile per year.

SECTION 3258r. 350.12 (4) (br) of the statutes is created to read:

350.12 (4) (br) *Supplemental trail aid payments; proration*. If the aid that is payable to counties and to the department under par. (bm) exceeds the moneys available under par. (bg), the department shall prorate the payments.

SECTION 3259. 350.12 (4) (c) of the statutes is amended to read:

350.12 (4) (c) *Lapses*. Any moneys appropriated under s. 20.370 (1) (mq), (3) (aq), (4) ~~(ft) or~~ (is) or (8) (dq) ~~which that~~ lapse at the end of the fiscal year or ~~which that~~ lapse after the end of the fiscal year because of the liquidation of an encumbrance shall revert to the ~~account from which the moneys were appropriated~~ snowmobile account in the conservation fund.

SECTION 3260. 350.12 (5) (b) of the statutes is amended to read:

350.12 (5) (b) The registration certificate or, for owners who purchased a snowmobile and who have received an approved application for registration receipt validated by the department but who have not yet received the registration certificate, the approved application for registration receipt shall be in the possession of the user of the snowmobile at all times; ~~except in the case of snowmobiles put in use by a commercial owner~~.

SECTION 3261. 350.12 (5) (e) of the statutes is created to read:

350.12 (5) (e) This subsection does not apply to any snowmobile to which a reflectorized plate is attached as required under sub. (3) (c) 3.

SECTION 3262. 350.13 of the statutes is amended to read:

350.13 Uniform trail signs and standards. The department of natural resources in cooperation with the department of transportation, ~~after having consulted with the snowmobile recreational council and~~ after public hearing, shall promulgate rules to establish uniform trail and route signs and standards relating to operation thereon as authorized by law. The authority in charge of the maintenance of the highway may place signs on highways under its jurisdiction where authorized snowmobile trails cross. These signs must be of a type approved by the department of natural resources and the department of transportation.

SECTION 3263. 350.14 of the statutes is renumbered 350.14 (1).

SECTION 3264. 350.14 (2) of the statutes is created to read:

350.14 (2) The department shall prepare written minutes of each meeting of the snowmobile recreational council and shall make them available to any interested party upon request.

SECTION 3265. 350.145 of the statutes is created to read:

350.145 Recommendations of the snowmobile recreational council. (1) **PROCEDURE REQUIRED.** To assist the snowmobile recreational council in performing its duty to make recommendations under s. 350.14 (1), the department and the snowmobile recreational council shall follow the procedures under sub. (2).

(2) **RECOMMENDATIONS FOR RULES.** (a) The department shall distribute any rule that it is proposing and that affects snowmobiles or snowmobiling to each member of the snowmobile recreational council for his or her review and comment at least 20 days before the notice stating that the proposed rule is in final draft form is submitted to the legislature in the manner provided under s. 227.19 (2). A member of the snowmobile recreational council may submit his or her written comments on the proposed rule to the department.

(b) The department shall include in the report required under s. 227.19 (3) the written comments that it receives under par. (a).

(3) **RECOMMENDATIONS FOR EXECUTIVE BUDGET BILL.** (a) 1. Before June 30 of each even-numbered year, the department shall consult with the snowmobile recreational council on the proposed changes for the succeeding biennium in the appropriations and laws that affect snowmobiles and snowmobiling.

2. A member of the snowmobile recreational council may submit before August 1 of the even-numbered year his or her written comments on the proposed changes specified in subd. 1 to the secretary of natural resources.

(b) The secretary of natural resources shall submit any written comments that the secretary receives under par. (a) 2 to the natural resources board and to the secretary of administration with the department's submission of its budget report under s. 16.42.

(c) Before March 1 of each odd-numbered year, the snowmobile recreational council shall meet and review the provisions that are included in the executive bill or bills and that affect snowmobiles and snowmobiling. A member of the snowmobile recreational council may submit his or her written comments on these provisions to the secretary of natural resources before March 10 of each odd-numbered year.

(d) The secretary shall submit the written comments that he or she receives under par. (a) 2 or (c) before March 10 of the odd-numbered year to the cochairpersons of the joint committee on finance before March 15 of that odd-numbered year.

SECTION 3266. 350.18 of the statutes is renumbered 350.18 (1).

SECTION 3267. 350.18 (2) of the statutes is created to read:

350.18 (2) Except as provided in s. 350.12 (1), any county, town, city or village may enact an ordinance that is in strict conformity with this chapter.

SECTION 3269c. 351.02 (1) (c) of the statutes is amended to read:

351.02 (1) (c) The offenses under pars. (a) and (b) are deemed to include offenses under any valid ordinance enacted by a local authority under s. 349.06 or any law enacted by a federally recognized American Indian tribe or band in this state which are in strict conformity with the offenses under pars. (a) and (b), and any federal law which is in substantial conformity with the offenses under pars. (a) and (b).

SECTION 3269e. 351.02 (2) of the statutes is repealed and recreated to read:

351.02 (2) "Traffic regulation" means a provision of chs. 194 or 341 to 349 for which the penalty for violation is a forfeiture or an ordinance enacted in accordance with s. 349.06 or a law of a federally recognized American Indian tribe or band in this state which is in conformity with one or more provisions of chs. 341 to 349.

SECTION 3270. 409.302 (3) (bm) of the statutes is created to read:

409.302 (3) (bm) The following boat title statutes: ss. 30.57, 30.572 and 30.573; but during any period in which collateral is inventory held for sale by a person who is in the business of selling goods of that kind, the filing provisions of ss. 409.401 to 409.408 apply to a security interest in that collateral created by that person as debtor; or

SECTION 3270j. 409.403 (3) and (4) of the statutes are amended to read:

409.403 (3) A continuation statement may be filed by the secured party within 6 months prior to the expiration of the 5-year period specified in sub. (2). Any such continuation statement must be signed by the secured party, identify the original statement by file number and state that the original statement is still effective. A continuation statement signed by a person other than the secured party of record must be accompanied by a separate written statement of assignment signed by the secured party of record and complying with s. 409.405 (2), including payment of the required fee. Upon timely filing of the continuation statement, the effectiveness of the original statement is continued for 5 years after the last date to which the filing was effective whereupon it lapses in the same manner as provided in sub. (2) unless another continuation statement is filed prior to such lapse. Succeeding continuation statements may be filed in the same manner to continue the effectiveness of the original statement. Unless a statute on disposition of public records provides otherwise, the filing officer may remove a lapsed statement from the files and destroy it immediately if ~~he~~ the officer has retained a microfilm or other photographic record, ~~or~~ is or an optical disk copy. In other cases a lapsed statement may not be destroyed until after one year after the lapse. The filing officer shall so arrange matters by physical annexation of financing statements to continuation statements or other related filings, or by

other means, that if he physically destroys the financing statements of a period more than 5 years past, those which have been continued by a continuation statement or which are still effective under sub. (6) shall be retained.

(4) Except as provided in sub. (7), a filing officer shall mark each statement with a file number and with the date and hour of filing and shall hold the statement or a microfilm or other photographic copy thereof, or an optical disk copy thereof, for public inspection. In addition the filing officer shall index the statements according to the name of the debtor and shall note in the index the file number and the address of the debtor given in the statement.

SECTION 3270k. 409.404 (2) of the statutes 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, 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 or optical disk copy 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 3270L. 409.409 of the statutes is amended to read:

409.409 (title) Storage of records. Whenever in this chapter a filing officer is required to mark, index or file any financing statement, termination statement, continuation statement, statement of assignment or statement of release, ~~he the officer~~ may destroy the original statement after a microfilm or other photographic copy or an optical disk copy has been prepared and filed for retention.

Vetoed in Part SECTION 3270m. ~~421.103 (4) of the statutes is amended to read:
421.103 (4) Chapters 421 to 427 shall not preempt the administration or enforcement of ch. 100 or 130. Conduct prescribed under s. 423.301, 426.108, 426.109 or 426.110 may also constitute violations of s. 100.18 or 100.20.~~

SECTION 3270r. 422.203 (1) of the statutes is amended to read:

422.203 (1) With respect to a consumer credit transaction other than one pursuant to an open-end credit plan, the parties may agree to a delinquency charge on any instalment not paid in full on or before the 10th day after its scheduled or deferred due date in an amount not to exceed ~~\$3 or 3%~~ \$10 or 5% of the unpaid amount of the instalment, whichever is less, ~~except that in a mobile home transaction as defined in~~

~~s. 138.056 (1) (c) the delinquency charge may not exceed \$6 or 3% of the unpaid amount of the instalment, whichever is less.~~

SECTION 3272. 440.01 (1) (b) to (d) of the statutes are amended to read:

440.01 (1) (b) "Grant" means the substantive act of ~~the an~~ an examining board, division or section, section of an examining board or the department of approving the applicant for registration, certification or licensure credentialing and the preparing, executing, signing or sealing of the ~~certificate of registration or license credentialing~~.

(c) "Issue" means the procedural act of the department of transmitting the ~~certificate or license to the registrant~~ credential to the person who is credentialed.

(d) ~~To "limit" a license, permit or certificate~~ "Limit", when used in reference to limiting a credential, means to impose conditions and requirements upon the holder ~~thereof of the credential~~, and to restrict the scope of the holder's practice.

SECTION 3273. 440.01 (1) (dm) of the statutes is created to read:

440.01 (1) (dm) "Renewal date" means the date on which a credential expires and before which it must be renewed for the holder to maintain without interruption the rights, privileges and authority conferred by the credential.

SECTION 3274. 440.01 (1) (e) and (f) of the statutes are amended to read:

440.01 (1) (e) "Reprimand" means to publicly warn the holder of a ~~license, permit or certificate~~ credential.

(f) ~~To "revoke" a license, permit or certificate~~ "Revoke", when used in reference to revoking a credential, means to completely and absolutely terminate the ~~license, permit or certificate, credential~~ and all rights, privileges and authority previously conferred ~~thereby by the credential~~.

SECTION 3275. 440.01 (1) (h) of the statutes is amended to read:

440.01 (1) (h) ~~To "suspend" a license, permit or certificate~~ "Suspend", when used in reference to suspending a credential, 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~~ the credential.

SECTION 3276. 440.01 (2) of the statutes is renumbered 440.01 (2) (intro.) and amended to read:

440.01 (2) (intro.) In this subchapter "examining;

(c) "Examining board" includes the board of nursing.

SECTION 3277. 440.01 (2) (a) of the statutes is created to read:

440.01 (2) (a) "Credential" means a license, permit, or certificate of certification or registration that is issued under chs. 440 to 459.

SECTION 3278. 440.01 (2) (b) of the statutes is created to read:

440.01 (2) (b) "Credentialing" means the acts of an examining board, section of an examining board or the department that relate to granting, issuing, denying, limiting, suspending or revoking a credential.

SECTION 3279. 440.01 (2) (d) of the statutes is created to read:

440.01 (2) (d) "Reciprocal credential" means a credential granted by an examining board, section of an examining board or the department to an applicant who holds a credential issued by a governmental authority in a jurisdiction outside this state authorizing or qualifying the applicant to perform acts that are substantially the same as those acts authorized by the credential granted by the examining board, section of the examining board or department.

SECTION 3280. 440.03 (1m) of the statutes is created to read:

440.03 (1m) The department may promulgate rules specifying the number of business days within which the department or any examining board in the department must review and make a determination on an application for a permit, as defined in s. 560.41 (2), that is issued under chs. 440 to 459.

SECTION 3280g. 440.03 (2) of the statutes is amended to read:

440.03 (2) The department may provide examination development services, consultation and technical assistance to other state agencies, federal agencies, counties, cities, villages, towns, national or regional organizations of state ~~licensing~~ credentialing agencies, similar ~~licensing~~ credentialing agencies in other states, national or regional accrediting associations, and nonprofit organizations. The department may charge a fee sufficient to reimburse the department for the costs of providing such services. In this subsection, "nonprofit organization" means a nonprofit corporation as defined in s. 181.02 (4) and an organization exempt from tax under 26 USC 501.

SECTION 3281. 440.03 (7) of the statutes is amended to read:

440.03 (7) The department shall establish the style, content and format of all ~~licenses, permits and certificates issued under chs. 440 to 459~~ credentials. Upon request of any person who holds a ~~license, permit or certificate issued under chs. 440 to 459~~ credential and payment of a \$10 fee, the department may issue a wall certificate signed by the governor.

SECTION 3283. 440.03 (8) (intro.) and (a) of the statutes are amended to read:

440.03 (8) (intro.) The department may promulgate rules requiring holders of certain ~~licenses, permits or certificates issued under chs. 440 to 459~~ credentials to do any of the following:

(a) Display the ~~license, permit or certificate~~ credential in a conspicuous place in the holder's office or place of practice or business, if the holder is not required by statute to do so.

SECTION 3285. 440.03 (9) of the statutes is repealed and recreated to read:

440.03 (9) The department shall include all of the following with each biennial budget request that it makes under s. 16.42:

(a) A recalculation of the administrative and enforcement costs of the department that are attributable to the regulation of each occupation or business under chs. 440 to 459 and that are included in the budget request.

(b) A recommended change to each fee specified under s. 440.05 (1) for an initial credential for which an examination is not required, under s. 440.05 (2) for a reciprocal credential and under s. 440.08 (2) (a) for a credential renewal if the change is necessary to reflect the approximate administrative and enforcement costs of the department that are attributable to the regulation of the particular occupation or business during the period in which the initial or reciprocal credential or credential renewal is in effect.

SECTION 3286. 440.035 (1) of the statutes is amended to read:

440.035 (1) Independently exercise its powers, duties and functions prescribed by law with regard to rule-making, ~~licensing, certifying~~ credentialing and regulation.

SECTION 3286g. 440.035 (2) of the statutes is amended to read:

440.035 (2) Be the supervising authority of all personnel, other than shared personnel, engaged in the review, investigation or handling of information regarding ~~qualification~~ qualifications of applicants for ~~license~~ credentials, examination questions and answers, accreditation, ~~investigation incident thereto,~~ related investigations and disciplinary matters affecting ~~licensees~~ persons who are credentialed by the examining board, or in the establishing of regulatory policy or the exercise of administrative discretion with regard to ~~qualification~~ the qualifications or discipline of applicants or ~~licensees~~ persons who are credentialed by the examining board or accreditation.

SECTION 3286k. 440.035 (4) of the statutes is amended to read:

440.035 (4) Compile and keep current a register of the names and addresses of all ~~licensees~~ persons who are credentialed to be retained by the department and which shall be available for public inspection during the times specified in s. 230.35 (4) (a).

SECTION 3287. 440.04 (3) of the statutes is amended to read:

440.04 (3) Control the allocation, disbursement and budgeting of the funds received by the examining boards in connection with their ~~licensing, certifying and related activities~~ credentialing and regulation.

SECTION 3289. 440.05 (intro.) of the statutes is amended to read:

440.05 Standard fees. (intro.) The following standard fee schedule ~~applies~~ fees apply to all licenses, per-

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~~mits, registrations and certificates issued under chs. 440 to 459 initial credentials, except as provided in ss. 440.41, 440.62, 440.72 440.51, 440.85, 442.06, 444.03, 444.05, 444.11 and 459.33 or unless otherwise specifically provided by statute, 449.17, 449.18, 459.33 and 459.46:~~

SECTION 3290. 440.05 (intro.) of the statutes, as affected by 1989 Wisconsin Act 307 and 1991 Wisconsin Act (this act), is repealed and recreated to read:

440.05 Standard fees. (intro.) The following standard fees apply to all initial credentials, except as provided in ss. 440.41, 440.51, 440.85, 442.06, 444.03, 444.05, 444.11, 449.17, 449.18, 459.33 and 459.46:

SECTION 3291. 440.05 (1) of the statutes is amended to read:

440.05 (1) Examination: The fee for examination for the initial ~~license, permit, certificate or registration credential~~ shall be an amount equal to the actual cost of the examination, as determined by the department, but not less than \$40 ~~the applicable fee specified under s. 440.08 (2) (a).~~ The initial ~~license, permit, certificate or registration credential~~ shall be granted to applicants upon successful completion of the examination and upon completion of other applicable requirements. If an examination is not required, the initial ~~license credential~~ shall be granted upon payment of a \$40 ~~fee the applicable fee specified under s. 440.08 (2) (a)~~ if the applicant is otherwise qualified.

SECTION 3292. 440.05 (2) of the statutes is amended to read:

440.05 (2) Reciprocal ~~license, permit, certificate or registration credential~~: \$50.

SECTION 3293. 440.05 (3) of the statutes, as affected by 1989 Wisconsin Acts 229 and 307, is repealed.

SECTION 3294. 440.05 (4) of the statutes is repealed.

SECTION 3295. 440.05 (5) of the statutes is repealed.

SECTION 3296. 440.05 (6) of the statutes is amended to read:

440.05 (6) Apprentice, journeyman, student ~~and or temporary license, permit or certificate, and renewal thereof credential~~: \$10.

SECTION 3297. 440.05 (7) of the statutes is amended to read:

440.05 (7) Replacement of lost ~~certificate credential~~, name or address change on ~~certificate credential~~, issuance of ~~duplicates and duplicate credential or transfer fee of credential~~: \$5.

SECTION 3298. 440.05 (8) of the statutes, as affected by 1989 Wisconsin Act 307, is repealed.

SECTION 3298g. 440.05 (9) of the statutes is amended to read:

440.05 (9) Endorsement of ~~licensees persons who are credentialed~~ to other states: \$10.

SECTION 3299. 440.06 of the statutes is amended to read:

440.06 Refunds and reexaminations. The secretary may establish uniform procedures for refunds of fees paid under s. 440.05 or 440.08 and uniform procedures and fees for reexaminations under chs. 440 to 459.

SECTION 3301. 440.07 (1) of the statutes is amended to read:

440.07 (1) In addition to the standards specified in chs. 440 to 459, examinations for ~~licensure, certification, permit or registration in chs. 440 to 459 credentials~~ shall reasonably relate to the skills likely to be needed for an applicant to practice in this state at the time of examination and shall seek to determine the applicant's preparedness to exercise the skills.

SECTION 3303. 440.07 (2) (intro.) of the statutes is amended to read:

440.07 (2) (intro.) The department or examining board having authority to ~~license, certify, register or permit credential~~ applicants may do any of the following:

SECTION 3304. 440.07 (3) of the statutes is created to read:

440.07 (3) The department may charge a fee to an applicant for a credential who fails an examination required for the credential and requests a review of his or her examination results. The fee shall be based on the cost of the review. No fee may be charged for the review unless the amount of the fee or the procedure for determining the amount of the fee is specified in rules promulgated by the department.

SECTION 3305. 440.08 of the statutes is created to read:

440.08 Credential renewal.

(2) RENEWAL DATES, FEES AND APPLICATIONS. (a) Except as provided in par. (b) and in ss. 440.41, 440.51, 440.85, 442.04, 442.06, 444.03, 444.05, 444.11, 448.065, 449.17, 449.18, 459.24, 459.33 and 459.46, the renewal dates and renewal fees for credentials are as follows:

1. Accountant, certified public: January 1 of each even-numbered year; \$43.

2. Accountant, public: January 1 of each even-numbered year; \$43.

3. Accounting corporation or partnership: January 1 of each even-numbered year; \$39.

4. Acupuncturist: July 1 of each odd-numbered year; \$39.

5. Aesthetician: July 1 of each odd-numbered year; \$39.

6. Aesthetics establishment: July 1 of each odd-numbered year; \$39.

7. Aesthetics instructor: July 1 of each odd-numbered year; \$39.

8. Aesthetics school: July 1 of each odd-numbered year; \$39.

**Vetoed
in Part**

9. Aesthetics specialty school: July 1 of each odd-numbered year; \$39.
10. Animal technician: January 1 of each even-numbered year; \$39.
- 10r. Appraiser, real estate, certified residential: July 1 of each odd-numbered year; \$39.
11. Appraiser, real estate, general: July 1 of each odd-numbered year; \$39.
12. Appraiser, real estate, ~~certified residential~~: July 1 of each odd-numbered year; \$39.
13. Architect: August 1 of each even-numbered year; \$41.
14. Architectural or engineering corporation: February 1 of each even-numbered year; \$39.
16. Barbering or cosmetology establishment: July 1 of each odd-numbered year; \$44.
17. Barbering or cosmetology instructor: July 1 of each odd-numbered year; \$50.
18. Barbering or cosmetology manager: July 1 of each odd-numbered year; \$41.
19. Barbering or cosmetology school: July 1 of each odd-numbered year; \$39.
20. Barber or cosmetologist: July 1 of each odd-numbered year; \$41.
21. Cemetery authority: January 1 of each odd-numbered year; \$39.
22. Cemetery preneed seller: January 1 of each odd-numbered year; \$39.
23. Cemetery salesperson: January 1 of each odd-numbered year; \$39.
24. Chiropractor: January 1 of each odd-numbered year; \$98.
25. Dental hygienist: October 1 of each odd-numbered year; \$39.
26. Dentist: October 1 of each odd-numbered year; \$75.
27. Designer of engineering systems: February 1 of each even-numbered year; \$39.
28. Drug distributor: June 1 of each even-numbered year; \$39.
29. Drug manufacturer: June 1 of each even-numbered year; \$39.
30. Electrologist: July 1 of each odd-numbered year; \$50.
31. Electrology establishment: July 1 of each odd-numbered year; \$39.
32. Electrology instructor: July 1 of each odd-numbered year; \$39.
33. Electrology school: July 1 of each odd-numbered year; \$39.
34. Electrology specialty school: July 1 of each odd-numbered year; \$39.
35. Engineer, professional: August 1 of each even-numbered year; \$40.
36. Funeral director: January 1 of each even-numbered year; \$64.
37. Funeral establishment: June 1 of each odd-numbered year; \$39.
38. Hearing instrument specialist: February 1 of each even-numbered year; \$103.
39. Land surveyor: February 1 of each even-numbered year; \$54.
40. Loan originator: January 1 of each odd-numbered year; \$90.
41. Loan solicitor: January 1 of each odd-numbered year; \$241.
42. Manicuring establishment: July 1 of each odd-numbered year; \$39.
43. Manicuring instructor: July 1 of each odd-numbered year; \$39.
44. Manicuring school: July 1 of each odd-numbered year; \$39.
45. Manicuring specialty school: July 1 of each odd-numbered year; \$39.
46. Manicurist: July 1 of each odd-numbered year; \$39.
47. Mortgage banker: January 1 of each odd-numbered year; \$212.
48. Nurse, licensed practical: May 1 of each odd-numbered year; \$41.
49. Nurse, registered: March 1 of each even-numbered year; \$42.
50. Nurse-midwife: March 1 of each even-numbered year; \$39.
51. Nursing home administrator: July 1 of each even-numbered year; \$57.
52. Occupational therapist: November 1 of each odd-numbered year; \$39.
53. Occupational therapy assistant: November 1 of each odd-numbered year; \$39.
54. Optometrist: January 1 of each even-numbered year; \$68.
55. Pharmacist: June 1 of each even-numbered year; \$82.
56. Pharmacy: June 1 of each even-numbered year; \$39.
57. Physical therapist: November 1 of each odd-numbered year; \$40.
58. Physician: November 1 of each odd-numbered year; \$116.
59. Physician's assistant: November 1 of each odd-numbered year; \$44.
60. Podiatrist: November 1 of each odd-numbered year; \$47.
61. Private detective: September 1 of each even-numbered year; \$153.
62. Private detective agency: September 1 of each even-numbered year; \$39.
63. Private practice school psychologist: October 1 of each odd-numbered year; \$59.
64. Psychologist: October 1 of each odd-numbered year; \$78.

65. Real estate broker: January 1 of each odd-numbered year; \$69.

66. Real estate corporation or partnership: January 1 of each odd-numbered year; \$39.

67. Real estate salesperson: January 1 of each odd-numbered year; \$49.

68. Respiratory care practitioner: November 1 of each odd-numbered year; \$39.

69. Time-share salesperson: January 1 of each odd-numbered year; \$39.

70. Veterinarian: January 1 of each even-numbered year; \$75.

(b) The renewal fee for an apprentice, journeyman, student or temporary credential is \$10. The renewal dates specified in par. (a) do not apply to apprentice, journeyman, student or temporary credentials.

(c) Renewal applications shall be submitted to the department on a form provided by the department and, except as provided in sub. (3), shall include the applicable renewal fee specified in pars. (a) and (b).

(3) LATE RENEWAL. (a) Except as provided in rules promulgated under par. (b), if the department does not receive an application to renew a credential before its renewal date, the holder of the credential may restore the credential by payment of the applicable renewal fee specified in sub. (2) (a) and by payment of the following amount:

1. If the application is received by the department less than 30 days after the renewal date, \$5.

2. If the application is received by the department 30 days or more after the renewal date, \$25.

(b) The department or the interested examining board, as appropriate, may promulgate rules requiring the holder of a credential who fails to renew the credential within 5 years after its renewal date to complete requirements in order to restore the credential, in addition to the applicable requirements for renewal established under chs. 440 to 459, that the department or examining board determines is necessary to protect the public health, safety or welfare. The rules may not require the holder to complete educational requirements or pass examinations that are more extensive than the educational or examination requirements that must be completed in order to obtain an initial credential from the department or the examining board.

(4) DENIAL OF CREDENTIAL RENEWAL. If the department or the interested examining board, as appropriate, determines that an applicant for renewal has failed to comply with sub. (2) (c) or (3) or with any other applicable requirement for renewal established under chs. 440 to 459 or that the denial of an application for renewal of a credential is necessary to protect the public health, safety or welfare, the department or examining board may summarily deny the application for renewal by mailing to the holder of the credential a notice of denial that includes a statement of the facts or conduct that warrant the denial and a notice that

the holder may, within 30 days after the date on which the notice of denial is mailed, have the denial reviewed at a hearing before the department or examining board.

SECTION 3312. 440.09 of the statutes is repealed.

SECTION 3313. 440.10 of the statutes is renumbered 440.08 (1) and amended to read:

440.08 (1) NOTICE OF RENEWAL. The department shall mail a notice of renewal to the last address provided to the department by each ~~license, certificate or permit~~ holder under ~~chs. 440 to 459~~ of a credential at least 30 days prior to the ~~expiration~~ renewal date of the ~~license, certificate or permit~~ credential. Failure to receive a notice of renewal is not a defense in any disciplinary proceeding against the holder or in any proceeding against the holder for practicing without a ~~license, certificate or permit~~ credential. Failure to receive a notice of renewal does not relieve the holder from the obligation to pay a penalty for late renewal under ~~s. 440.05 (4) or (5)~~ sub. (3).

SECTION 3314. 440.11 (1) and (2) of the statutes are amended to read:

440.11 (1) An applicant for or recipient of a ~~license, certificate or permit~~ under ~~chs. 440 to 459~~ credential who changes his or her name or moves from the last address provided to the department shall notify the department in writing of his or her new name or address within 30 days of the change.

(2) The department or any examining board or board in the department may serve any process, notice or demand on the holder of any ~~license, certificate or permit~~ credential by mailing it to the last-known address of the holder as indicated in the records of the department, examining board or board.

SECTION 3316. 440.20 of the statutes is amended to read:

440.20 Disciplinary proceedings. (1) Any person may file a complaint before the department or any examining board or board in the department and request any the department, examining board or board to commence disciplinary proceedings against ~~any permittee, registrant or license or certificate holder of a credential~~.

(2) Any person who in good faith testifies before the department or any examining board or board in the department or otherwise provides the department or any examining board or board in the department with information concerning possible unprofessional conduct, negligence in treatment or any other violation by a person holding a ~~license, permit, certificate or registration issued by the department~~ credential is immune from civil liability for his or her acts or omissions in testifying or otherwise providing such information. The good faith of any person specified in this subsection shall be presumed in any civil action and an allegation that such a person has not acted in good faith must be proven by clear and convincing evidence.

(3) The burden of proof in disciplinary proceedings before the department or any examining board or board in the department is a preponderance of the evidence.

(4) In addition to any grounds for discipline specified in chs. 440 to 459, the department, ~~real estate board~~ or appropriate examining board or board in the department may reprimand ~~any~~ the holder of a ~~license, permit, certificate or registration credential~~ or deny, limit, suspend or revoke a ~~license, permit, certificate or registration~~ the credential of any person who intentionally violates s. 146.024 (2) or intentionally discloses the results of a blood test in violation of s. 146.025 (5) (a) or (5m).

SECTION 3318. 440.21 of the statutes is created to read:

440.21 Enforcement of laws requiring credential. (1) The department may conduct investigations, hold hearings and make findings as to whether a person has engaged in a practice or used a title without a credential required under chs. 440 to 459.

(2) If, after holding a public hearing, the department determines that a person has engaged in a practice or used a title without a credential required under chs. 440 to 459, the department may issue a special order enjoining the person from the continuation of the practice or use of the title.

(3) In lieu of holding a public hearing, if the department has reason to believe that a person has engaged in a practice or used a title without a credential required under chs. 440 to 459, the department may petition the circuit court for a temporary restraining order or an injunction as provided in ch. 813.

(4) (a) Any person who violates a special order issued under sub. (2) may be required to forfeit not more than \$10,000 for each offense. Each day of continued violation constitutes a separate offense. The attorney general or any district attorney may commence an action in the name of the state to recover a forfeiture under this paragraph.

(b) Any person who violates a temporary restraining order or an injunction issued by a court upon a petition under sub. (3) may be fined not less than \$25 nor more than \$5,000 or imprisoned for not more than one year in the county jail or both.

SECTION 3319. 440.22 (2) of the statutes is amended to read:

440.22 (2) In any disciplinary proceeding against a holder of a ~~license, certificate, permit or registration credential~~ in which the department or an examining board ~~attached to or board in the department~~ orders suspension, limitation or revocation of the ~~license, certificate, permit or registration credential~~ or reprimands the holder, the department ~~or, examining board or board~~ may, in addition to ~~this~~ imposing discipline, assess all or part of the costs of the proceeding against the holder. Costs assessed under this subsection are payable to the department.

SECTION 3320. 440.22 (3) of the statutes is amended to read:

440.22 (3) In addition to any other discipline imposed, if the department ~~or, examining board or board~~ assesses costs of the proceeding to the holder of the ~~license, certificate, permit or registration credential~~ under sub. (2), the department ~~or, examining board or board~~ may not restore, renew or otherwise issue any ~~license, certificate, permit or registration credential~~ to the holder until the holder has made payment to the department under sub. (2) in the full amount assessed.

SECTION 3321. 440.23 (title) and (1) of the statutes are amended to read:

440.23 (title) Cancellation of credential; reinstatement. (1) If the holder of a ~~license, certificate, permit or registration~~ issued under chs. 440 to 459 ~~credential~~ pays a fee required under s. 440.05 (1) ~~to or~~ (6) ~~or~~ (8), 440.41 (2) (c), (5) or (7), 440.62 (2) (a), 440.72 (2) (intro.) ~~or~~ (7), 440.74 (2) (a), 440.85 (2) (c), 444.03, 444.05 ~~or~~, 444.11, 459.24 (5) or (6) (c), 459.28 (1), 459.32 (3) ~~or~~ 459.46 (2) (b) by check and the check is not paid by the bank upon which the check is drawn, the department may cancel the ~~license, certificate, permit or registration credential~~ on or after the 60th day after the department receives the notice from the bank, subject to sub. (2).

SECTION 3323. 440.23 (2) (intro.) of the statutes is amended to read:

440.23 (2) (intro.) At least 20 days before canceling a ~~license, certificate, permit or registration credential~~, the department shall mail a notice to the holder of the credential that informs the holder that the check was not paid by the bank and that the holder's ~~license, certificate, permit or registration credential~~ may be canceled on the date determined under sub. (1) unless the holder does all of the following before that date:

SECTION 3324. 440.23 (2) (b) of the statutes is amended to read:

440.23 (2) (b) If the fee paid under par. (a) is for renewal and the ~~license, certificate, permit or registration credential~~ has expired, pays the applicable penalty for late renewal specified in s. 440.05 (4) ~~or~~ (5) ~~or established under s. 440.62 (2) (e) 1 or 440.83 440.08 (3).~~

SECTION 3325. 440.23 (4) of the statutes is amended to read:

440.23 (4) A cancellation of a ~~license, certificate, permit or registration credential~~ under this section completely terminates the ~~license, certificate, permit or registration~~ and all rights, privileges and authority previously conferred by the ~~license, certificate, permit or registration credential~~.

SECTION 3326. 440.23 (5) of the statutes is amended to read:

440.23 (5) The department may reinstate a ~~license, certificate, permit or registration credential~~ that has been canceled under this section only if the previous

holder complies with sub. (2) (a) to (c) and pays a \$30 reinstatement fee.

SECTION 3327. 440.26 (2) (b) of the statutes is amended to read:

440.26 (2) (b) *Applications.* The department shall prescribe forms for original and renewal applications. ~~All applications shall be executed under oath.~~ A partnership application shall be executed by all members of the partnership. A corporate application shall be executed by the secretary and the president or vice president and, in addition, in the case of a foreign corporation, by the registered agent.

SECTION 3328. 440.26 (3) of the statutes is amended to read:

440.26 (3) *ISSUANCE OF LICENSES; FEES.* Upon receipt and examination of an application executed under sub. (2), and after any investigation ~~deemed that it considers necessary~~, the department shall, if it ~~deems determines that~~ the applicant is qualified, grant the proper license ~~upon payment of the fee specified in s. 440.05 (8) if the applicant is an agency or upon payment of the fee specified in s. 440.05 (1) if the applicant is a private detective.~~ No license shall be issued for a longer period than 2 years, and the license of a private detective shall expire on the expiration renewal date of the agency's license even though the private detective's license may not have been in effect for a full 2 years. Renewals of the original licenses issued under this section shall be issued in accordance with renewal forms prescribed by the department and shall be accompanied by the fees specified in s. 440.05 (3) to (5) and (8) 440.08. The department may not renew a license unless the applicant provides evidence that the applicant has in force at the time of renewal the bond or liability policy specified in this section.

SECTION 3329. 440.51 of the statutes is amended to read:

440.51 Statewide peddler's licenses for ex-soldiers. Any ex-soldier of the United States in any war, who has a 25% disability or more or has a cardiac disability recognized by the U.S. department of veterans affairs, and any person disabled to the extent of the loss of one arm or one leg or more or who has been declared blind as defined under Title XVI of the social security act, shall, upon presenting the department proof of these conditions, be granted a special statewide peddler's license without payment of any fee. The person must have been a bona fide resident of this state for at least 5 years preceding the application. While engaged in such business the person shall physically carry the license and the proof required for its issuance. A blind person shall also carry an identification photograph which is not more than 3 years old. A license issued under this section shall not entitle a blind person to peddle for hire for another person. A license issued under this section is permanent unless suspended or revoked by the department.

SECTION 3330. 440.62 (2) (a) of the statutes is amended to read:

440.62 (2) (a) An application for initial licensure or renewal or reinstatement of a license under this section shall be submitted to the department on a form provided by the department and shall be accompanied by the application applicable fee specified ~~by the department by rule in s. 440.05 (1) or 440.08~~. Each application shall be accompanied by a surety bond acceptable to the department in the minimum sum of \$25,000 for each location.

SECTION 3331. 440.62 (2) (e) of the statutes is repealed and recreated to read:

440.62 (2) (e) The department shall promulgate rules establishing the requirements for surety bonds under par. (a).

SECTION 3332. 440.63 (2) of the statutes is amended to read:

440.63 (2) *APPLICATIONS; CERTIFICATION PERIOD.* An application for initial certification or renewal or reinstatement of a certificate under this section shall be submitted to the department on a form provided by the department. An application for initial certification shall include the application fee specified in s. 440.05 (1). ~~Certificates issued under this section expire on July 1 of odd-numbered years.~~ Renewal applications shall be submitted biennially to the department on a form provided by the department on or before the applicable renewal date specified under s. 440.08 (2) (a) and shall include the applicable renewal fee specified in s. 440.05 (3) (e) 4 under s. 440.08 (2) (a), and the applicable penalty for late renewal under s. 440.05 (4) or (5) 440.08 (3) if the application is submitted late.

SECTION 3333. 440.72 (2) (intro.) of the statutes is amended to read:

440.72 (2) *APPLYING FOR REGISTRATION.* (intro.) A person desiring to act as a mortgage banker, loan originator or loan solicitor shall apply for a certificate of registration to the department on forms prescribed by the department and shall pay the application fee set by the department specified under s. 440.83 440.05 (1). An application shall satisfy all of the following:

SECTION 3334. 440.72 (5) of the statutes is amended to read:

440.72 (5) *COMPLETION OF REGISTRATION.* (a) *Loan originator and loan solicitor.* Upon receiving a properly completed application for registration as a loan originator or loan solicitor and the application fee specified in s. 440.05 (1), the department shall issue to the applicant a certificate of registration as a loan originator or loan solicitor.

(b) *Mortgage banker.* 1. Upon receiving a properly completed application for registration as a mortgage banker, the application fee specified in s. 440.05 (6) and satisfactory evidence of compliance with sub. (4), the department shall issue to the applicant a temporary certificate of registration as a mortgage banker.

A temporary certificate of registration is valid for 6 months after the date of issuance.

2. If within 6 months after the date of issuance of a temporary certificate of registration under subd. 1 the holder of the temporary certificate of registration notifies the department that he or she is acting as a mortgage banker and pays to the department the fee specified in s. 440.05 (1), the department shall issue to the person a certificate of registration as a mortgage banker.

SECTION 3335. 440.72 (6) of the statutes is repealed.

SECTION 3336. 440.72 (7) of the statutes is amended to read:

440.72 (7) RENEWAL OF REGISTRATION. A loan originator, loan solicitor or mortgage banker shall renew a certificate of registration by submitting to the department a renewal application and the applicable renewal fee set by the department specified under s. 440.83, 440.08 (2) (a) on or before December 31 of the even-numbered year after issuance of the certificate the applicable renewal date specified under s. 440.08 (2) (a). An applicant for renewal of a certificate of registration as a mortgage banker shall, as part of the application, refile a bond that satisfies sub. (4) (b) or resubmit evidence that satisfies sub. (4) (a) or (c).

SECTION 3337. 440.73 (3) of the statutes is amended to read:

440.73 (3) TRANSFER BY LOAN ORIGINATOR. A registered loan originator may at any time apply, on forms prescribed and provided by the department, to transfer employment to another registered mortgage banker. The fee for transfer shall be set by the department is specified under s. 440.83 440.05 (7) and is payable when the loan originator files the application.

SECTION 3338. 440.74 (2) (a) of the statutes is amended to read:

440.74 (2) (a) *Conduct of examination and preparation of report.* The department may at any time, on its own motion or upon complaint, examine the books of account, records, condition and affairs of a mortgage banker, loan originator or loan solicitor registered under this subchapter. The department shall prepare a report of each examination conducted under this section. As part of the examination or preparation of the report, the department may examine under oath any of the members, officers, directors, agents, employees or customers of the mortgage banker, loan originator or loan solicitor. The department may require a mortgage banker, loan originator or loan solicitor who is examined under this paragraph to pay to the department a fee for the costs of conducting the examination. If the department requires a fee under this paragraph, the department shall establish the amount of the fee by rule under s. 440.83.

SECTION 3339. 440.79 of the statutes is repealed.

SECTION 3340. 440.83 of the statutes is repealed.

SECTION 3341. 440.91 (1) of the statutes is created to read:

440.91 (1) Except as provided in sub. (6m), every cemetery authority that pays any commission or other compensation to any person, including its officers, members or stockholders, for selling or soliciting the sale of its cemetery lots or mausoleum spaces shall register with the department. The registration shall be in writing and shall include the names of the officers of the cemetery authority.

SECTION 3342. 440.91 (4) of the statutes, as created by 1989 Wisconsin Act 307, is amended to read:

440.91 (4) ~~Registrations under this section expire on December 31 of each even numbered year.~~ Renewal applications shall be submitted to the department ~~biennially~~ on a form provided by the department on or before the applicable renewal date specified under s. 440.08 (2) (a) and shall include the applicable renewal fee specified ~~in s. 440.05 (3) (L) or (8) under s. 440.08 (2) (a).~~

SECTION 3343. 440.92 (1) (b) 2 of the statutes, as created by 1989 Wisconsin Act 307, is amended to read:

440.92 (1) (b) 2. Pays the fee under ~~par. (d)~~ s. 440.05 (1).

SECTION 3344. 440.92 (1) (c) of the statutes, as created by 1989 Wisconsin Act 307, is amended to read:

440.92 (1) (c) ~~Certificates issued under par. (b) expire on December 31 of each even numbered year.~~ Renewal applications shall be submitted to the department ~~biennially~~ on a form provided by the department on or before the applicable renewal date specified under s. 440.08 (2) (a) and shall include the applicable renewal fee specified under par. (d) s. 440.08 (2) (a).

SECTION 3345. 440.92 (1) (d) of the statutes, as created by 1989 Wisconsin Act 307, is repealed.

~~SECTION 3345m. 440.92 (7) of the statutes is amended to read:~~ **Vetoed in Part**

~~440.92 (7) APPROVAL OF WAREHOUSES. No person may own or operate a warehouse unless the warehouse is approved by the department. Upon application, the department shall approve a warehouse that is located in this state if the person who operates the warehouse is licensed as a public warehouse keeper by the department of agriculture, food and trade and consumer protection under ch. 99, but may not approve a warehouse that is located in this state unless the person is so licensed. The department shall promulgate rules establishing the requirements for approval of warehouses that are located outside this state. The rules shall require warehouses that are located outside this state to file with the department a bond furnished by a surety company authorized to do business in this state in an amount that is sufficient to guarantee the delivery of cemetery merchandise to purchasers under preneed sales contracts. The department shall compile and keep a current list of the names and addresses of all warehouses approved under this subsection and shall make the list available~~

Vetoed
in Part

~~For public inspection during the times specified in s. 230.35 (4) (f).~~

SECTION 3346. 440.94 of the statutes is repealed.

SECTION 3347. 441.06 (2) of the statutes is amended to read:

441.06 (2) ~~The license shall be signed by the chairperson of the board.~~ The holder of the license is a "registered nurse", may append "R.N." to his or her name and is authorized to practice professional nursing.

SECTION 3348. 441.06 (3) of the statutes is amended to read:

441.06 (3) A registered nurse practicing for compensation shall, on or before ~~March 1 of the even-numbered years~~ the applicable renewal date specified under s. 440.08 (2) (a), submit to the board on furnished blanks a statement giving name, residence and other facts as the board requires, with the applicable renewal fee specified ~~in s. 440.05 (3) under s. 440.08 (2) (a).~~

SECTION 3349. 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 licensed practical nurses, and passing an examination, the applicant shall receive a license as a licensed practical nurse, ~~signed by the chairperson of the board.~~ The holder of the license is a "licensed practical nurse" and may append the letters "L.P.N." to his or her name. The board may reprimand or may limit, suspend or revoke the license of a licensed practical nurse under s. 441.07.

SECTION 3350. 441.10 (3) (b) of the statutes is amended to read:

441.10 (3) (b) ~~A~~ On or before the applicable renewal date specified under s. 440.08 (2) (a), a licensed practical nurse practicing for compensation shall submit ~~by April 30 of odd-numbered years~~ to the board, on blanks furnished by the department, an application for license renewal, together with a statement giving name, residence, nature and extent of practice as a licensed practical nurse during the prior year and prior unreported years and other facts bearing upon current competency as the board requires, accompanied by the applicable license renewal fee specified ~~in s. 440.05 (3) under s. 440.08 (2) (a).~~

SECTION 3351. 441.15 (3) (b) of the statutes is amended to read:

441.15 (3) (b) Any On or before the applicable renewal date specified under s. 440.08 (2) (a), a person issued a certificate under par. (a) and practicing nurse-midwifery shall, ~~during January of the even-numbered years,~~ submit to the board on furnished blanks a statement giving his or her name, residence and other information as the board requires by rule, with the applicable renewal fee specified ~~in s. 440.05 (3) under s. 440.08 (2) (a).~~

SECTION 3352. 442.01 (3) of the statutes is amended to read:

442.01 (3) ~~All certificates issued under this chapter shall be signed by at least 2 members of the examining board.~~ The board shall record its proceedings.

SECTION 3353. 442.03 of the statutes is amended to read:

442.03 Licenses required. (1) No person may lawfully practice in this state as a certified public accountant either in the person's own name, or as an employee, or under an assumed name, or as an officer, member or employee of a firm, or as an officer or employee of a corporation, unless the person has been granted by the examining board a certificate as a certified public accountant, and unless the person, firm or corporation, jointly and severally, has complied with all of the provisions of this chapter, including licensure ~~in each odd-numbered year.~~

(2) No person may lawfully practice in this state as a public accountant either in the person's own name, or as an employee or under an assumed name, or as an officer, employee or member of a firm, or as an officer or employee of a corporation, unless the person has been granted by the examining board a certificate of authority as a public accountant and unless the person, firm or corporation, jointly and severally, has complied with all of the provisions of this chapter, including licensure ~~in each odd-numbered year.~~

(3) No corporation or other entity and no officer, partner, stockholder or employee thereof may lawfully practice in this state as a public accountant or a certified public accountant either in the entity's or person's name, or as an employee or under an assumed name, unless the natural person has been granted by this examining board a certificate of authority as a public accountant and unless the person or entity, jointly and severally, has complied with all the provisions of this chapter, including licensure ~~in each odd-numbered year.~~

SECTION 3354. 442.08 of the statutes is amended to read:

442.08 (title) Licensure. ~~The department shall, in December of each odd-numbered year, upon~~ Upon application by ~~any~~ a holder of an unrevoked Wisconsin certificate as a certified public accountant or an unrevoked Wisconsin certificate of authority as provided for in this chapter, ~~the department shall issue a license, which shall be valid until December 31 of the odd-numbered year following issuance, unless the certificate or license is revoked to the holder.~~ A license shall also be issued to any partnership or corporation, upon application, which has complied with this chapter. ~~Interim licenses shall be issued to individuals, partnerships and corporations who have complied with this chapter within the biennial licensure period.~~ The renewal date and renewal fee for licenses issued under this chapter are specified under s. 440.08 (2) (a).

SECTION 3355. 442.09 of the statutes is amended to read:

442.09 Fees. The fees for examination and licenses granted or renewed under this chapter are specified in ~~s.~~ ss. 440.05 and 440.08.

SECTION 3356. 443.07 (6) of the statutes is amended to read:

~~443.07 (6) Permits shall expire on January 31 of the even-numbered year following their issuance or The renewal and shall become invalid after that date unless renewed. Renewal may be effected during the month of January by payment of the date and renewal fee for permits under this section are specified in s. 440.05 (3) under s. 440.08 (2) (a).~~

SECTION 3357. 443.08 (3) (a) of the statutes is amended to read:

443.08 (3) (a) A corporation desiring a certificate of authorization shall submit an application ~~with the examining board to the department~~ on forms ~~prescribed by the examining board and~~ provided by the department, listing the names and addresses of all officers and directors, and all individuals in its employment registered or granted a permit to practice architecture, professional engineering or designing in this state who will be in responsible charge of architecture, professional engineering or designing being practiced in this state through the corporation and other relevant information required by the examining board. A similar type of form shall also accompany the ~~biennial~~ renewal fee. If there is a change in any of these persons ~~during the biennium~~, the change shall be reported on the same type of form, and filed with the ~~examining board~~ department within 30 days after the effective date of the change. The examining board shall grant a certificate of authorization to a corporation complying with this subsection upon payment of the ~~certification~~ fee specified in s. 440.05 (8) (1). This subsection does not apply to corporations exempt under s. 443.14 (3) or (5).

SECTION 3358. 443.08 (3) (b) of the statutes is amended to read:

~~443.08 (3) (b) All The renewal date and renewal fee for certificates of authorization shall expire on January 31 of the even-numbered year following their issuance or renewal and shall be invalid after the expiration date unless renewed under this section are specified under s. 440.08 (2) (a).~~

SECTION 3359. 443.10 (2) (b) of the statutes is amended to read:

443.10 (2) (b) The fees for examinations and licenses granted or renewed under this chapter are specified in ~~s.~~ ss. 440.05 and 440.08.

SECTION 3360. 443.10 (2) (c) of the statutes is amended to read:

443.10 (2) (c) The examining board shall grant a certificate of registration upon payment of the registration fee to any applicant who, in the opinion of the examining board, has satisfactorily met all the appli-

cable requirements of this chapter. The certificate shall authorize the practice of architecture or of professional engineering. ~~Certificates of registration shall show the full name of the registrant, shall have a serial number, and shall be signed by the chairperson and the secretary of the examining board under seal of the examining board.~~

SECTION 3361. 443.10 (2) (e) of the statutes is amended to read:

~~443.10 (2) (e) Certificates The renewal date and renewal fee for certificates of registration shall expire on July 31 of the even-numbered year following their issuance or renewal and shall become invalid after that date unless renewed. The department shall notify every person registered under this chapter of the date of the expiration of their respective certificates and the amount of the fee required in s. 440.05 (3) for architects and professional engineers are specified under s. 440.08 (2) (a).~~

SECTION 3362. 443.10 (2) (f) of the statutes is amended to read:

443.10 (2) (f) The examining board shall grant a certificate of record as engineer-in-training to any applicant who, in the opinion of the examining board, has satisfactorily met all the requirements of this section pertaining to engineers-in-training. ~~The certificate of record shall show the full name of the engineer-in-training, shall have a serial number, and shall be signed by the chairperson and secretary of the examining board under the seal of the examining board.~~

SECTION 3363. 443.10 (5) of the statutes is amended to read:

443.10 (5) FEES; RENEWALS. The land surveyor's section shall grant a certificate of registration as a land surveyor to any applicant who has met the applicable requirements of this chapter. ~~The renewal date and renewal fee for the certificate shall expire on January 31 of the even-numbered year after the date of its issuance unless renewed. A certificate may be renewed for a period of 2 years during the month of January in which it expires by the payment of the fee are specified in s. 440.05 (3) under s. 440.08 (2) (a).~~

SECTION 3364. 445.04 (2) of the statutes is amended to read:

445.04 (2) No person may engage in the business of a funeral director, or make a representation as engaged in such business, in whole or in part, unless first licensed as a funeral director by the examining board. Application for a license, other than a renewal, shall be in writing and verified on a form to be furnished by the ~~examining board~~ department. The application must specify the address at which the applicant proposes to conduct the business of a funeral director and shall contain such other information as the examining board requires to determine compliance with the requirements of this chapter. Accompanying the application shall be the ~~examination~~ fee specified ~~under in~~ s. 440.05 (1), together with affidavits of recommendation from at least 2 persons

of the county in which the applicant resides or proposes to conduct the business of a funeral director.

SECTION 3365. 445.06 of the statutes is amended to read:

445.06 Renewal of licenses. ~~The examining board shall issue renewal licenses to funeral directors. The renewal date and renewal fee shall be that specified in s. 440.05 (3) for a funeral directors license are specified under s. 440.08 (2) (a).~~ Before any renewal license is delivered to any licensed funeral director, proof must be furnished by the applicant, to the satisfaction of the examining board, that the applicant is doing business at a recognized funeral establishment, except that if such applicant is not doing business at a recognized funeral establishment at the time of application for a license, the applicant shall be given a certificate, without additional cost, to the effect that the applicant is in good standing as a funeral director, and shall be entitled to a renewal license at any time during that license period, when located at a recognized funeral establishment, without payment of any additional renewal fee. The applicant must also furnish proof of completion of at least 15 hours of continuing education during the previous 2-year licensure period, except that new licensees are exempt from this requirement during the time between initial licensure and commencement of a full 2-year licensure period. ~~The license shall expire on December 31 of odd-numbered years.~~

SECTION 3366. 445.07 of the statutes is repealed.

SECTION 3367. 445.095 (1) (c) of the statutes is amended to read:

445.095 (1) (c) A certificate of apprenticeship issued under this section ~~shall be signed by the apprentice and shall be renewable annually upon the payment on January 1 of each year of the renewal fee specified in s. 440.05 (6). The examining board shall mail during the month of December of each year, to each registered apprentice at the last known address, a notice that the renewal fee is due~~ 440.08 (2) (b).

SECTION 3368. 445.105 (3) of the statutes is amended to read:

445.105 (3) Applications for funeral establishment permits shall be made on ~~blanks furnished forms provided by the examining board department and filed with the examining board on or before June 1 department~~ and shall be accompanied by the fee specified under s. 440.05 (8). All permits shall expire on May 31 of odd-numbered years (1). The renewal date and renewal fee for a funeral establishment permit are specified under s. 440.08 (2) (a).

SECTION 3368e. 445.125 (1) (b) of the statutes is amended to read:

445.125 (1) (b) Notwithstanding s. 701.12 (1), such agreements may be made irrevocable as to the first \$1,500 ~~\$2,000~~ of the funds paid under the agreement by each depositor.

SECTION 3369. 446.02 (2) of the statutes is amended to read:

~~446.02 (2) Application~~ The examining board shall grant a license to practice chiropractic to a person who submits an application for a license to practice chiropractic shall be made to the examining board department on a form provided by the department, accompanied by sufficient and satisfactory evidence of education consisting of 2 years of study in a regularly prescribed course for a bachelor of arts or science degree in a college accredited by the north central association of colleges and secondary schools or in an institution whose credits are accepted by the university of Wisconsin system, graduation from a reputable school of chiropractic, approved and recognized by the examining board, having a residence course of not less than 36 months, consisting of not less than 3,600 60-minute class periods, passes the examination described under sub. (3) and pays the license fee specified in s. 440.05 (1).

SECTION 3370. 446.02 (4) of the statutes is amended to read:

446.02 (4) ~~All~~ The renewal date and renewal fee for all licenses granted by the examining board shall expire on December 31 of even-numbered years following the issue thereof and may be renewed upon payment of the fee are specified in s. 440.05 (3) under s. 440.08 (2) (a).

SECTION 3371. 446.03 (8) of the statutes is repealed.

SECTION 3372. 447.05 of the statutes is amended to read:

447.05 Expiration and renewal. ~~Licenses issued under this chapter expire on September 30 of each odd-numbered year. Renewal applications shall be submitted to the department on a form provided by the department on or before the applicable renewal date specified under s. 440.08 (2) (a) and shall include the applicable renewal fee specified in s. 440.05 (3) under s. 440.08 (2) (a).~~

SECTION 3373. 448.04 (2) of the statutes is amended to read:

448.04 (2) CERTIFICATE OF LICENSURE. Each license granted by the board shall be attested by a certificate of licensure ~~bearing the licensee's name and the signature of the chairperson and secretary of the board and the seal of the board, and showing on its face the class of license to which it attests and any restrictions appurtenant thereto.~~

SECTION 3373t. 448.07 (1) (e) of the statutes is repealed.

SECTION 3374. 448.07 (2) of the statutes is amended to read:

448.07 (2) FEES. The fees for examination and licenses granted or renewed under this chapter are specified in s. ss. 440.05 and 440.08.

SECTION 3375. 449.04 (1) of the statutes is amended to read:

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449.04 (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 who qualifies under s. 449.05 (1) may take any examination administered by the examining board upon payment of the fee specified in s. 440.05 (1).

SECTION 3376. 449.06 (1) of the statutes is amended to read:

449.06 (1) Persons practicing optometry shall ~~biennially, before January 1 of even-numbered years following licensure, on or before the applicable renewal date specified under s. 440.08 (2) (a), register with the department and pay the applicable renewal fee specified in s. 440.05 (3) under s. 440.08 (2) (a).~~

SECTION 3377. 449.07 (2) of the statutes is repealed.

SECTION 3378. 449.17 (7) of the statutes is created to read:

449.17 (7) No fee may be charged for a certificate issued under this section. A certificate issued under this section remains in effect while the optometrist's license to practice optometry remains in effect unless the certificate is suspended or revoked by the department.

SECTION 3379. 449.18 (4m) of the statutes is created to read:

449.18 (4m) No fee may be charged for the issuance or renewal of a certificate under this section.

SECTION 3380. 450.03 (2) of the statutes is amended to read:

450.03 (2) The board shall issue a license as a pharmacist to any person who files satisfactory proof of qualifications under s. 450.04 (3) and, passes the examination under s. 450.04 and pays the fee specified in s. 440.05 (1), except as provided under s. 450.10.

SECTION 3381. 450.04 (3) (intro.) of the statutes is amended to read:

450.04 (3) (intro.) Every candidate for examination for licensure as a pharmacist shall submit an application on a form provided by the ~~board~~ department and pay the fee specified in s. 440.05 (1) at least 30 days before the date of examination. Every candidate shall also submit proof to the board that he or she:

SECTION 3382. 450.06 (2) (c) of the statutes is amended to read:

450.06 (2) (c) The fee under s. 440.05 (8) ~~(1)~~ is paid.

SECTION 3383. 450.07 (1) and (2) of the statutes are amended to read:

450.07 (1) No person may engage in manufacturing in this state unless the person obtains a manufacturer's license from the board. For the issuance of a license under this subsection, the applicant shall pay the fee specified in s. 440.05 (8) ~~(1)~~.

(2) No person may engage in the sale or distribution at wholesale of a prescription drug or device in this state without first obtaining a distributor's license from the board. For the issuance of a license under

this subsection, the applicant shall pay the fee specified in s. 440.05 (8) ~~(1)~~.

SECTION 3384. 450.08 of the statutes is amended to read:

450.08 License renewal. (1) ~~All~~ The renewal date for all licenses granted by the board expire on May 31 of the first even-numbered year after issuance is specified under s. 440.08 (2) (a). Only a holder of an unexpired license may engage in his or her licensed activity.

(2) (a) A pharmacist's license may be renewed by paying the applicable fee specified under s. 440.05 ~~(3)~~ within 2 years of May 31 of the year in which the license expires 440.08 (2) (a) on or before the applicable renewal date specified under s. 440.08 (2) (a). Failure to obtain renewal within the time period specified under this paragraph terminates the right of the person to be licensed as a pharmacist, and such right can only be acquired by passing an examination to the satisfaction of the board.

(b) A pharmacy, manufacturer's or distributor's license may be renewed by paying the applicable fee specified under s. 440.05 ~~(8)~~ by May 31 of the year in which the license expires 440.08 (2) (a) on or before the applicable renewal date specified under s. 440.08 (2) (a).

SECTION 3384m. 450.10 (3) (a) of the statutes is amended to read:

450.10 (3) (a) In this subsection, "health care professional" means a pharmacist licensed under this chapter, a nurse licensed under ch. 441, a chiropractor licensed under ch. 446, a dentist licensed under ch. 447, a physician, a podiatrist or physical therapist licensed or occupational therapist or occupational therapy assistant certified under ch. 448, an optometrist licensed under ch. 449, an acupuncturist certified under ch. 451, a veterinarian licensed under ch. 453 ~~or~~, a psychologist licensed under ch. 455, a speech-language pathologist or audiologist registered under subch. III of ch. 459 or a speech and language pathologist licensed by the department of public instruction.

SECTION 3384n. 450.10 (3) (a) of the statutes, as affected by 1989 Wisconsin Act 316 and 1991 Wisconsin Act (this act), is repealed and recreated to read:

450.10 (3) (a) In this subsection, "health care professional" means a pharmacist licensed under this chapter, a nurse licensed under ch. 441, a chiropractor licensed under ch. 446, a dentist licensed under ch. 447, a physician, a podiatrist or physical therapist licensed or occupational therapist or occupational therapy assistant certified under ch. 448, an optometrist licensed under ch. 449, an acupuncturist certified under ch. 451, a veterinarian licensed under ch. 453, a psychologist licensed under ch. 455, a speech-language pathologist or audiologist licensed under subch. II of ch. 459 or a speech and language pathologist licensed by the department of public instruction.

SECTION 3385. 451.04 (4) of the statutes is amended to read:

451.04 (4) EXPIRATION AND RENEWAL. ~~Certificates issued under this chapter expire on July 1 of each odd-numbered year.~~ Renewal applications shall be submitted to the department on a form provided by the department on or before the applicable renewal date specified under s. 440.08 (2) (a) and shall include the applicable renewal fee specified in s. 440.05 (3). ~~Any person who fails to renew his or her certificate on or before the date of its expiration is subject to s. 451.10 under s. 440.08 (2) (a).~~

SECTION 3386. 451.10 of the statutes is repealed.

SECTION 3387. 452.02 (1) of the statutes is amended to read:

452.02 (1) Any cemetery association or corporation which pays any commission or other compensation to any person, including its officers, members or stockholders, for soliciting the sale of its lots or grave spaces on a commercially operated basis shall register under this chapter. The cemetery association or corporation shall register biennially and pay the fee specified in s. 440.05 (8) (1). The registration shall be in writing and shall include the names of the officers of the cemetery association or corporation. Any cemetery association or corporation required to register under this subsection which knowingly fails to register shall be fined not more than \$100.

SECTION 3388. 452.02 (1) of the statutes, as affected by 1989 Wisconsin Act 307 and 1991 Wisconsin Act (this act), is repealed.

SECTION 3389. 452.025 (1) (c) of the statutes is amended to read:

452.025 (1) (c) Each application for registration as a time-share salesperson shall be accompanied by an initial fee specified in s. 440.05 (1) or a the applicable renewal fee specified in s. 440.05 (3) (p) 4 under s. 440.08 (2) (a), whichever is appropriate.

SECTION 3390. 452.025 (5) of the statutes is amended to read:

452.025 (5) (a) ~~Certificates~~ The renewal date for certificates of registration granted by the department under this section ~~expire on December 31 of even-numbered years following issuance of the certificates~~ is specified under s. 440.08 (2) (a).

(b) An application to renew a certificate of registration granted under this section shall be submitted with the applicable renewal fee specified under s. 440.08 (2) (a) on or before ~~December 31 of the even-numbered years following issuance of the certificate, except that the department shall accept renewal applications at any time during the year after the registration expires upon payment of the renewal fee and penalty the applicable renewal date specified under s. 440.08 (2) (a).~~

SECTION 3390g. 452.05 (1) (f) of the statutes is repealed.

SECTION 3390r. 452.06 (2) (a) of the statutes is amended to read:

452.06 (2) (a) Advise the secretary on the promulgation of rules under s. 452.05 (1) (c); and on establishing continuing education requirements under s. 452.05 (1) (d) and on preparing and revising the manual under s. 452.05 (1) (f).

SECTION 3391. 452.10 (3) of the statutes is amended to read:

452.10 (3) The fees for examinations and licenses granted or renewed under this chapter are specified ~~in s. under ss.~~ 440.05 and 440.08.

SECTION 3392. 452.12 (1) of the statutes is amended to read:

452.12 (1) EXPIRATION. A license granted by the department entitles the holder to act as a broker or salesperson, as the case may be, up to December 31 of even-numbered years following issuance of the license until the applicable renewal date specified under s. 440.08 (2) (a).

SECTION 3393. 452.12 (2) (c) of the statutes is amended to read:

452.12 (2) (c) Application for a corporate or partnership license shall be made on forms prescribed by the department, listing the names and addresses of all officers and partners, and shall be accompanied by the fee specified in s. 440.05 (8) (1). If there is a change in any of the officers or partners, the change shall be reported to the department, on the same form, within 30 days after the effective date of the change.

SECTION 3394. 452.12 (5) (a) and (b) of the statutes are amended to read:

452.12 (5) (a) Renewal applications for all licenses shall be submitted with the required applicable renewal fee specified under s. 440.08 (2) (a) on or before ~~December 31 of the even-numbered years following original licensure~~ the applicable renewal date specified under s. 440.08 (2) (a).

(b) If an application for renewal is not filed with the department on or before ~~December 31 of the even-numbered years following licensure~~ the renewal date, the applicant shall ~~be prohibited from engaging~~ may not engage in any of the activities covered by the license until the license is renewed or a new license is issued. ~~The department shall accept renewal applications at any time during the year after the license expires upon payment of the renewal fee and penalty. The department shall not thereafter grant a license until the applicant passes the required written examination and pays the fee specified in s. 440.05 (1).~~

SECTION 3395. 452.12 (6) (a) of the statutes is amended to read:

452.12 (6) (a) Any licensee, except a cemetery salesperson registered under s. 452.02 (3) or a time-share salesperson registered under s. 452.025, may apply for registration as an inactive licensee on or before

~~December 31 of the even-numbered year in which the person's license is due to expire~~ renewal date.

SECTION 3396. 452.12 (6) (a) of the statutes, as affected by 1989 Wisconsin Act 307 and 1991 Wisconsin Act (this act), is repealed and recreated to read:

452.12 (6) (a) Any licensee, except a time-share salesperson registered under s. 452.025, may apply for registration as an inactive licensee on or before the license renewal date.

SECTION 3397. 452.12 (6) (d) of the statutes is amended to read:

452.12 (6) (d) ~~Except as provided under par. (e)~~ Upon application, the department shall reinstate an inactive licensee's original license if the person files a timely application, pays the fee under s. 440.05 (1), and has not been investigated or disciplined under s. 452.14 as an inactive licensee in accordance with the requirements for late renewal under s. 440.08 (3).

SECTION 3398. 452.12 (6) (e) of the statutes is repealed.

SECTION 3399. 452.16 of the statutes, as affected by 1989 Wisconsin Act 307, is repealed.

SECTION 3400. 453.06 (2) of the statutes is amended to read:

453.06 (2) ~~Veterinary licenses shall expire on December 31 of each odd-numbered year following issuance. The license renewal date and renewal fee shall be that for veterinary licenses are specified in s. 440.05 (3) to (5). An expired license may be reinstated and renewed within 2 years of the date of expiration upon payment of the fees specified in s. 440.05 (4) or (5). Reexamination shall be required of a licensee requesting reinstatement after 2 years of expired status under s. 440.08 (2) (a).~~

SECTION 3401. 453.06 (4) of the statutes is amended to read:

453.06 (4) ~~Animal~~ The renewal date and renewal fee for animal technician certifications shall expire on December 31 of each odd-numbered year following issuance. An expired certificate may be reinstated and renewed within 2 years of the date of expiration upon payment of the fees are specified in s. 440.05 (4) or (5). Reexamination shall be required of an animal technician requesting reinstatement after 2 years of expired status under s. 440.08 (2) (a).

SECTION 3402. 454.06 (8) of the statutes is amended to read:

454.06 (8) EXPIRATION AND RENEWAL. Licenses ~~The renewal date and renewal fee for licenses issued under subs. (2) to (6) expire on July 1 of the odd-numbered years. Renewal applications shall be submitted biennially on a form provided by the examining board and shall include the renewal fee are specified in s. 440.05 (3) (c) and the penalty for late renewal under s. 440.05 (4) or (5) if the application is submitted late under s. 440.08 (2) (a).~~

SECTION 3403. 454.08 (3) of the statutes is amended to read:

454.08 (3) The examining board shall issue an establishment license to any person who pays the fee specified in s. 440.05 (8) (1) and who satisfies the requirements established by the examining board by rule, including proof of ownership of the business. Any change of ownership shall be reported to the examining board by the new owner within 5 days after the change of ownership.

SECTION 3404. 454.08 (9) of the statutes is amended to read:

454.08 (9) ~~Licenses~~ The renewal date and renewal fee for licenses issued under this section expire on July 1 of the odd-numbered years, and are not transferable. Renewal applications designating the particular establishment licensed shall be submitted biennially on a form provided by the examining board and shall include the renewal fee are specified in s. 440.05 (8) and the penalty for late renewal under s. 440.05 (4) or (5) if the application is submitted late under s. 440.08 (2) (a).

SECTION 3405. 454.11 of the statutes is repealed.

SECTION 3406. 454.15 (3) of the statutes is amended to read:

454.15 (3) The examining board may, in addition to or in lieu of a reprimand or revocation, limitation, suspension or denial of a license or permit, assess against a person who has done any of the things under sub. (2) (a) to (i) a forfeiture of not ~~less than \$100 nor~~ more than \$5,000 \$1,000 for each separate offense. Each day of continued violation constitutes a separate offense.

SECTION 3407. 455.06 (1) of the statutes is renumbered 455.06 and amended to read:

455.06 Renewals. Licenses ~~The renewal date and renewal fee for licenses issued under s. 455.04 (1) and (4) expire on September 30 of the odd-numbered year following issuance. A licensee shall, on or before its expiration date, apply for renewal to the department, accompanied by the fee are specified in s. 440.05 (3) under s. 440.08 (2) (a). An applicant for renewal of a license that expires with a renewal date that is on or after September 30 October 1, 1993, shall include with his or her application proof of completion of continuing educational programs or courses approved under s. 455.065 (2) for the minimum number of hours required in the rules promulgated under s. 455.065 (1).~~

SECTION 3408. 455.06 (2) of the statutes is repealed.

SECTION 3409. 455.065 (1) of the statutes is amended to read:

455.065 (1) Promulgate rules establishing the minimum number of hours of continuing education and criteria for the approval of continuing educational programs and courses required for renewal ~~under s. 455.06 (1) of a license that expires with a renewal date that is on or after September 30 October 1, 1993.~~

SECTION 3410. 455.07 (title) of the statutes is amended to read:

455.07 (title) Renewal fees.

SECTION 3411. 455.07 (1) of the statutes is repealed.

SECTION 3412. 455.07 (2) of the statutes is amended to read:

455.07 (2) The fee for renewal of a license under this chapter ~~shall be that is specified in s. 440.05 (3) under s. 440.08 (2) (a).~~

SECTION 3413. 455.07 (3) of the statutes is amended to read:

455.07 (3) The ~~delinquency late renewal fees shall be those~~ are specified in s. 440.05 (4) and (5) under s. 440.08 (3) (a).

SECTION 3414. 455.09 (2) of the statutes is amended to read:

455.09 (2) A suspended license is subject to ~~expiration and the requirements for renewal of the license~~ under s. ~~455.06~~ 440.08. The renewal of a suspended license does not entitle the licensee to any rights, privileges or authority conferred by the license while the license remains suspended.

SECTION 3415. 456.03 (1) of the statutes is renumbered 456.03 and amended to read:

456.03 Licenses. An applicant for a license as a nursing home administrator who has successfully complied with the requirements ~~of~~ for licensure under this chapter and passed the examination shall be granted a license by the examining board, certifying that the applicant has met the requirements of the laws and rules entitling the applicant to serve, act, practice and otherwise hold himself or herself out as a duly licensed nursing home administrator.

SECTION 3416. 456.07 (2) of the statutes is amended to read:

456.07 (2) The application for a new certificate of registration shall include the ~~biennial registration applicable renewal fee specified in s. 440.05 (3) under s. 440.08 (2) (a)~~ and evidence satisfactory to the examining board that during the biennial period immediately preceding application for registration the applicant has attended a continuation education program or course of study. During the time between initial licensure and commencement of a full 2-year licensure period new licensees shall not be required to meet continuing education requirements. All registration fees are payable on ~~July 1 of even-numbered years following licensure or before the applicable renewal date specified under s. 440.08 (2) (a).~~

SECTION 3417. 456.08 of the statutes is amended to read:

456.08 Reciprocity. The examining board, ~~in its discretion, and subject to this chapter and the rules of the examining board may~~ in its discretion, and subject to this chapter and the rules of the examining board may grant a nursing home administrator license under this chapter to a person who holds a nursing home administrator license issued by the proper authorities of any other state, upon payment of the fee ~~under~~ specified in s.

440.05 (2) and upon submission of satisfactory evidence of the person's qualifications.

SECTION 3417m. 458.01 (6) of the statutes is repealed.

SECTION 3417n. 458.01 (7) to (9) of the statutes are amended to read:

458.01 (7) "Certified appraiser" means an appraiser who is certified as a general appraiser or as a residential appraiser under s. 458.06 ~~or 458.12~~.

(8) "Certified general appraiser" means an individual who is certified as a general appraiser under s. 458.06 (3).

(9) "Certified residential appraiser" means an individual who is certified as a residential appraiser under s. 458.06 (4).

SECTION 3417nm. 458.01 (11m) of the statutes is created to read:

458.01 (11m) "Licensed ~~residential~~ appraiser" **Vetoed in Part** means an individual who is licensed as a ~~residential~~ appraiser under s. 458.08.

SECTION 3417p. 458.02 of the statutes is amended to read:

458.02 Limitations and exceptions. Nothing in this chapter shall be construed to prohibit a person who is not a certified appraiser ~~or licensed residential appraiser~~ from appraising real estate or from cosigning a written appraisal report with a certified appraiser ~~or licensed residential appraiser~~ if the person complies with ~~s. ss.~~ ss. 458.06 (1) and 458.08 (1). **Vetoed in Part**

SECTION 3417q. 458.03 (1) (b) of the statutes is amended to read:

458.03 (1) (b) Subject to the procedure under s. 458.05, promulgate rules establishing criteria for the approval of educational and continuing educational programs and courses of study for appraisers which have been approved by the appraisal foundation and establishing criteria for the approval of the ~~course~~ courses required under s. ss. 458.06 (2) (d) and 458.08 (2) (d).

SECTION 3417r. 458.03 (2) (b) of the statutes is amended to read:

458.03 (2) (b) Promulgate rules specifying the types of experience that apply toward satisfying the experience requirements in ~~s. ss.~~ ss. 458.06 (3) (c) and (4) (c) and 458.08 (3) (c).

SECTION 3417s. 458.03 (3) (b) of the statutes is amended to read:

458.03 (3) (b) At least once each year, transmit to the appraisal subcommittee of the federal financial institutions examination council, or its successor agency, a roster listing the names and addresses of certified appraisers ~~and licensed residential appraisers.~~ **Vetoed in Part**

SECTION 3417t. 458.06 (1) (intro.) of the statutes is amended to read:

458.06 (1) CERTIFICATION REQUIRED. (intro.) No person may do any of the following unless the person

holds an applicable appraiser certificate issued under this ~~chapter~~ section:

SECTION 3418b. 458.06 (2) (b) of the statutes is amended to read:

458.06 (2) (b) The applicant pays the fee specified in s. 458.10 (4) 440.05 (1), except as provided in s. 458.12 sub. (4m).

SECTION 3418c. 458.06 (3) (title) of the statutes is amended to read:

458.06 (3) (title) GENERAL APPRAISER CERTIFICATION.

SECTION 3418d. 458.06 (4) (title) of the statutes is amended to read:

458.06 (4) (title) RESIDENTIAL APPRAISER CERTIFICATION.

SECTION 3418e. 458.06 (5) of the statutes is renumbered 458.105 and amended to read:

458.105 Certificate number. The department shall assign a certificate number to each individual who is certified as an appraiser or licensed under this chapter and shall place the number upon each certificate prior to its issuance.

SECTION 3419b. 458.06 (6) of the statutes is renumbered 458.11 and amended to read:

458.11 EXPIRATION AND RENEWAL. ~~Certificates issued under this chapter expire on July 1 of each odd-numbered year.~~ Renewal applications shall be submitted to the department ~~biennially~~ on a form provided by the department ~~on or before the applicable renewal date specified under s. 440.08 (2) (a) and shall include the applicable renewal fee specified in s. 440.05 (3) under s. 440.08 (2) (a).~~ Renewal applications shall be accompanied by proof of completion of the continuing education requirements in ~~sub. (7) s. 458.13.~~ Notwithstanding ~~subs. ss. 458.06 (3) (b) 2 and (4) (b) 2 and 458.08 (3) (b) 2,~~ the department may not renew a certificate that expires on July 1, 1993, unless the holder of the certificate satisfies the requirement in ~~sub. s. 458.06 (3) (b) 1 or (4) (b) 1 or 458.08 (3) (b) 1,~~ as appropriate.

SECTION 3419c. 458.06 (7) of the statutes is renumbered 458.13 and amended to read:

458.13 Continuing education requirements. (1) At the time of renewal of a certificate issued under this chapter, each applicant shall submit proof of attendance at and completion of, within the 2 years immediately preceding the date on which the renewal application is submitted, continuing education programs or courses of study approved for at least 30 hours of credit by the department and the appraisal foundation.

(2) At the time of every 4th renewal, each applicant shall submit proof of attendance at and completion of, within the 2 years immediately preceding the date on which the renewal application is submitted, ~~an~~ the educational course and examination described in ~~sub. s. 458.06 (2) (d).~~ The number of hours of attendance at an educational course required under this ~~para-~~

~~graph~~ subsection shall be applied to satisfy the renewal requirement under ~~par. (a) sub. (1).~~

SECTION 3419d. 458.06 (8) of the statutes is renumbered 458.09 and amended to read:

458.09 Applicability of assessor experience and continuing education. (1) In this ~~subsection~~ section, "assessor" means an individual who assesses or has assessed the value of real estate for property tax purposes for a town, village, city or county or the department of revenue.

(2) If an applicant for a certificate under ~~sub. s. 458.06 (3) or (4) or 458.08 (3) or for renewal of a that certificate under sub. (6) s. 458.11~~ is an assessor, all of the following apply:

(a) The period of experience required under ~~sub. s. 458.06 (3) (c)~~ shall be reduced by the period during the 5 years immediately preceding the date of application under sub. (3) that the applicant has been employed as an assessor of commercial real estate or of both commercial real estate and residential real estate and that the department determines is substantially equivalent to experience as a general appraiser.

(b) The period of experience required under ~~sub. s. 458.06 (4) (c) or 458.08 (3) (c)~~ shall be reduced by the period during the 5 years immediately preceding the date of application under sub. (4) that the applicant has been employed as an assessor of residential real estate or commercial real estate and that the department determines is substantially equivalent to experience as a residential appraiser.

(3) The number of hours of attendance at and completion of continuing education programs or courses of study required under ~~sub. (7) (a) s. 458.13 (1)~~ shall be reduced by one hour for each hour of attendance at and completion of, within the 2 years immediately preceding the date on which the renewal application is submitted, continuing education programs or courses of study that the applicant has attended and completed in order to continue to qualify for employment as an assessor and that the department determines is substantially equivalent to attendance at and completion of continuing education programs or courses of study for ~~certified general appraisers or, certified residential appraisers or licensed residential appraisers,~~ as appropriate.

SECTION 3419e. 458.08 of the statutes is created to read:

458.08 Licensure. (1) LICENSE REQUIRED. No person may do any of the following unless the person is licensed as a ~~residential~~ appraiser under this section:

(a) Use the title "licensed appraiser" ~~"licensed residential appraiser"~~ or any similar title or use the initials "LA", ~~"LRA"~~ or any similar initials after the person's name.

(b) Describe or refer to an appraisal of real estate located in this state by the term "licensed" or any similar term.

(2) APPLICATION. An application for licensure under this section shall be submitted to the depart-

Vetoed
in Part

Vetoed
in Part

Vetoed
in Part

ment on a form provided by the department. No initial certificate of licensure may be issued under this section unless all of the following conditions are satisfied:

- (a) The applicant is at least 18 years old.
- (b) The applicant pays the fee specified in s. 440.05 (1), except as provided in sub. (4).
- (c) Subject to ss. 111.321, 111.322 and 111.335, the applicant submits evidence satisfactory to the department that he or she does not have an arrest or conviction record.
- (d) The applicant attends the educational course and passes the examination described in s. 458.06 (2) (d).

Vetoed
in Part
Vetoed
in Part

(3) ~~RESIDENTIAL APPRAISER LICENSURE.~~ The department shall grant and issue a certificate of licensure as a ~~residential~~ appraiser to any individual who does all of the following:

- (a) Satisfies the conditions in sub. (2).
- (b) 1. Submits evidence satisfactory to the department that he or she has successfully completed the educational requirements specified in the rules promulgated under s. 458.085.
- 2. Subdivision 1 does not apply to certificates granted under this section before July 1, 1993.

(c) Submits evidence satisfactory to the department that he or she has successfully completed the experience requirements specified in the rules promulgated under s. 458.085.

Vetoed
in Part

(d) Passes an examination conducted by the department under s. 458.10 to determine fitness to perform an appraisal of ~~residential~~ real estate ~~described in s. 458.16 (2).~~

Vetoed
in Part

(e) Satisfies any other requirements that the department determines, by rule, are necessary to ensure that he or she is qualified to perform an appraisal of ~~residential~~ real estate ~~described in s. 458.16 (2)~~ in a federally related transaction.

Vetoed
in Part

(4) **RECIPROCAL LICENSURE.** Upon application and payment of the fee specified in s. 440.05 (2), the department shall grant and issue a certificate of licensure as a ~~residential~~ appraiser to any applicant to whom any of the following applies:

(a) The applicant holds a current appraiser certificate in another state or territory of the United States and the department determines that the requirements for obtaining the certificate in the other state or territory are substantially equivalent to the requirements under sub. (3).

(b) The applicant meets the requirements established in a reciprocal agreement under s. 458.12 between the department and the regulatory authority in the state or territory where the applicant holds the certificate.

SECTION 3419f. 458.085 of the statutes is created to read:

458.085 Licensed appraiser educational and experience requirements; rules. The department shall pro-

mulgate rules establishing educational and experience requirements for licensure under this chapter.

SECTION 3419g. 458.10 (1) of the statutes is amended to read:

458.10 (1) The department shall conduct examinations for general appraiser ~~and certification,~~ residential appraiser certification ~~and residential appraiser licensure~~ at least semiannually at times and places determined by the department. The department shall provide public notice of each examination at least 60 days before the date of the examination.

Vetoed
in Part

SECTION 3419h. 458.10 (3) of the statutes is repealed and recreated to read:

458.10 (3) The department shall promulgate rules specifying the requirements for certification or licensure that an applicant must satisfy before he or she is eligible for examination.

SECTION 3419i. 458.12 (1) of the statutes is renumbered 458.06 (4m) and amended to read:

458.06 (4m) (title) **RECIPROCAL CERTIFICATION.** Upon application and payment of the fee specified in s. 440.05 (2), the department shall grant and issue a certificate of certification as a general appraiser certificate or as a residential appraiser certificate, as appropriate, to any applicant to whom any of the following applies:

(a) The applicant holds a current appraiser certificate in another state or territory of the United States and the department determines that the requirements for ~~certification obtaining the certificate~~ in the other state or territory are substantially equivalent to the requirements under s. ~~458.06 sub. (3) or (4).~~

(b) The applicant meets the requirements established in a reciprocal agreement under ~~sub. (2) s. 458.12~~ between the department and the certifying regulatory authority in the state or territory where the applicant ~~is certified~~ holds the certificate.

SECTION 3419j. 458.12 (2) of the statutes is renumbered 458.12 and amended to read:

458.12 (title) Reciprocal agreements. The department may enter into reciprocal agreements with officials of other states or territories of the United States for certifying and licensing appraisers and issue certificates to applicants who ~~are certified~~ hold certificates in those states or territories according to the terms of the reciprocal agreements.

SECTION 3420. 458.14 of the statutes is repealed.

SECTION 3420d. 458.16 of the statutes is renumbered 458.16 (1).

SECTION 3420e. 458.16 (2) of the statutes is created to read:

458.16 (2) Each licensed ~~residential~~ appraiser shall place his or her certificate number adjacent to or immediately below the title "Wisconsin licensed ~~residential~~ appraiser" on each written appraisal report and each written appraisal agreement used by the licensed ~~residential~~ appraiser in conducting appraisal

Vetoed
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Vetoed in Part activities. The title "~~Wisconsin licensed residential appraiser~~" may be used only on a written appraisal report or written appraisal agreement pertaining to residential real estate having a transaction value of less than \$1,000,000.

SECTION 3420f. 458.18 of the statutes is amended to read:

Vetoed in Part **458.18 Maintenance of records.** (1) Unless a longer period of retention is required under sub. (2), a certified appraiser or licensed residential appraiser shall retain for at least 5 years the originals or true copies of each contract for the employment of the appraiser's professional services, each written appraisal report prepared by the appraiser and all other records that, in the opinion of the appraiser, are material to each written appraisal report prepared by the appraiser. The period of retention required under this subsection begins on the date on which the appraiser submits the appraisal report to the person for whom the appraisal report is prepared.

Vetoed in Part (2) A certified appraiser or licensed residential appraiser shall retain the records described in sub. (1) for at least 2 years after the termination of any litigation related to the transaction for which the appraisal report was prepared.

Vetoed in Part (3) A certified appraiser or licensed residential appraiser shall, upon reasonable notice, make the records described in sub. (1) available for inspection and copying by the department or the board.

SECTION 3420g. 458.20 of the statutes is amended to read:

Vetoed in Part **458.20 Contingent fees.** No certified appraiser or licensed residential appraiser may accept a fee for conducting an appraisal that is contingent upon the certified appraiser reporting a predetermined estimate, analysis, opinion or conclusion or contingent upon the consequences resulting from the appraisal services.

SECTION 3420h. 458.21 of the statutes is amended to read:

Vetoed in Part **458.21 Appraisals in federally related transactions; annual registry fee required.** Each certified appraiser or licensed residential appraiser who performs or desires to perform an appraisal in a federally related transaction shall pay to the department the annual registry fee required by the federal financial institutions examination council or its successor agency.

SECTION 3420i. 458.22 of the statutes is amended to read:

Vetoed in Part **458.22 Use of title restricted to individual.** No firm, partnership, corporation or other group of individuals may use the title "certified appraisers", "certified general appraisers", "certified residential appraisers", "licensed appraisers", "~~licensed residential appraisers~~" or any similar title or use the initials "CA", "CGA", "CRA", "~~LA~~" or any similar initials in connection with the name or signature of the firm, partnership, corporation or group of individuals.

SECTION 3420j. 458.24 of the statutes is amended to read:

458.24 Code of professional conduct. Each certified appraiser and each licensed residential appraiser shall comply with the "Uniform Standards of Professional Appraisal Practice" established by the appraisal standards board of the appraisal foundation.

Vetoed in Part

SECTION 3420k. 458.26 (2) of the statutes is amended to read:

458.26 (2) The department shall present the findings of any investigation of an appraiser or an applicant for a certificate under this chapter to the board for its consideration. The department shall, upon motion of the board, and may, upon its own determination, commence disciplinary proceedings on any matter under investigation concerning a certified appraiser, licensed residential appraiser or applicant.

Vetoed in Part

SECTION 3420L. 458.26 (3) (intro.) and (a) of the statutes are amended to read:

458.26 (3) (intro.) Disciplinary proceedings shall be conducted by the board according to the rules promulgated under s. 440.03 (1). The board may deny, limit, suspend or revoke any certificate under this chapter or reprimand or impose additional continuing education requirements on the holder of a certificate under this chapter if it finds that the applicant for or holder of the certificate has done any of the following:

(a) Made a material misstatement in an application for certification the certificate or renewal of the certificate, or in any other information furnished to the board or department.

SECTION 3420m. 458.26 (4) of the statutes is amended to read:

458.26 (4) In addition to or in lieu of a reprimand or denial, limitation, suspension or revocation of a certificate under sub. (3), the board may assess against a certified appraiser, licensed residential appraiser or an applicant for a certificate under this chapter a forfeiture of not less than \$100 nor more than \$1,000 for each violation enumerated under sub. (3).

Vetoed in Part

SECTION 3421. 458.28 of the statutes is repealed.

SECTION 3422. 459.05 (intro.) and (1) of the statutes are renumbered 459.05 (1) and (1m) and amended to read:

459.05 (1) The department shall register issue to each applicant who passes an examination as provided in under s. 459.06 and shall issue to the applicant a certificate of pays the fee specified in s. 440.05 (1) a license signed by the secretary of regulation and licensing. The certificate of license shall be effective until January 30th of the year following the year in which it is issued.

(1m) 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, who pay the fee specified in s. 440.05 (2) and who are otherwise qualified for licensure.~~ No ~~such~~ applicant for a license by reciprocity 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 if 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 3423. 459.05 (2) of the statutes is repealed.

SECTION 3424. 459.09 of the statutes is amended to read:

459.09 Renewal of license; fees; effect of failure to renew. Each person who practices dealing in or fitting hearing aids shall, on or before ~~January 30 of even-numbered years following licensure~~ the applicable renewal date specified under s. 440.08 (2) (a), pay to the department the applicable renewal fee specified in s. 440.05 (3) under s. 440.08 (2) (a) and keep the certificate conspicuously posted in the person's office or place of business at all times. Where more than one office is operated by the licensee, duplicate certificates shall be issued by the department for posting in each location.

SECTION 3425. 459.26 (3) of the statutes is amended to read:

459.26 (3) An individual is not eligible for examination unless he or she has satisfied the requirements for licensure under s. 459.24 (2) (a) to (d) or (3) (a) to (d) and, at least 30 days before the date of examination, submits an application for examination to the department on a form provided by the department and pays the ~~specified fee specified in s. 440.05 (1).~~

SECTION 3426. 459.30 of the statutes is repealed.

SECTION 3427. 459.33 of the statutes is amended to read:

459.33 Fees. The department shall, by rule, establish the amount of the fees required under ss. 459.24 (5) and (6) (c), 459.28 (1), ~~459.30 (1)~~ and 459.32 (3). The fees shall be based on the approximate cost of the regulation.

SECTION 3428m. 551.235 (5) (d) 1 of the statutes is amended to read:

551.235 (5) (d) 1. Net income is calculated as consolidated net income for the last fiscal year, before deduction for income or franchise taxes, depreciation

and extraordinary items and may take into account the intended use of the proceeds of the securities being offered.

~~SECTION 3429g. 553.03 (5m) (c) of the statutes is amended to read:~~

~~553.03 (5m) (c) Amounts paid in connection with trading stamp promotions permitted under s. 400.15 130.15 by a person issuing trading stamps in connection with the retail sale of merchandise or service.~~

~~SECTION 3429m. 553.78 of the statutes is amended to read:~~

~~**553.78 Preemption.** This chapter shall not preempt the administration of ch. 96, 100, 125, 130, 133, 168 or 218. False, fraudulent and deceptive practices in connection with the offer, purchase or sale of a franchise defined by rule of the commissioner under s. 553.58 (1) may also constitute unfair methods of competition in business or unfair trade practices in business under s. 100.20 (1) or fraudulent advertising under s. 100.18.~~

SECTION 3429n. 560.03 (1) of the statutes is amended to read:

560.03 (1) Support and assist the efforts of local business and industry, local government, state, regional and local development corporations, industrial committees, chambers of commerce, labor organizations and other similar public and private agencies to foster expansion of existing agricultural, commercial, industrial and mining enterprises, and initiate efforts to attract new enterprises, including working jointly with the department of agriculture, trade and consumer protection to develop deer farming under s. 93.46 (1) (am).

~~SECTION 3429np. 560.03 (1) of the statutes, as affected by 1991 Wisconsin Act ... (this act) is repealed and recreated to read:~~

~~560.03 (1) Support and assist the efforts of local business and industry, local government, state, regional and local development corporations, industrial committees, chambers of commerce, labor organizations and other similar public and private agencies to foster expansion of existing agricultural, commercial, industrial and mining enterprises, and initiate efforts to attract new enterprises, including working jointly with the department of agriculture, food and trade to develop deer farming under s. 93.46 (1) (am).~~

SECTION 3429q. 560.03 (4m) of the statutes is created to read:

560.03 (4m) Provide, to communities in northern Wisconsin that are affected by mining, technical assistance with planning to diversify their economies.

~~SECTION 3429r. 560.03 (18) of the statutes is amended to read:~~

~~560.03 (18) Develop and implement a plan to promote and increase exports, including agricultural products, and foreign investment in this state. The plan shall provide for the secretary to take a leadership role in assuring collaboration and coordination among international trade activities conducted by~~

Vetoed
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in Part**

governmental entities to assure efficiency and to avoid duplication and may include provisions for participation in trade fairs and missions, establishment and maintenance of foreign trade offices and preparation of research on foreign markets for exports from this state and on opportunities for foreign investment in this state. The plan shall describe the allocation of funds for support staff in this state to implement the plan and for all other costs in implementing each provision of the plan. In developing and implementing the plan, the department shall consult with the department of agriculture, food and trade and consumer protection, the university of Wisconsin system, the state vocational, technical and adult education system and other public and private agencies and institutions supporting international trade education or activities. Any plan to establish a foreign trade office shall include the feasibility of establishing a system of graduated fees which a trade office may use to offset its operating costs, or a system of commissions for execution of successful transactions, or both.

SECTION 3429t. 560.03 (22) of the statutes is created to read:

560.03 (22) Assist American Indian communities in economic development activities.

SECTION 3429v. 560.035 of the statutes is created to read:

560.035 Data base of women's businesses. The department shall develop, maintain and keep current a computer data base of businesses in the state that are owned by women, containing demographic statistics and information on the types of industries represented, sales volume and growth rates, generation of jobs by both new and existing businesses and any other relevant characteristics.

SECTION 3429x. 560.036 (2) (a) of the statutes is amended to read:

560.036 (2) (a) For the purposes of ss. 16.75 (3m), 16.855 (10m), 16.87 (2), 18.16, 18.64, 18.77, 25.185, 66.911, 119.495 (2), 231.27 and 234.85, the department shall establish and periodically update a list of certified minority businesses, minority financial advisers and minority investment firms. Any business, financial adviser or investment firm may apply to the department for certification. For purposes of this paragraph, unless the context otherwise requires, a "business" includes a financial adviser or investment firm.

SECTION 3430. 560.038 of the statutes is repealed.

SECTION 3431. 560.04 (1) of the statutes is amended to read:

560.04 (1) **PURPOSE.** The legislature determines that a pattern of state-local relations shall be established that will facilitate closer coordination and cooperation between state and local governments. The department shall recommend methods for achieving such closer coordination and cooperation in order to meet citizen needs, provide a balanced economy, pursue housing initiatives and facilitate economic and community development.

SECTION 3432. 560.04 (2) (j) of the statutes is amended to read:

560.04 (2) (j) Administer grant programs related to economic or community development, including economic development assistance programs and housing and urban development comprehensive planning grants affecting local government, business or industry, to assist and strengthen local, regional and state economic and community development and support experimental and cooperative activities and intergovernmental relations, training of local government officials and personnel, and other activities consistent with the purposes of this chapter.

SECTION 3433. 560.045 of the statutes is created to read:

560.045 Community development block grant administration. ~~(1) HOUSING CONTRACT~~ **Vetoed in Part** Notwithstanding s. 16.54 (2) (a), from moneys received under a community development block grant, 42 USC 5301 to 5320, the department shall contract with the department of administration for the administration of housing programs, including the housing improvement grant program and the initial rehabilitation grant program.

~~(2) GRANT ALLOCATION.~~ **Vetoed in Part** After deducting for administrative costs, the department shall allocate total moneys received under the community development block grant program as follows:

~~(a) For economic development, 50%.~~

~~(b) For housing, 30%.~~

~~(c) For public facilities, 20%.~~

SECTION 3433m. 560.07 (6) of the statutes is amended to read: **Vetoed in Part**

560.07 (6) The secretary shall annually meet with the secretary of agriculture, food and trade and consumer protection to mutually agree on any joint program efforts.

SECTION 3433w. 560.07 (10) of the statutes is amended to read:

560.07 (10) Promote the pilot export development loan program under s. 560.165 to encourage economic development in this state. The department shall publicize the availability of pilot export development loans throughout this state and, on request, provide pilot export development loan program information to each small business, as defined in s. 560.165 (1) (e).

SECTION 3434e. 560.075 (title) of the statutes is renumbered 560.87 (title) and amended to read:

560.87 (title) Economic liaison program.

SECTION 3434g. 560.075 (1) (intro.), (a), (ag), (am), (b), (c) and (d) of the statutes are renumbered 560.86 (intro.), (1), (4), (5), (6), (7) and (9), and 560.86 (intro.), as renumbered, is amended to read:

560.86 Definitions. (intro.) In this section subchapter:

SECTION 3434i. 560.075 (2) (title) of the statutes is repealed.

SECTION 3434k. 560.075 (2) of the statutes is renumbered 560.87, and 560.87 (5), as renumbered, is amended to read:

560.87 (5) Designate in the department a liaison between the state agencies that administer targeted programs and American Indians, Indian businesses and Indian tribes interested in targeted programs. The liaison shall also perform functions related to the administration of the program under s. 560.13.

SECTION 3435. 560.13 of the statutes is repealed.

SECTION 3435m. 560.135 of the statutes is created to read:

560.135 Commercial fishing compensation program.

(1) The department shall establish a program to provide compensation to not more than 6 commercial fishing licensees who are eligible for compensation under sub. (2).

(2) Licensees who, on July 1, 1991, hold valid licenses under s. 29.33 that authorize commercial fishing of whitefish in Lake Superior are eligible for compensation under this section. Eligible licensees who wish to be compensated shall apply no later than November 1, 1991. The department shall prepare an application form to be used by licensees who apply.

(3) In order to receive compensation under this section, an eligible licensee who has applied under sub. (2) and the department shall enter into a contract by January 1, 1992. The contract shall require that the licensee surrender his or her license issued under s. 29.33 and that the department make an annual payment, as calculated under sub. (3g), to the licensee for 6 years. If the licensee dies before receiving all of his or her annual payments, the department shall make the annual payments to his or her estate.

(3g) (a) The amount to be paid each licensee as the licensee's annual payment under sub. (3) shall be the lesser of the following:

1. A payment of \$30,000 except as provided in sub. (3r).

2. A payment equal to 50% of the base amount calculated under par. (b).

(b) For purposes of par. (a) 2, the base amount is calculated by determining the amounts that equal the annual dockside value of the licensee's landed catch as reported to the department under s. 29.33 (5), for the years 1988, 1989 and 1990, by adding the greater 2 amounts of these 3 amounts and by dividing that sum by 2.

(3r) (a) Before entering into the contracts with the eligible licensees under sub. (3), the department shall determine whether the amount to be paid as annual payments from the appropriation under s. 20.143 (1) (h) will exceed \$110,000 in each fiscal year. If such amount will exceed \$110,000, the department shall lower the amount under sub. (3g) (a) 1 to the amount that equals the amount calculated by dividing \$110,000 by the number of licensees who have applied under sub. (3).

(b) If the department must lower the amount under sub. (3g) (a) 1, an eligible licensee may withdraw his or her application and the department shall adjust the amount under sub. (3g) (a) 1 using the formula under par. (a).

(4) Licensees who have entered into contracts under sub. (3) shall surrender any lake trout tags issued to them under rules promulgated under s. 29.33 to the department of natural resources. The department of natural resources shall reduce the total number of licenses that may be issued under s. 29.33 for commercial fishing in Lake Superior, as specified by rule on the effective date of this subsection. [revisor inserts date], by one for each contract entered into under sub. (3) and may not subsequently increase that total number.

SECTION 3435r. 560.145 of the statutes is created to read:

560.145 Targeted area revolving loan fund grants.

(1) DEFINITIONS. In this section:

(a) "Board" has the meaning given in s. 560.60 (1s).

(b) "Municipality" has the meaning given in s. 560.14 (1) (f).

(c) "Project" has the meaning given in s. 560.60 (14).

(2) GRANTS. From the appropriation under s. 20.143 (1) (c), the department may make a grant to a municipality to establish a revolving loan fund to provide or guarantee loans for projects that will be located in a targeted area within the boundaries of the municipality.

(3) ELIGIBILITY. (a) The department may not make a grant under this section to a municipality unless the board determines that the municipality is located in a targeted area or that the municipality contains a targeted area within its boundaries.

(b) When determining whether an area is a targeted area, the board shall consider all of the factors under s. 560.605 (2m) (a) to (h).

(4) CONDITIONS FOR RECEIVING A GRANT. As a condition for receiving a grant under this section, a municipality shall do all of the following:

(a) Agree to deposit the grant proceeds in a revolving loan fund to be used only for making or guaranteeing loans for projects that will be located in an area within the municipality that the board determines is a targeted area.

(b) Appoint a board of directors for the revolving loan fund and submit to the secretary for approval an operating plan that details the structure and the operation of the revolving loan fund and that has been approved by the fund's board of directors.

(c) Require that the board of directors of the revolving loan fund submit a report biennially to the secretary that lists the loans made or guaranteed by the fund and that details the accomplishments of the projects for which loans have been made or guaranteed by the fund.

Vetoed
in Part

Vetoed
in Part

SECTION 3436. 560.16 (1) (a) of the statutes is amended to read:

560.16 (1) (a) "Board" means the employee-ownership development finance board.

SECTION 3436c. 560.16 (1) (d) of the statutes is amended to read:

560.16 (1) (d) "Employee-owned business group" means a group formed by or on behalf of employees of an employee-owned business which that is considering substantial layoffs or a closing for the purpose of determining how to create new jobs, avoid layoffs or avoid the closing.

SECTION 3436f. 560.16 (1) (e) of the statutes is amended to read:

560.16 (1) (e) "Existing business" means the assets of any business which that is located in this state and which that is operating or has ceased operating ~~for not more than one year prior to the date the application is submitted under sub. (3).~~

SECTION 3436m. 560.16 (1) (f) of the statutes is amended to read:

560.16 (1) (f) "Existing business group" means a group formed by or on behalf of the current or former employees of an existing business which that has experienced substantial layoffs or a closing not more than one year prior to the date the application is submitted under sub. (3) for the purpose of determining the feasibility of assuming ownership or control of the existing business and operating it as an employee-owned business.

SECTION 3437. 560.16 (2) (a) of the statutes is amended to read:

560.16 (2) (a) The department may use the moneys under s. 20.143 (1) ~~(f)~~ (c) and (ie) to administer loans to existing business groups for a feasibility study to investigate the reorganization or new incorporation of an existing business as an employee-owned business and for professional services to implement the study.

SECTION 3437c. 560.16 (2) (am) of the statutes is created to read:

560.16 (2) (am) The department may make a loan under this section only to an existing business group formed by or on behalf of the current or former employees of an existing business that is a small business, as defined by rule under sub. (2m), and that has experienced layoffs or a closing for the purpose of determining the feasibility of assuming ownership or control of the small business and operating it as an employee-owned business.

SECTION 3437f. 560.16 (2) (d) of the statutes is created to read:

560.16 (2) (d) The board may approve a loan regardless of the number of employees laid off by the business or the length of time that the business has been closed.

SECTION 3437m. 560.16 (2m) of the statutes is created to read:

560.16 (2m) DEFINITION BY RULE. The department shall by rule define "small business" for the purpose of making loans under this section.

SECTION 3437r. 560.16 (5) (a) and (b) of the statutes are amended to read:

560.16 (5) (a) If ~~a~~ an existing business is purchased or improved by a group which that has received a loan under this section, the group shall repay the entire amount of the loan, with interest, in a lump sum at the closing of the purchase of the business or within one year after the date of the release of the loan by the department, whichever occurs later.

(b) If an existing business is not purchased or improved by a group which that has received a loan under this section within one year after the completion of the feasibility study, the group shall submit to the department a final report concerning the feasibility of repaying the loan.

SECTION 3437t. 560.165 (title) and (1) (c) of the statutes are amended to read:

560.165 (title) Export development loans.

(1) (c) "Loan" means ~~a~~ an export development loan under this section.

SECTION 3437tc. 560.165 (1) (b) of the statutes is created to read:

560.165 (1) (b) "Board" has the meaning given in s. 560.60 (1s).

SECTION 3437td. 560.165 (2) (intro.) and (i) of the statutes are amended to read:

560.165 (2) LOAN PURPOSES. (intro.) The At the request of the board, the department may shall make loans to small businesses that meet the criteria under this section from the appropriations under s. 20.143 (1) ~~(fz)~~ (c) and ~~(gr)~~ (ie). Loans may be used for the following purposes:

(i) Engaging in any other activity which that the department board determines to be appropriate.

SECTION 3437te. 560.165 (3) (intro.) and (d) of the statutes are amended to read:

560.165 (3) LOANS. (intro.) Subject to sub. (4), the department board shall give award loans to small businesses which that demonstrate all of the following:

(d) The department board will give preference if the small business has not exported any product or service into any foreign market before the export activity to be funded by the loan.

SECTION 3437tg. 560.165 (4) (d) (intro.) of the statutes is amended to read:

560.165 (4) (d) (intro.) The department board may make award a loan to small business only if the department board determines that all of the following apply:

SECTION 3437tj. 560.165 (5) (intro.) and (d) 2 of the statutes are amended to read:

560.165 (5) APPLICATION. (intro.) A small business desiring a loan under this section shall submit an application to the department board containing:

(d) 2. The department board may waive the requirement under subd. 1 that the financial statement be certified.

SECTION 3437tm. 560.165 (6) of the statutes is amended to read:

560.165 (6) REPAYMENT. (a) The department board shall require a small business to repay loan principal and interest, or loan principal and interest and a royalty, into the appropriation under s. 20.143 (1) ~~(gr)~~ (ie), subject to par. (d).

(b) If a small business terminates its operations in this state and a loan under this section has not been fully repaid, the department board may accelerate the terms of repayment under par. (a) to any reasonable period. The department board may request the attorney general to bring an action in any court of competent jurisdiction to enforce this paragraph. This paragraph does not affect any obligation of the small business to repay a royalty.

(c) Within a reasonable period as determined by the department board, a small business shall repay into the appropriation under s. 20.143 (1) ~~(gr)~~ (ie) any loan funds, plus interest, not expended within 2 years after it receives the loan.

(d) The department board may forgive repayment of a loan under the circumstances described in the rules promulgated under sub. ~~(7)~~ (7m).

SECTION 3437tp. 560.165 (7) (intro.) of the statutes is amended to read:

560.165 (7) (title) DUTIES OF BOARD. (intro.) The department board shall do all of the following:

SECTION 3437vc. 560.165 (7) (a) and (d) (intro.) of the statutes are amended to read:

560.165 (7) (a) Promote the pilot export development loan program under this section in accordance with s. 560.07 (10).

(d) (intro.) No later than January 1 annually, provide to the governor and to the standing committee dealing with economic development in each house of the legislature a report evaluating the pilot export development loan program under this section and stating all of the following:

SECTION 3437vd. 560.165 (7) (f) of the statutes is renumbered 560.165 (7m), and 560.165 (7m) (intro.) and (f), as renumbered, are amended to read:

560.165 (7m) (title) RULES. (intro.) Promulgate
With the approval of the board, the department shall promulgate rules setting forth all of the following:

(f) A procedure to coordinate the pilot export development loan program with other programs administered by the department or the department of agriculture, trade ~~or~~ and consumer protection which deal with international trade.

~~560.165 (7m) (f) A procedure to coordinate the export development loan program with other programs administered by the department or the department of agriculture, food and trade which deal with international trade.~~

Vetoed
in Part

SECTION 3437y. 560.165 (8) of the statutes is repealed.

SECTION 3437z. 560.18 of the statutes is repealed.

SECTION 3438c. 560.183 (1) (ag) of the statutes is created to read:

560.183 (1) (ag) "Eligible practice area" means a primary care shortage area, an obstetric shortage area, a psychiatric shortage area, a state or federal prison, an area health education center program established under 42 USC 295g-1, an American Indian reservation or trust lands of an American Indian tribe.

SECTION 3438e. 560.183 (1) (am) of the statutes is renumbered 560.183 (1) (cm) and amended to read:

560.183 (1) (cm) ~~"Medical"~~ "Primary care" shortage area" means a ~~county, or a service~~ shortage area established under sub. (7), in which the ratio of the population to the number of physicians who provide primary care is more than 2,500 to one, or an area that is in a primary care health ~~manpower~~ professional shortage area as determined by the federal department of health and human services under 42 ~~USC 254e~~ CFR part 5, appendix A.

SECTION 3438g. 560.183 (1) (ar) and (d) of the statutes are created to read:

560.183 (1) (ar) "Obstetric shortage area" means a shortage area established under sub. (7), in which there is a chronic unmet need for obstetric services, and in which there are sufficient resident or occurrence births per year, and sufficient medical personnel to provide backup services, to support an additional obstetric services provider.

(d) "Psychiatric shortage area" means an area that is designated by the federal department of health and human services under 42 CFR part 5, appendix C, as having a shortage of psychiatric manpower.

SECTION 3438m. 560.183 (2) of the statutes is renumbered 560.183 (2) (a).

SECTION 3438r. 560.183 (2) (b) of the statutes is created to read:

560.183 (2) (b) A physician who is a participant in the national health service corps loan repayment program under 42 USC 2541-1 is not eligible for loan repayment under this section.

SECTION 3439. 560.183 (3) (a) of the statutes is amended to read:

560.183 (3) (a) The department shall enter into a written agreement with the physician. In the agreement, the physician shall agree to practice primary care in this state ~~exclusively~~ primarily in a medical shortage ~~an eligible practice area, in a state or federal prison, in an area health education center program established under 42 USC 295g-1 or on an Indian res-~~

Vetoed
in Part

~~SECTION 3437w. 560.165 (7m) (f) of the statutes, as affected by 1991 Wisconsin Act ... (this act), is repealed and recreated to read:~~

~~ervation or trust lands of an Indian tribe except that a physician specializing in obstetrics may only agree to practice obstetrics in an obstetric shortage area and a physician specializing in psychiatry may only agree to practice psychiatry in a psychiatric shortage area.~~ The physician shall also agree to care for patients who are insured or for whom health benefits are payable under medicare, medical assistance or any other governmental program.

SECTION 3440. 560.183 (4) (intro.) of the statutes is amended to read:

560.183 (4) LOAN REPAYMENT. (intro.) Loans Principal and interest due on loans, exclusive of any penalties, may be repaid by the department at the following rate:

SECTION 3441. 560.183 (5) (b) of the statutes is repealed and recreated to read:

560.183 (5) (b) If the cost of repaying the loans of all eligible applicants, when added to the cost of loan repayments scheduled under existing agreements, exceeds the total amount in the appropriations under s. 20.143 (1) (fe) and (jm), the department shall establish priorities among the eligible applicants based upon the following considerations:

1. The degree to which there is an extremely high need for medical care in the eligible practice area in which the physician desires to practice.
2. The likelihood that a physician will remain in the eligible practice area in which he or she desires to practice after the loan repayment period.
3. The per capita income of the eligible practice area in which a physician desires to practice.
4. The financial or other support for physician recruitment and retention provided by individuals, organizations, or local governments in the eligible practice area in which a physician desires to practice.
5. The geographic distribution of the physicians who have entered into loan repayment agreements under this section and the geographic distribution of the eligible practice areas in which the eligible applicants desire to practice.
6. Other considerations that the department may specify by rule.

SECTION 3441c. 560.183 (5) (c) of the statutes is repealed.

SECTION 3441g. 560.183 (7) of the statutes is amended to read:

560.183 (7) (title) SHORTAGE AREAS. With the approval advice of the council, the department may shall establish service primary care shortage areas for the purpose of under sub. (1) (am) (cm) and obstetric shortage areas under sub. (1) (ar).

SECTION 3441m. 560.183 (8) (a) and (b) of the statutes are amended to read:

560.183 (8) (a) Provide recommendations to the department and council regarding the establishment of service shortage areas under sub. (7).

(b) Advise the department and council on the identification of communities eligible practice areas with an extremely high need for medical care.

SECTION 3441r. 560.183 (8) (c) of the statutes is repealed.

SECTION 3441s. 560.184 of the statutes is created to read:

560.184 Nurse-midwife loan assistance program. (1) Vetoed in Part
DEFINITIONS. In this section:

(a) "Council" has the meaning given in s. 560.183 (1) (a).

(b) "Medical shortage area" means a county, or a service area established under sub. (7), in which the ratio of the population to the number of physicians who provide primary care is more than 2,500 to one, or an area that is in a primary care health professional shortage area as determined by the federal department of health and human services under 42 CFR part 5, appendix A.

(c) "Nurse-midwife" means a person licensed to engage in the practice of nurse-midwifery under s. 441.15 (3) (a).

(d) "Obstetrics shortage area" means a county, or a service area established under sub. (7), in which it can be demonstrated that there is a chronic unmet need for obstetric care and that there is sufficient population of child-bearing age and sufficient medical personnel to provide backup services to support one or more additional obstetric care providers in the county or service area.

(e) "Practice nurse-midwifery" means to manage the care of a woman in normal childbirth and to provide prenatal, intrapartum, postpartum and nonsurgical contraceptive methods and care for the mother and the newborn.

(2) ELIGIBILITY. The department may repay, on behalf of a nurse-midwife, up to \$25,000 in educational loans obtained by the nurse-midwife from a public or private lending institution for education in an accredited school of nursing.

(3) AGREEMENT. (a) The department shall enter into a written agreement with the nurse-midwife. In the agreement, the nurse-midwife shall agree to practice nurse-midwifery in this state exclusively in a medical shortage area, in an obstetrics shortage area, in an area health education center program established under 42 USC 295g-1 or on an American Indian reservation or trust lands of an American Indian tribe. The nurse-midwife shall also agree to care for patients who are insured or for whom health benefits are payable under medical assistance or any other governmental program.

(b) The agreement shall specify that the responsibility of the department to make the payments under the agreement is subject to the availability of funds in the appropriations under s. 20.143 (1) (fe) and (jL).

(4) LOAN REPAYMENT. Loans may be repaid by the department at the following rate:

Vetoed
in Part

(a) Ten percent of the principal of the loan or \$2,500, whichever is less, during the first year of practice.

(b) An additional 12.5% of the principal of the loan or \$3,125, whichever is less, during the 2nd year of practice.

(c) An additional 15% of the principal of the loan or \$3,750, whichever is less, during the 3rd year of practice.

(d) An additional 20% of the principal of the loan or \$5,000, whichever is less, during the 4th year of practice.

(e) An additional 42.5% of the principal of the loan or \$10,625, whichever is less, during the 5th year of practice.

(5) AVAILABILITY OF FUNDS; RIGHT OF ACTION AGAINST STATE. (a) The obligation of the department to make payments under an agreement entered into under sub. (3) is subject to the availability of funds in the appropriations under s. 20.143 (1) (fc) and (jL).

(b) If the cost of repaying the loans of all eligible applicants, when added to the cost of loan repayments scheduled under existing agreements, exceeds the total amount of the appropriations under s. 20.143 (1) (fc) and (jL), the department shall give priority in entering into new agreements to all of the following:

1. Nurse-midwives who resided in a medical shortage area or an obstetrics shortage area prior to attending a college, university or nursing school.

2. Nurse-midwives who practice exclusively in cities, villages or towns with a per capita income of less than 75% of the statewide median per capita income.

3. Nurse-midwives who are practicing or who agree to practice exclusively in a county, city, village or town for which financial support has been offered or provided under sub. (6).

4. Nurse-midwives who are practicing or who agree to practice in communities with an extremely high need for health care, as determined by the department.

(c) An agreement under sub. (3) does not create a right of action against the state on the part of the nurse-midwife or the lending institution for failure to make the payments specified in the agreement.

(6) LOCAL PARTICIPATION. The department shall encourage contributions to the program under this section by counties, cities, villages and towns. Funds received under this subsection shall be deposited in the appropriation under s. 20.143 (1) (jL).

(7) SERVICE AREAS. The department may establish service areas for the purposes of sub. (1) (b) and (d).

(8) ADMINISTRATIVE CONTRACT. From the appropriation under s. 20.143 (1) (fd), the department shall contract with the board of regents of the university of Wisconsin system for administrative services from the office of rural health of the department of professional and community development of the university of Wisconsin hospital and clinics. Under the contract, the office of rural health shall do all of the following:

Vetoed
in Part

(a) Provide recommendations to the department regarding the establishment of service areas under sub. (7).

(b) Advise the department and council on the identification of communities with an extremely high need for health care.

(c) Assist the department to publicize the program under this section to nurse-midwives and eligible communities.

(d) Assist nurse-midwives who are interested in applying for the program under this section.

(e) Assist communities in obtaining the services of nurse-midwives through the program under this section.

(f) Assist the department with the general operation of the program under this section.

SECTION 3441t. 560.185 (1) of the statutes is amended to read:

560.185 (1) Advise the department as provided in s. 560.183 (5) (b) 4 and (e) and (7) and on other matters related to the physician loan assistance program under s. 560.183 and the nurse-midwife loan assistance program under s. 560.184.

Vetoed
in Part

SECTION 3441w. 560.185 (3) (a) of the statutes is amended to read:

560.185 (3) (a) Ways to improve the delivery of health care to persons living in rural areas of the state that qualify as medical shortage eligible practice areas, as defined in s. 560.183 (1) (am) (ag).

SECTION 3441wr. 560.194 of the statutes is created to read:

560.194 Capital access program grant. (1) In this section, "capital access program" means a loan guarantee program in which a loan that is made under the program by a commercial lending institution is partially guaranteed by a reserve fund consisting of funds contributed by the commercial lending institution and matched by the Milwaukee economic development corporation.

(2) The department shall make a grant of \$50,000 from the appropriation under s. 20.143 (1) (cm) to the Milwaukee economic development corporation to operate a capital access program if all of the following apply:

(a) The Milwaukee economic development corporation agrees to use the grant proceeds for no purpose other than to contribute matching funds to reserve funds under the capital access program.

(b) The Milwaukee economic development corporation submits to the department a plan that has been approved by its board of directors for the structure and operation of the capital access program.

(c) The Milwaukee economic development corporation certifies to the secretary of administration that it has entered into an agreement for participation in the capital access program with at least one bank or other commercial lending institution.

(3) The capital access program council created under s. 15.157 (9) shall advise the Milwaukee economic development corporation on matters related to the operation of the capital access program.

(4) The Milwaukee economic development corporation shall provide an annual report to the department detailing how the grant proceeds were used, describing the operation of the capital access program and assessing the effectiveness of the program in achieving its objective of economic development. On or before June 30 of each year, the department shall submit the annual report to the governor and to the chief clerk of each house of the legislature for distribution as provided under s. 13.172 (2).

(5) This section does not apply after June 30, 1993.

~~SECTION 3441: 560.195 of the statutes is created to read:~~

Vetoed in Part ~~560.195 Seed capital program. (1) DEFINITIONS. In this section:~~

~~(a) "Board" means the seed capital program board created under s. 15.155 (6).~~

~~(b) "Eligible business" means one of the types of businesses determined by the department by rule under sub. (2) (b) to be eligible for assistance under this section.~~

~~(2) ESTABLISH PROGRAM. The department may establish a seed capital program to assist new firms in the early stages of their operation by providing direct investment funding, equity financing or subordinated debt financing. If the department establishes a seed capital program, it shall do all of the following:~~

~~(a) Contract with a nonstate entity to administer the program.~~

~~(b) Promulgate rules regarding the types of businesses that are eligible to receive assistance under the program under this section.~~

~~(c) Promulgate any other rules that are necessary or advisable for the operation of the program under this section.~~

~~(3) APPLICATION. An eligible business desiring assistance under the program under this section shall submit to the board an application and a business plan containing all of the following:~~

~~(a) A description of the product or service to be produced or provided.~~

~~(b) A report of formal or informal market research that demonstrates an understanding by the applicant of the market to be served.~~

~~(c) Documentation that a management team is in place or is committed to work for the company.~~

~~(d) Financial projections.~~

~~(e) The intended use of the funds.~~

~~(f) Identification of the next probable source of financing.~~

~~(4) CRITERIA. (a) After considering the recommendation of the program administrator, the board may award assistance to an eligible business in the form of direct investment funding, equity financing or~~

~~subordinated debt financing if all of the following apply:~~

~~1. The owner of the business agrees to incorporate under the laws of this state, locate the principal office of the business in this state and employ a majority of the employees of the business in this state.~~

~~2. The owner of the business provides documentation from at least 2 sources in the financial services community that the business does not qualify for conventional financing.~~

~~3. The owner of the business agrees to invest, or has invested, a significant portion of his or her own funds in the business, and agrees to devote full time to the business activities for which the assistance is requested.~~

~~4. The owner of the business has business experience and management ability, or, if the owner of the business has no business experience, he or she agrees to participate in the mentor program, in which an individual with business experience provides advice and counsel to a participant in the program under this section.~~

~~5. The business will create jobs in this state, and the wages to be paid are at least equal to the average wages for comparable employment within the area of the state where the business will be located.~~

~~6. If the business is applying for equity financing or subordinated debt financing, it provides proof of matching regular debt financing from a source other than the program under this section.~~

~~(b) The board shall give preference to a business that is likely to sell a product or a service with a demonstrated potential to be marketed outside the state or to capture state markets that might otherwise be filled by out-of-state firms.~~

~~(5) AMOUNT. At the request of the board, the department shall provide assistance to an eligible business in the form determined by the board under sub. (4) from the appropriations under s. 20.143 (1) (s) and (ie) in an amount not less than \$10,000 nor more than \$100,000.~~

~~(6) REPAYMENT. A business that receives direct investment funding shall enter into an agreement with the program administrator to repay all or a part of the funds received, plus a reasonable return, if the business earns a profit. Repayment may be made as a royalty or in another form, as determined by the board.~~

~~(7) DUTIES OF THE BOARD. The board shall do all of the following:~~

~~(a) Establish program standards.~~

~~(b) Review applications and approve awards of assistance under the program after considering the recommendations of the program administrator.~~

~~(c) Establish guidelines for the use of the funds awarded.~~

~~(d) Subject to the limits provided in sub. (5), determine the amount and the form of assistance to be provided under the program to an eligible business.~~

Vetoed in Part

Vetoed in Part (e) Determine the level of match required under sub. (4) (a) 6 for awards of equity financing or subordinated debt financing.

(f) Determine the terms of repayment under sub. (6) for a business that receives direct investment funding and earns a profit.

(g) Oversee the mentor program and approve the participation of individual mentors from a list of individuals willing and qualified to act as mentors proposed by the program administrator.

Vetoed in Part SECTION 3441y. 560.205 of the statutes is created to read:

560.205 Day care financing programs. (1) DEFINITIONS. In this section:

(a) "Day care center" means a licensed facility where a person, other than a relative or guardian, for compensation provides care and supervision for 4 or more children under 7 years of age for less than 24 hours a day.

(b) "Family day care center" means a day care center that provides care and supervision for not less than 4 nor more than 8 children.

(c) "Group day care center" means a day care center that provides care and supervision for 9 or more children.

(2) GENERAL. (a) The department shall allocate 75% of the appropriations under s. 20.143 (1) (fr) and (jr) to the low-interest loan program under sub. (3) and 25% of those appropriations to the combination grant and low-interest loan program under sub. (4).

(b) The department shall determine the terms and conditions of a loan or grant awarded under sub. (3) or (4) and shall charge interest on a loan awarded under sub. (3) or (4) at a rate that is equal to 75% of the going market rate as determined by the department. The department may award a loan or grant under sub. (3) or (4) only if the department determines that all of the following apply:

1. The loan or grant will increase opportunities for day care for the children of this state.

2. Financing is unavailable to the day care center from any other source on comparable terms.

(c) The department of development and the department of health and social services shall establish criteria for evaluating applications for loans or grants under sub. (3) or (4). The department of development shall establish the financial requirements and the department of health and social services shall establish the programming quality requirements for approval of an award under sub. (3) or (4).

(d) 1. The department shall require a day care center that is awarded a loan under sub. (3) or (4) to repay loan principal and interest into the appropriation under s. 20.143 (1) (jr), subject to subd. 4.

2. If a day care center terminates its operations in this state and a loan under sub. (3) or (4) has not been repaid in full, the department may accelerate the terms of repayment under subd. 1 to any reasonable period.

The department may request the attorney general to bring an action in any court of competent jurisdiction to enforce this paragraph.

Vetoed in Part

3. Within a reasonable period as determined by the department, a day care center that is awarded a loan under sub. (3) or (4) shall repay into the appropriation under s. 20.143 (1) (jr) any loan funds, plus interest, not expended within 2 years after it receives the loan.

4. The department may forgive repayment of a loan under the circumstances described in the guidelines developed under par. (e).

(e) The department of development shall establish all other procedures and guidelines that are necessary for the administration of this section, including procedures and guidelines to evaluate applications, to monitor performance of award recipients, to determine the circumstances under which the repayment of loan principal and interest is not required and to audit grants and loans awarded under sub. (3) or (4). At the request of the department of development, the department of health and social services shall assist in establishing the procedures and guidelines that are necessary for the administration of this section.

(f) Notwithstanding ss. 227.01 (13) and 227.10 (1), terms and conditions of loans and grants awarded under sub. (3) or (4), rates of interest charged for loans awarded under sub. (3) or (4), criteria for evaluating applications under sub. (3) or (4) and all other procedures and guidelines established for the administration of this section are not rules.

(3) LOW-INTEREST LOANS. (a) Subject to sub. (2), from the appropriations under s. 20.143 (1) (fr) and (jr), the department may award a loan of not more than \$50,000 to a group day care center to assist in the start-up, expansion or improvement of the center.

(b) A group day care center that is awarded a loan under this subsection shall contribute, from funds not provided by this state, not less than 50% of the cost of the start-up, expansion or improvement funded in part under this subsection.

(c) A group day care center that is awarded a loan under this subsection may use the amount awarded for the renovation, construction or purchase of real property, fixtures or equipment related to its operations. The center may not use the amount awarded under this subsection for inventory, supplies or overhead or to refinance existing loans.

(4) COMBINATION GRANTS AND LOW-INTEREST LOANS. (a) Subject to sub. (2), from the appropriations under s. 20.143 (1) (fr) and (jr), the department may award a combination grant and loan of at least \$5,000 but not more than \$10,000 to a family day care center to assist in the start-up, expansion or improvement of the center.

(b) In awarding this combination grant and loan, the department may not award a grant without a loan component. The grant awarded may not exceed 25% of the total amount awarded.

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SECTION 3442. 560.21 (1) and (3) of the statutes are repealed.

SECTION 3443. 560.27 of the statutes is repealed.

SECTION 3444. 560.29 (title) of the statutes is amended to read:

560.29 (title) Joint effort marketing.

SECTION 3445. 560.29 (1) of the statutes is repealed.

SECTION 3446. 560.29 (2) of the statutes is amended to read:

560.29 (2) **ELIGIBILITY.** Any public or private organization not organized or incorporated for profit may apply to the department for ~~cooperative advertising~~ joint effort marketing funds under this section. Prior to applying for such funds, each prospective applicant shall have submitted, at the time and in the manner provided by departmental rule, a plan and budget specifying the media to be used, the market to be approached, the facilities and attractions to be promoted and the applicant's estimated expenditures and receipts for the various projects within the plan. If such plan is coordinated with the statewide marketing strategy, the department shall approve it and the submitting organization shall be eligible to apply for ~~cooperative joint effort marketing~~ funds under this section.

SECTION 3447. 560.29 (3) (intro.) of the statutes is amended to read:

560.29 (3) **WRITTEN AGREEMENTS.** (intro.) Each ~~cooperative promotion~~ joint effort marketing project shall be implemented by a written agreement between the department and the ~~corporation or other~~ applicant organization, which shall specify at a minimum:

SECTION 3447m. 560.29 (3) (em) of the statutes is created to read:

560.29 (3) (em) The conditions for the release of the joint effort marketing funds under this section.

SECTION 3448. 560.29 (4) (a) of the statutes is amended to read:

560.29 (4) (a) No state funds may be released for a project which is not included within an advertising plan and budget submitted by ~~a corporation or other~~ an eligible organization and approved by the department.

SECTION 3448c. 560.29 (4) (b) of the statutes is amended to read:

560.29 (4) (b) No funds may be released ~~prior to the satisfactory completion of the project~~ except in accordance with the agreement concluded under sub. (3).

Vetoed
in Part

~~SECTION 3451m. 560.33 of the statutes is created to read:~~

~~560.33 American Indian tourism promotion. In collaboration with the Great Lakes inter-tribal council, the department shall do all of the following:~~

~~(1) Coordinate the promotion of American Indian tourism activities in this state, making the greatest use possible of existing resources, including the council on~~

~~tourism and local chambers of commerce, in promoting American Indian tourism activities.~~ Vetoed
in Part

~~(2) Prepare and distribute promotional materials and information regarding American Indian tourism activities in this state.~~

~~(3) Support and assist the American Indian tourism promotion activities of tribal governing bodies, American Indian tourism facilities and associations of persons with an interest in the promotion of American Indian tourism.~~

~~SECTION 3451w. 560.35 of the statutes is created to read:~~ Vetoed
in Part

~~560.35 Designation of Pontatowski as official tourist attraction. The division of tourism in the department of development shall designate Pontatowski in Marathon county as an official tourist attraction and shall include Pontatowski as an official tourist attraction in the tourism-related promotional materials prepared by the division of tourism, beginning with the materials to be distributed in 1992.~~

SECTION 3452. 560.42 (3) (b) of the statutes is amended to read:

560.42 (3) (b) The center may refer to the appropriate regulatory agency, without giving further assistance, any person seeking information or assistance on a permit under chs. 186, 215, 217, 220 to 224, 444 440 to 459 and 600 to 646.

SECTION 3452w. 560.60 (3) of the statutes is amended to read:

560.60 (3) "Consortium" means an association of a business and a higher educational institution, or an association of a business and the Great Lakes composites consortium, which association is subject to an agreement complying with this subchapter.

SECTION 3453. 560.605 (1) (e) 2 of the statutes is amended to read:

560.605 (1) (e) 2. For grants and loans under s. 560.63, not less than 50% of the cost of the project excluding projects located in targeted areas and costs described in s. 560.63 (3).

SECTION 3454. 560.605 (1) (e) 3 of the statutes is amended to read:

560.605 (1) (e) 3. For grants and loans under s. 560.64, not less than 50% of the cost of the project excluding projects located in targeted areas.

SECTION 3455. 560.605 (2) (f) of the statutes is created to read:

560.605 (2) (f) Whether the project will be located in an area that meets at least 4 of the 7 criteria that the board must consider in sub. (2m) (a) to (g) when considering whether a project will be located in a targeted area.

Vetoed
in Part

SECTION 3456. 560.605 (2m) of the statutes is created to read:

560.605 (2m) When considering whether a project under ss. 560.62 to 560.66 will be located in a targeted area, the board shall consider all of the following:

(a) Whether the area has high unemployment.

(b) Whether the area has a low median household income.

(c) Whether there is a high percentage of households in the area receiving aid to families with dependent children under s. 49.19.

(d) Whether there has been a significant decline in the population in the area.

(e) Whether property values in the area have been declining.

(f) Whether a significant number of workers in the area have been permanently laid off by their employers or whether public notice has been given by an employer of either a plant closing or a substantial reduction in work force that will result in a significant number of workers in the area being laid off permanently.

(g) Whether the area is designated as a development zone under s. 560.71.

(h) Any other factor the board considers to be an appropriate indicator of a targeted area.

SECTION 3457. 560.605 (5) of the statutes is created to read:

560.605 (5) The board shall give more favorable terms on loans and grants awarded to projects that will be located in targeted areas than to loans and grants awarded to projects that will not be located in targeted areas.

Vetoed
in Part

~~SECTION 3457c. 560.605 (6) of the statutes is created to read:~~

~~560.605 (6) The board shall award not less than 25% of the funds appropriated for the biennium under s. 20.143 (1) (c) for projects that otherwise meet the criteria under this subchapter entered into by businesses that, together with all of their affiliates, subsidiaries and parent companies, have no more than 100 employees and no more than \$10,000,000 in current gross annual sales.~~

SECTION 3458. 560.61 (1) of the statutes is amended to read:

560.61 (1) Make a grant or loan to an eligible recipient for a project that meets the criteria for funding under s. 560.605 (1) and (2) and under s. 560.62, 560.625, 560.63, 560.64, 560.65 or 560.66, whichever is appropriate, from the appropriations under s. 20.143 (1) (c), (d), (ie) and (s).

SECTION 3460. 560.61 (3) of the statutes is created to read:

560.61 (3) Make a loan under s. 560.16 from the appropriations under s. 20.143 (1) (c) and (ie) if the board determines that the loan meets the requirements of s. 560.16.

SECTION 3461. 560.62 (3) of the statutes is amended to read:

560.62 (3) Funds expended or encumbered in any fiscal year for grants and loans under this section may not exceed 40% of the total budgets of all technical research projects awarded grants or loans under this

section in that fiscal year excluding funds expended or encumbered for projects that are located in a targeted area.

SECTION 3461r. 560.68 ~~(1) and (2)~~ of the statutes are created to read:

Vetoed
in Part

~~560.68 (1) The department shall develop, and submit to the board for approval, a biennial finance plan for awarding grants and loans under this subchapter.~~

Vetoed
in Part

(2) The department, in cooperation with the board, shall actively encourage small businesses to apply for grants and loans under this subchapter by ensuring that there are no undue impediments to their participation and by assisting small businesses in preparing grant and loan applications.

~~SECTION 3461c. 560.68 (3) of the statutes is created to read:~~

Vetoed
in Part

~~560.68 (3) The department shall set specific goals for awarding grants and loans under this subchapter to businesses that are owned by women and shall incorporate those goals, and steps to implement those goals, in the biennial finance plan under sub. (1).~~

~~SECTION 3461v. 560.68 (7) of the statutes is created to read:~~

Vetoed
in Part

~~560.68 (7) The board shall require every applicant for a grant or loan under this subchapter to identify the portions of its application that contain information that qualifies as a trade secret, as defined in s. 34.90 (1) (c).~~

SECTION 3462. 560.70 (7) of the statutes is amended to read:

560.70 (7) "Tax benefits" means the development zones investment credit under ss. 71.07 (2di), 71.28 (1di) and 71.47 (1di), the development zones jobs credit under ss. 71.07 (2dj), 71.28 (1dj) and 71.47 (1dj), the development zones location credit under ss. 71.07 (2dL), 71.28 (1dL) and 71.47 (1dL), the development zones sales tax credit under ss. 71.07 (2ds), 71.28 (1ds) and 71.47 (1ds) and the additional 5% credit under ss. 71.28 (4) and 71.47 (3) (4).

SECTION 3463. 560.75 (8) of the statutes is amended to read:

560.75 (8) Verify information submitted to the department under ss. 71.07 (2di) (d) 2, (2dj) (e) 3, (2dL) (f) and (2ds) (d) 2, 71.28 (1di) (d) 2, (1dj) (e) 3, (1dL) (f), (1ds) (d) 2 and (4) (am) and 71.47 (1di) (d) 2, (1dj) (e) 3, (1dL) (f), (1ds) (d) 2 and (3) (4) (am).

SECTION 3463m. Subchapter VIII of chapter 560 of the statutes is created to read:

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SUBCHAPTER VIII

AMERICAN INDIAN ECONOMIC DEVELOPMENT

560.86 (2) "Board" means the development finance board appointed under s. 560.88 (2) (a).

Vetoed
in Part

(3) "Early planning project" means the preliminary stages of considering and planning the start-up of a business that will be an Indian business or a tribal enterprise.

(8) "Tribal enterprise" means a business that is all of the following:

(a) At least 51% owned and controlled by the governing body of one or more Indian tribes.

(b) Actively managed by the governing body, or the designee of the governing body, of one or more Indian tribes.

(c) Currently performing a useful business function.

Vetoed in Part ~~560.875~~ **Technical assistance.** (1) ~~Annually~~, the department shall grant to the Great Lakes inter-tribal council the amount appropriated under s. 20.143 (1) (d) to fund a program to provide technical assistance for economic development on Indian reservations if the conditions under subs. (2) to (4) are satisfied.

(2) (a) As a condition of receiving a grant under sub. (1), the Great Lakes inter-tribal council shall establish a technical assistance program.

(b) The program shall provide technical assistance to all of the following businesses:

1. A tribal enterprise.
2. An Indian business that is located on an Indian reservation.
3. An Indian business that is not located on an Indian reservation but that directly benefits the economy of an Indian reservation.

(c) The program shall provide the following types of technical assistance:

1. Management assistance to existing businesses.
2. Start-up assistance to new businesses, including the development of business and marketing plans and assistance in securing development financing.
3. Technical assistance to new and existing businesses in gaining access to tribal, state and federal business assistance and financing programs.

(3) As a condition of receiving a grant under sub. (1), the Great Lakes inter-tribal council annually shall prepare a report on the technical assistance program under sub. (2) and submit the report to the department.

(4) As a condition of receiving a grant under sub. (1), the Great Lakes inter-tribal council shall match at least 100% of the amount received with nonstate revenues.

Vetoed in Part ~~560.88~~ **Development financing.** (1) Biennially, the department shall grant to the Great Lakes inter-tribal council the amount appropriated under s. 20.143 (1) (d) to capitalize the revolving loan fund created under sub. (2) (a) if the conditions under subs. (2) and (3) are satisfied.

(2) As a condition of receiving a grant under sub. (1), the Great Lakes inter-tribal council shall establish a development finance program to assist businesses on or near Indian reservations that will benefit the economies of the Indian reservations.

(a) The Great Lakes inter-tribal council shall create a development finance revolving loan fund and appoint a development finance board consisting of 7

Vetoed in Part members, at least 2 of whom shall have experience operating a business located on an Indian reservation and at least 2 of whom shall have experience in the financing of new or expanding businesses. The board shall do all of the following:

1. Manage the revolving loan fund.
2. Establish policies and procedures for implementation of the development finance program.
3. Review and approve applications for assistance.
4. Oversee administration of the development finance program.

(b) The board may provide assistance to businesses in the form of loans and loan guarantees. The board may provide any other form of assistance that it determines to be appropriate, including interest subsidies. Except as provided in s. 560.885, the board may not make grants. The board may defer repayment of loans from the revolving loan fund for not more than 2 years.

(c) Any sole proprietorship, partnership, joint venture, corporation, tribal enterprise or tribal or municipal governing body in this state shall be eligible to apply for assistance under the development finance program.

(d) A person seeking assistance under this section shall submit an application, in a form required by the board, that contains or describes all of the following:

1. Potential locations of the business.
2. The ownership structure of the business.
3. The product or service provided by the business.
4. The market for the product or service provided by the business.
5. Competition within the market for the product or service provided by the business.
6. An estimate of the gross revenue of the business over a period of time specified by the board.
7. The process for manufacturing the product or for providing the service of the business.
8. An estimate of the number of jobs that will be created by the business.
9. The applicant's experience and training.
10. An estimate of the net profit of the business over a period of time specified by the board.
11. An estimate of the capital required to complete the project.
12. Potential sources of financing for the project.
13. Any other information that the board requests.

(e) Except as provided in par. (h), the board may not award a loan or other assistance for a project under this section unless, after considering the application or other material submitted by the applicant, the board determines that all of the following conditions are satisfied:

1. The project serves a public purpose.
2. The principal place of business will be located on or near an Indian reservation.
3. The project will retain or increase employment on an Indian reservation.

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4. The project is not likely to occur without the loan or other assistance.

5. Financing is unavailable from any other source on reasonably equivalent terms.

6. Funds from the loan or other assistance will not be used to replace funds from any other source.

7. The project will not displace workers on the Indian reservation.

8. The project has potential to be profitable.

9. Funds from the loan or other assistance will not be used to refinance existing debt.

10. If located on an Indian reservation, the project will comply with all applicable tribal codes, ordinances and regulations.

11. The project meets any other condition established by the board.

(f) In addition to satisfying the conditions under par. (e), the board may require an applicant to contribute funds for a project that are in addition to the funds provided by the board. The board may require an applicant to contribute funds on an individual basis or under a policy established under par. (a) 2.

(g) The board may give preference to applications made by tribal enterprises or Indian businesses.

(h) The board may approve an application that does not meet one or more of the conditions under par. (e) if extraordinary circumstances warrant special consideration of the project and approval of the application is consistent with the objectives of this section.

(i) A person who receives a loan or other assistance under this subsection may only use the proceeds for the following purposes:

1. Acquisition of real property.
2. Renovation or construction of buildings or outdoor facilities.
3. Purchase of equipment.
4. Interim working capital to cover expenses until the business can generate a regular cash flow.

(j) The board may not approve an application if the primary purpose of the project is to start, expand or support a commercial gaming or gambling activity.

(3) As a condition of receiving a grant under sub. (1), the Great Lakes inter-tribal council annually shall prepare a report on the development finance program under sub. (2) and submit the report to the department.

560.885 Early planning grants. (1) The board may award an early planning grant to a person from the revolving loan fund under s. 560.88 (2) to fund an early planning project. The provisions of s. 560.88 (2) (c), (e), (g), (h) and (j), as they apply to a development financing application under that subsection, apply to an early planning grant application under this section.

(2) A person seeking a grant under sub. (1) shall submit an application, in a form required by the board, that contains or describes all of the informa-

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tion required under s. 560.88 (2) (d) 1 to 4, 6 to 9 and 12 and any other information that the board requests.

(3) A person who receives a grant under sub. (1) may only use the proceeds of the grant for the following purposes:

- (a) To perform a business feasibility study.
- (b) To prepare a detailed marketing plan.
- (c) To prepare a detailed business plan.
- (d) To contract for any professional services approved by the board.

(4) (a) The board may not award more than 10% of the funds appropriated under s. 20.143 (1) (d) as grants under this section.

(b) The board may not award grants under this section that total more than \$5,000 in a 2-year period to any one person or for any one early planning project.

SECTION 3463p. 560.92 (1) of the statutes is amended to read:

560.92 (1) The department shall promote this state's science and technology assets in cooperation with Forward Wisconsin, inc. and the department of agriculture, food and trade and consumer protection.

**Vetoed
in Part**

SECTION 3463s. 562.01 (5e) of the statutes is created to read:

562.01 (5e) "Host track" means a racetrack that conducts a race on which intertrack wagering is conducted.

SECTION 3463t. 562.01 (5m) of the statutes is created to read:

562.01 (5m) "Intertrack wager" means a wager that is placed or accepted at a racetrack on a race that is conducted at, and simultaneously televised to the racetrack from, another racetrack.

SECTION 3463u. 562.01 (5s) of the statutes is created to read:

562.01 (5s) "Intertrack wagering licensee" means a person who is licensed under s. 562.05 (1) (e).

SECTION 3463vg. 562.01 (8g) of the statutes is created to read:

562.01 (8g) "Out-of-state legal wagering entity" means a person who owns or operates a place located outside this state at which wagering on a race that is conducted in this state is authorized under the laws of the state or country in which the place is located.

SECTION 3463vm. 562.01 (8m) of the statutes is created to read:

562.01 (8m) "Out-of-state racetrack" means a place outside this state at which a race is authorized by law to be held and at which pari-mutuel wagering on the race is authorized by law to be conducted.

SECTION 3463w. 562.01 (11g) of the statutes is created to read:

562.01 (11g) "Race meeting" means the period during a calendar year for which a person has been issued a license under s. 562.05 (1) (b).

SECTION 3463x. 562.01 (11r) of the statutes is created to read:

562.01 (11r) "Race performance" means a schedule of races of either a matinee or night program that are conducted on a race day.

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~~SECTION 3463y. 562.02 (2) (fm) of the statutes is amended to read:~~

~~562.02 (2) (fm) Contract with the department of agriculture, food and trade and consumer protection for any services related to the duties of the board in ensuring the security and humane treatment of animals.~~

SECTION 3464m. 562.05 (1) (e) of the statutes is created to read:

562.05 (1) (e) The conduct of intertrack wagering.

SECTION 3464n. 562.05 (2m) of the statutes is amended to read:

562.05 (2m) In issuing a license to own and operate a racetrack not at a fair, the board shall consider the competitive effects on any other licensee under sub. (1) (a) ~~and or (b) in the same county~~. These competitive effects shall include, but not be restricted to, the impact on the economic viability of existing licensed racetracks and the jobs that have been created by such licensed racetracks.

Vetoed
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~~SECTION 3464ng. 562.05 (3p) of the statutes is created to read:~~

~~562.05 (3p) During the period beginning on the effective date of this subsection ... [revisor inserts date], and ending on May 18, 1994, the board may not issue a first license under sub. (1) (a) to own and operate a racetrack at which dog racing is conducted unless a license under sub. (1) (a) has been issued for that location before the effective date of this subsection ... [revisor inserts date].~~

SECTION 3464nr. 562.05 (4m) (c) of the statutes is amended to read:

562.05 (4m) (c) The license will not create competition that will adversely affect any other licensees licensee under sub. (1) (a) ~~and or (b) in the same county~~.

SECTION 3464p. 562.05 (6m) of the statutes is created to read:

562.05 (6m) (a) 1. An application for an intertrack wagering license shall identify each licensee under sub. (1) (b) on whose races the applicant proposes to conduct intertrack wagering and, except as provided in subd. 2, shall be accompanied by a statement, signed by each licensee that is identified in the application, giving consent to the applicant to conduct intertrack wagering on all races that are simulcast by the licensee during the licensee's race meeting.

2. A licensee under sub. (1) (b) who signs a statement specified in subd. 1 is considered to have given consent to all applicants for intertrack wagering licenses to conducting intertrack wagering on all races that are simulcast by the licensee during the licensee's race meeting, and no similar statements signed by that licensee need be filed by other applicants for intertrack wagering licenses who propose to conduct intertrack wagering on those races.

(b) The board may not issue an intertrack wagering license unless the board determines that all of the following conditions are met:

1. The applicant is licensed under sub. (1) (a) or (b).

2. At least 250 race performances were conducted at the racetrack for which the applicant is licensed under sub. (1) (a) or (b) during the calendar year immediately preceding the year in which the applicant proposes to conduct intertrack wagering. The board may waive the requirement in this subdivision if the board determines that the waiver is in the public interest.

3. Intertrack wagering will be conducted at the racetrack for which the applicant is licensed under sub. (1) (a) or (b) only as an adjunct to, and not in a manner that will supplant, wagering on live on-track racing at that racetrack, and intertrack wagering will not be the primary source of wagering revenue at that racetrack.

4. The granting of the intertrack wagering license will not adversely affect the public health, welfare or safety.

(c) In considering whether to grant an intertrack wagering license, the board shall give due consideration to the best interests of the public and to maximizing revenue to the state.

(d) On each intertrack wagering license that the board issues, the board shall identify the racetrack at which intertrack wagering may be conducted, the times and number of days or specific dates, as determined by the board, during which intertrack wagering may be conducted, and the host track from which the simulcast of each race performance on which intertrack wagering may be conducted shall originate.

(e) The board shall revoke an intertrack wagering license if the board determines that any of the following applies:

1. Intertrack wagering is being conducted by the intertrack wagering licensee not as an adjunct to, but instead in a manner that supplants, wagering on live on-track racing at that racetrack.

2. Intertrack wagering has become the primary source of wagering revenue at that racetrack.

SECTION 3464s. 562.057 of the statutes is repealed and recreated to read:

562.057 Simulcasting races; intertrack wagering. (1) Except as provided in sub. (2), an intertrack wagering licensee may accept wagers on races that are conducted at 2 or more host tracks during the same race day with the approval of the board.

(2) If during the same period on a race day 2 or more race performances are simulcast to a racetrack at which intertrack wagering on the race performances may be conducted, the intertrack wagering licensee of the racetrack that receives the simulcasts may not accept wagers on more than one of those race performances during that period.

(3) (a) An intertrack wagering licensee is solely responsible for maintaining the pari-mutuel pools on

the races on which the intertrack wagering licensee conducts intertrack wagering and for making all payouts on intertrack wagers. Each race performance on which intertrack wagering is conducted is considered a separate race day for purposes of ss. 562.065 and 562.08.

(b) After making the required allocations under s. 562.065 (3) (a) and (c) to (e), making all other payments required under this chapter as a result of conducting the intertrack wagering and deducting the costs and expenses that the board determines were necessary in order to gather, transmit and disseminate all data that was necessary to conduct the intertrack wagering, the moneys retained by the intertrack wagering licensee as a result of the intertrack wagers shall be allocated as follows:

1. If no racing was conducted on that race day at the racetrack at which the intertrack wagering was conducted, the intertrack wagering licensee shall distribute 3.5% of the total amount of intertrack wagers to the host track for purses for races held at the host track, and shall retain and use at least 1% of the total amount of intertrack wagers for purses for races held at the racetrack at which the intertrack wagering was conducted.

2. If racing was conducted on that race day at the racetrack at which the intertrack wagering was conducted, the intertrack wagering licensee shall distribute 2.25% of the total amount of intertrack wagers to the host track for purses for races held at the host track, and shall retain and use at least 2.25% of the total amount of intertrack wagers for purses for races held at the racetrack at which the intertrack wagering was conducted.

3. The intertrack wagering licensee shall distribute to the host track 50% of the balance remaining after the allocation under subd. 1 or 2.

(4) The board may permit a licensee under s. 562.05 (1) (b) to receive from out-of-state racetracks not more than 9 simulcast races each year and to conduct pari-mutuel wagering on those races. The board may permit a licensee under s. 562.05 (1) (b) to simulcast races to any out-of-state legal wagering entity, and to commingle the licensee's wagering pools on those races with those of any out-of-state legal wagering entity to which the licensee is permitted to simulcast those races.

SECTION 3464w. 562.065 (2) of the statutes is amended to read:

562.065 (2) MINIMUM WAGERS AND PAYOUTS. The minimum wager which may be accepted by a licensee is \$2. The minimum payout that a licensee may make on a wager is \$2.20 on a \$2 wager. A licensee may accept a \$1 minimum wager on the outcome of a race having 3 or more wagering interests if the total amount wagered is at least \$2.

SECTION 3464x. 562.065 (3) (b) 1 of the statutes is amended to read:

562.065 (3) (b) 1. For horse races, from the total amount deducted under par. (a) on each race day, the licensee under s. 562.05 (1) (b) shall use at least an amount equal to 8% of the total amount wagered on each race day for purses for races held on that race day, except as provided in s. 562.057 (3) (b). The licensee shall pay purses directly to the owner of a horse or, if a horse is leased, the licensee shall pay the purse directly to the lessor and lessee of the horse as agreed in a written lease agreement on file with the licensee.

SECTION 3464y. 562.065 (3) (b) 2 of the statutes is amended to read:

562.065 (3) (b) 2. For dog races, from the total amount deducted under par. (a) on each race day, the licensee under s. 562.05 (1) (b) shall use at least an amount equal to 4.5% of the total amount wagered on each race day for purses, except as provided in s. 562.057 (3) (b). Purses shall be paid on or before Thursday of the calendar week immediately following the race day on which the purses are won. The licensee shall pay purses directly to the owner of a dog or, if a dog is leased, the licensee shall pay the purse directly to the lessor and lessee of the dog as agreed in a written lease agreement on file with the licensee.

~~SECTION 3465. 562.065 (3) (c) 2. (intro.) of the statutes is amended to read:~~

~~562.065 (3) (c) 2. (intro.) For dog races, from the total amount deducted under par. (a) on each race day that is before January 1, 1994, a licensee under s. 562.05 (1) (b) shall deposit with the board the following amounts:~~

SECTION 3466. 562.065 (3) (c) 2g of the statutes is created to read:

562.065 (3) (c) 2g. For dog races, from the total amount deducted under par. (a) on each race day that is on or after January 1, 1994, but before January 1, 1995, a licensee under s. 562.05 (1) (b) shall deposit with the board the following amounts:

~~a. Two percent of the total amount wagered on that race day if the total amount wagered on all previous race days during the year is not more than \$25,000,000.~~

~~b. Two and one-third percent of the total amount wagered on that race day if the total amount wagered on all previous race days during the year is more than \$25,000,000 but not more than \$100,000,000.~~

~~c. Four and one-third percent of the total amount wagered on that race day if the total amount wagered on all previous race days during the year is more than \$100,000,000 but not more than \$150,000,000.~~

~~d. Six and one-third percent of the total amount wagered on that race day if the total amount wagered on all previous race days during the year is more than \$150,000,000 but not more than \$200,000,000.~~

~~e. Seven and one-third percent of the total amount wagered on that race day if the total amount wagered~~

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Vetoed in Part on all previous race days during the year is more than \$200,000,000 but not more than \$250,000,000.

f. Eight and one-third percent of the total amount wagered on that race day if the total amount wagered on all previous race days during the year is more than \$250,000,000.

SECTION 3467. 562.065 (3) (c) 2r of the statutes is created to read:

562.065 (3) (c) 2r. For dog races, from the total amount deducted under par. (a) on each race day that is on or after January 1, 1995, but before January 1, 1996, a licensee under s. 562.05 (1) (b) shall deposit with the board the following amounts:

a. Two percent of the total amount wagered on that race day if the total amount wagered on all previous race days during the year is not more than \$25,000,000.

b. Two and two-thirds percent of the total amount wagered on that race day if the total amount wagered on all previous race days during the year is more than \$25,000,000 but not more than \$100,000,000.

c. Four and two-thirds percent of the total amount wagered on that race day if the total amount wagered on all previous race days during the year is more than \$100,000,000 but not more than \$150,000,000.

d. Six and two-thirds percent of the total amount wagered on that race day if the total amount wagered on all previous race days during the year is more than \$150,000,000 but not more than \$200,000,000.

e. Seven and two-thirds percent of the total amount wagered on that race day if the total amount wagered on all previous race days during the year is more than \$200,000,000 but not more than \$250,000,000.

f. Eight and two-thirds percent of the total amount wagered on that race day if the total amount wagered on all previous race days during the year is more than \$250,000,000.

Vetoed in Part SECTION 3468. 562.065 (3) (c) 3 of the statutes is created to read:

562.065 (3) (c) 3. For dog races, from the total amount deducted under par. (a) on each race day that is on or after January 1, 1996, a licensee under s. 562.05 (1) (b) shall deposit with the board the following amounts:

a. Two percent of the total amount wagered on that race day if the total amount wagered on all previous race days during the year is not more than \$25,000,000.

b. Three percent of the total amount wagered on that race day if the total amount wagered on all previous race days during the year is more than \$25,000,000 but not more than \$100,000,000.

c. Five percent of the total amount wagered on that race day if the total amount wagered on all previous race days during the year is more than \$100,000,000 but not more than \$150,000,000.

d. Seven percent of the total amount wagered on that race day if the total amount wagered on all previ-

ous race days during the year is more than \$150,000,000 but not more than \$200,000,000. **Vetoed in Part**

e. Eight percent of the total amount wagered on that race day if the total amount wagered on all previous race days during the year is more than \$200,000,000 but not more than \$250,000,000.

f. Nine percent of the total amount wagered on that race day if the total amount wagered on all previous race days during the year is more than \$250,000,000.

SECTION 3469. 562.065 (3) (c) 5 of the statutes is repealed.

SECTION 3470. 562.065 (3) (d) (title) of the statutes is amended to read:

562.065 (3) (d) (title) *General program operations; aids to county and district fairs.*

SECTION 3473. 562.065 (3r) of the statutes is amended to read:

562.065 (3r) PERIOD FOR DEPOSIT BY LICENSEE. The licensee shall make the deposits required under subs. (3) (c) 1- (intro-) and 2- (intro-) to 3, (d) 1 and (e) (intro-) and (3m) (c) 2 no later than 48 hours after the close of the race day or, if the 48-hour period does not include a business day, on the first business day immediately following the close of the race day.

SECTION 3474. 562.07 of the statutes is repealed.

SECTION 3475e. 562.08 (1) of the statutes is amended to read:

562.08 (1) Every licensee under s. 562.05 (1) (a) or (e) shall collect 50 cents per person entering a racetrack as a spectator on each race day on which an admission fee is charged, including any person entering the racetrack as a spectator on a free pass or complimentary ticket.

SECTION 3475em. 562.08 (1m) of the statutes is created to read:

562.08 (1m) A licensee under s. 562.05 (1) (a) of a racetrack not at a fair shall collect, in addition to the amount collected under sub. (1), 25 cents from each person described in sub. (1) if the city, village or town in which the racetrack is located requires, by ordinance, that the licensee collect the additional 25 cents under this subsection.

SECTION 3475ep. 562.08 (2) of the statutes is amended to read:

562.08 (2) Quarterly, of the amount collected during the quarter under sub. (1), a licensee under s. 562.05 (1) (a) shall pay 50% to the county where the amount was collected and 50% to the city, village or town where the amount was collected. Quarterly, a licensee under s. 562.05 (1) (a) shall pay the amount collected during the quarter under sub. (1m) to the city, village or town in which the amount was collected.

SECTION 3475g. 562.11 (2) of the statutes is amended to read:

562.11 (2) Facilitate off-track wagers or conduct an operation through which off-track wagers are transmitted to a racetrack. The acceptance of an intertrack

Vetoed in Part

wager at a racetrack that does not meet the criteria specified under s. 562.05 (6m) (b) 2 or 3 is considered to be the acceptance of an off-track wager and the facilitation of an off-track wager.

SECTION 3475r. 565.01 (4d) of the statutes is created to read:

565.01 (4d) "Minority business" means a business certified by the department of development under s. 560.036 (2).

SECTION 3475s. 565.01 (4e) of the statutes is created to read:

565.01 (4e) "Minority group member" has the meaning given in s. 560.036 (1) (f).

SECTION 3476. 565.01 (7) of the statutes is amended to read:

565.01 (7) "Vendor" means any person who enters into a major procurement contract ~~with the board~~ under s. 565.25.

SECTION 3477. 565.02 (3) (i) of the statutes is amended to read:

565.02 (3) (i) Providing for terms of lottery retailer contracts for periods that are ~~longer or~~ shorter than one year 3 years.

SECTION 3478. 565.10 (7) of the statutes is amended to read:

565.10 (7) LENGTH AND SALES AUTHORIZATION OF CONTRACT. (a) Except as provided in par. (b), a lottery retailer contract shall be for a period of ~~one year 3 years~~ and shall specify whether the retailer is authorized to conduct lottery ticket sales on a year-round, seasonal or temporary basis.

(b) ~~If the~~ The executive director ~~finds that the volume of lottery retailer contracts expiring in a single month or group of months creates a burden on the administration of the lottery, he or she may, under rules promulgated by the board, contract for a period that is longer or shorter than one year 3 years in order to stagger lottery retailer contract expiration dates throughout a calendar year 3-year period.~~

SECTION 3478m. 565.10 (14) (a) (intro.) of the statutes is amended to read:

565.10 (14) (a) (intro.) In this subsection, "non-profit organization" means a religious, charitable, service, fraternal or veterans' organization or any organization, other than the state or a political subdivision of the state, to which contributions are deductible for federal income tax purposes or state income or franchise tax purposes, which meets all of the following criteria:

SECTION 3479. 565.10 (14) (b) of the statutes is amended to read:

565.10 (14) (b) The basic compensation to be paid to ~~retailers a retailer~~ is 5% of the retail price of lottery tickets or lottery shares, ~~except that the sold by the retailer. The board may by rule, in the rules promulgated under s. 565.02 (3) (e) (4) (f), provide for the payment of a higher rate of compensation to non-~~

profit organizations making sales under a contract issued on a temporary basis than the rate of compensation paid to other retailers.

(c) The board shall by rule under s. 565.02 (3) (e) determine the amount of incentive bonuses, if any, to be paid to retailers.

SECTION 3481. 565.12 of the statutes is renumbered 565.12 (1).

SECTION 3482. 565.12 (2) of the statutes is created to read:

565.12 (2) If the executive director determines that the immediate suspension or termination of a lottery retailer contract entered into under s. 565.10 is necessary to protect the public interest or the security, integrity or fiscal responsibility of the lottery, the executive director may, without prior notice or hearing, suspend for a specified period or terminate the lottery retailer contract by mailing to the retailer a notice of suspension or termination that includes a statement of the facts or conduct that warrant the suspension or termination and a notice that the retailer may, within 30 days after the date on which the notice of suspension or termination is mailed, have the suspension or termination reconsidered by the executive director. If, upon reconsideration, the executive director affirms the determination to suspend or terminate the lottery retailer contract, the retailer shall be afforded an opportunity for a hearing before the board to review the determination of the executive director.

SECTION 3483. 565.12 (3) of the statutes is created to read:

565.12 (3) The board shall render the final decisions under s. 227.47 for all terminations and suspensions under subs. (1) and (2).

SECTION 3484. 565.25 (1) of the statutes is renumbered 565.25 (1m) and amended to read:

565.25 (1m) SCOPE OF AUTHORITY. Subject to approval by the board, the executive director may determine whether lottery functions shall be performed by board employees or by one or more persons under contract with the ~~board department~~, except that no contract may provide for the entire management of the lottery or for the entire operation of the lottery by any private person. ~~Subject to approval by the board, the executive director~~ The department may contract for management consultation services to assist in the management or operation of the lottery. The ~~executive director department~~ may not contract for financial auditing or security monitoring services. If the department delegates under s. 16.71 (1) to the board the authority to make a major procurement, the board shall assume the powers and duties of the department and the executive director shall assume the powers and duties of the secretary of administration under this section and ss. 16.70 to 16.77, except under ss. 16.72 (4) (a), 16.76 (1) and 16.77 (1).

SECTION 3485. 565.25 (1) of the statutes is created to read:

565.25 (1) DEFINITION. In this section, "department" means the department of administration.

SECTION 3486. 565.25 (2) (a) 1 of the statutes is amended to read:

565.25 (2) (a) 1. Except as provided under par. (b), ~~the executive director s. 16.71 (1), the department shall make major procurements, subject to approval by the board.~~

SECTION 3487. 565.25 (2) (a) 2. (intro.) and a. of the statutes are repealed.

SECTION 3488. 565.25 (2) (a) 2. b. of the statutes is renumbered 565.25 (2) (a) 2. (intro.) and amended to read:

565.25 (2) (a) 2. (intro.) Notwithstanding the provisions of s. 16.75 (1) (a) relating to the lowest responsible bidder and s. 16.75 (2m) (g) relating to the most advantageous proposal, all contracts or orders under s. 16.75 (1) and (2m) shall be awarded on the basis of a formula specified by the ~~board which department that weighs all of the following factors, to the extent applicable: 1) the~~

a. ~~The cost of the bid or proposal to the board; 2) the.~~

b. ~~The technical capability and expertise of the proposed vendor; 3) the.~~

c. ~~The integrity, reliability and expertise of the proposed vendor in providing the items covered by the bid or proposal; 4) the.~~

d. ~~The security for lottery operations provided under the bid or proposal; and 5) the.~~

e. ~~The financial stability of the proposed vendor.~~

SECTION 3489. 565.25 (2) (a) 3 and 4. (intro.) of the statutes are amended to read:

565.25 (2) (a) 3. ~~The In addition to the provisions of ss. 16.75 (3m) and 16.765 which that apply to purchasing or contracting state agencies apply to purchasing or contracting under this paragraph. In addition, in awarding orders or contracts, the executive director and the board department shall give preference to a bidder if at least 5% of the individuals employed by the bidder and any subcontractors to produce, distribute, supply or sell the materials, supplies, equipment or services under the order or contract are minority group members, as defined under s. 560.036 (1)-(f) and are employed in the state.~~

4. (intro.) The executive director shall develop specifications for major procurements. If security is a factor in the materials, supplies, equipment, property or services to be purchased in any major procurement, then invitations for bids or competitive sealed proposals shall include specifications related to security. The executive director shall submit specifications for major procurements to the board for review and approval ~~prior to releasing before the department releases~~ the specifications in invitations for bids or competitive sealed proposals. The ~~executive director~~

~~department~~ shall require separate bids or separate competitive sealed proposals for each of the following supplies and services if the supplies or services are provided under contract ~~with the board~~ as provided in sub. (4) (1m):

SECTION 3490. 565.25 (2) (a) 5 of the statutes is amended to read:

565.25 (2) (a) 5. The vendor shall disclose such information as is required by the ~~board department~~, by rule, with the vendor's submission of a bid or proposal for a major procurement.

SECTION 3491. 565.25 (2) (a) 6 of the statutes is amended to read:

565.25 (2) (a) 6. ~~The executive director shall prescribe the form. If the department delegates under s. 16.71 (1) to the board the authority to make a major procurement, the award of the major procurement contract is subject to approval by the board and to the requirements in ss. 16.72 (4) (a) and 16.76 (1). Copies of requisitions and contracts for major procurements by the board. Major procurement orders and contracts under this paragraph shall be awarded by the executive director subject to approval by the board. All requisitions and contracts shall be signed by the executive director. Requisitions and contracts shall be maintained by the executive director and shall be subject to inspection and copying under subch. II of ch. 19. No such requisition or contract need be filed with the department of administration.~~

SECTION 3492. 565.25 (2) (a) 7 of the statutes is amended to read:

565.25 (2) (a) 7. ~~The executive director shall file all bills and statements for purchases and engagements made by the board with the secretary of administration, who shall audit and authorize payment of all lawful bills and statements. No bill or statement for any purchase or engagement for the board may be paid until the bill or statement is approved by the executive director.~~

SECTION 3493. 565.25 (2) (b) of the statutes is repealed.

SECTION 3494. 565.25 (3) (b) 4 of the statutes is amended to read:

565.25 (3) (b) 4. The restrictions under par. (a) do not apply to the partnership, association or corporation if the ~~board department~~ determines that the partnership, association or corporation has terminated its relationship with the partner, officer, director or owner who was convicted or entered the plea or with the partner, officer, director, owner or other individual whose actions directly contributed to the partnership's, association's or corporation's conviction or entry of plea.

SECTION 3495. 565.25 (3m) of the statutes is amended to read:

565.25 (3m) FALSE STATEMENT OR MATERIAL OMISION. No person proposing to contract ~~with the board~~ for a major procurement may intentionally make a

false statement or material omission in any disclosure statement required under sub. (2) (a) 5 ~~or (b)~~.

SECTION 3496. 565.25 (4) of the statutes is amended to read:

565.25 (4) **BACKGROUND INVESTIGATIONS.** The executive director, with the assistance of the department of justice, shall conduct a background investigation of any person proposing to contract or contracting with ~~the board~~ for a major procurement and of all partners, officers, directors, owners and beneficial owners identified under sub. (3) (b). The executive director may require the person and partners, officers, directors and shareholders identified under sub. (3) (b) to be photographed and fingerprinted on 2 fingerprint cards each bearing a complete set of the person's fingerprints. The department of justice may submit the fingerprint cards to the federal bureau of investigation for the purposes of verifying the identity of the persons fingerprinted and obtaining records of their criminal arrests and convictions. If the results of the background investigation disclose information specified in sub. (3) (a) with respect to the person, partner, officer, director, owner or beneficial owner, a contract with the vendor, if entered into prior to the disclosure, is void and the vendor shall forfeit any amount filed, deposited or established under sub. (5) (b). The ~~lottery~~ board shall reimburse the department of justice for the ~~department's~~ department of justice's services under this subsection and shall obtain payment from the person proposing to contract or the vendor in the amount of the reimbursement.

SECTION 3497. 565.25 (5) (b) of the statutes is amended to read:

565.25 (5) (b) For a major procurement, the ~~board~~ department may require from a person proposing to contract ~~with the board~~ on a bid, conditioned upon signing the contract if awarded to the person, or on a contract award, conditioned upon performance under the contract or payment of subcontractors, any of the following:

1. The deposit with the ~~board~~ department of a bond payable to the ~~board~~ department, in an amount required by the ~~board~~ department.

2. The deposit and maintenance with the ~~board~~ department of interest-bearing or interest-accruing securities approved by the ~~board~~ department, which shall be held in trust by the ~~board~~ department and shall have at all times a market value equal to at least the amount required by the ~~board~~ department.

3. The filing with the ~~board~~ department of an irrevocable letter of credit payable to and for the benefit of the ~~board~~ department, in an amount required by the ~~board~~ department.

4. The establishment with a financial institution of an escrow account, the terms, conditions and amount of which are established for the benefit of the ~~board~~ department, in an amount required by the ~~board~~ department.

~~SECTION 3497g. 565.30 (5) of the statutes is amended to read:~~

~~565.30 (5) (title) WITHHOLDING OF DELINQUENT STATE TAXES, PROPERTY TAXES, CHILD SUPPORT OR DEBTS OWED THE STATE. The executive director shall report the name, address and social security number of each winner of a lottery prize equal to or greater than \$1,000 to the department of revenue to determine whether the payee of the prize is delinquent in the payment of state taxes under ch. 71, 72, 76, 77, 78 or 139, in the payment of property taxes under ch. 74 or in court-ordered payment of child support or has a debt owing to the state. Upon receipt of a report under this subsection, the department of revenue shall first ascertain based on certifications by the department of health and social services under s. 46.255 (2) whether any person named in the report is currently delinquent in court-ordered payment of child support and shall next certify to the executive director whether any person named in the report is delinquent in court-ordered payment of child support or, in the payment of state taxes under ch. 71, 72, 76, 77, 78 or 139 or in the payment of property taxes under ch. 74. Upon this certification by the department of revenue or upon court order the executive director shall withhold the certified amount and send it to the department of revenue for remittance to the appropriate state agency, county or person. At the time of remittance, the department of revenue shall charge its administrative expenses to the state agency or county that has received the remittance. The administrative expenses received by the department of revenue shall be credited to the appropriation under s. 20.566 (1) (h). In instances in which if the payee of the prize is delinquent both in payments for state taxes and in court-ordered payments of child support in more than one of the types of payments for which amounts are withheld under this subsection, or is delinquent in one or both more of these these payments and has a debt owing to the state, the amount remitted to the appropriate agency or person shall be in proportion to the prize amount as is the delinquency or debt owed by the payee and if the prize amount is insufficient to satisfy all of those payments and the debt owing to the state, the department of revenue shall apply the total amount that is withheld under this subsection first to satisfy any delinquency in the court-ordered payment of child support, then to satisfy any delinquency in the payment of state taxes, then to satisfy any delinquency in the payment of property taxes, and last to satisfy any debt owing to the state.~~

SECTION 3497m. 565.46 of the statutes is created to read:

565.46 Minority advertising, procurements, retailers and hiring. (1) The board shall promulgate rules establishing goals that attempt to do all of the following:

Vetoed
in Part

Vetoed
in Part

Vetoed
in Part

(a) Ensure that at least 15% of the board's expenditures for advertising and public relations is directed to minority businesses.

(b) Ensure that at least 15% of the board's expenditures for all procurements other than for advertising and public relations, including major procurements, is directed to minority businesses.

(c) Ensure that at least 7% of retailers are minority businesses.

(d) Increase the number of employees of the board who are minority group members.

(2) The board shall annually report to the department of administration, on dates determined by the department of administration, on the total amount of expenditures by the board for advertising, public relations and other procurements that are directed to minority businesses, ~~on~~ the number of retailers that are minority businesses and ~~on~~ the number of employees of the board who are minority group members.

Vetoed
in Part

SECTION 3500. 600.01 (1) (b) 8 of the statutes is amended to read:

600.01 (1) (b) 8. Guarantees of the Wisconsin housing and economic development authority under ss. 234.67, 234.765, 234.82, 234.83, 234.90, 234.905 and 234.907.

SECTION 3500p. 600.01 (2) of the statutes is renumbered 600.01 (2) (a).

SECTION 3500r. 600.01 (2) (b) of the statutes is created to read:

600.01 (2) (b) Group or blanket insurance described in sub. (1) (b) 3 and 4 is not exempt from ch. 633.

SECTION 3500t. 601.31 (1) (w) of the statutes is created to read:

601.31 (1) (w) For initial issuance and for each annual renewal of a license as an administrator under ch. 633, \$100.

SECTION 3500tm. 601.41 (1) of the statutes, as affected by 1989 Wisconsin Act 336, is amended to read:

601.41 (1) DUTIES. The commissioner shall administer and enforce chs. 600 to 655 and ss. 59.07 (2) (c), 66.183, 66.184 and 120.13 (2) (b) to (g) and shall act as promptly as possible under the circumstances on all matters placed before the commissioner.

Vetoed
in Part

SECTION 3500u. 609.71 of the statutes is created to read:

609.71 Acupuncture coverage. Health maintenance organizations, limited service health organizations and preferred provider plans are subject to s. 632.87 (4).

Vetoed
in Part

SECTION 3500v. 609.82 of the statutes is created to read:

609.82 Coverage of temporomandibular and craniomandibular joint disorders. Health maintenance organizations and preferred provider plans are subject to s. 632.894.

SECTION 3502m. 618.41 (6m) of the statutes is amended to read:

618.41 (6m) ROSTPROOFING WARRANTIES INSURANCE. An insurer issuing a policy of insurance to cover a warranty, as defined in s. 400.205 130.19 (1) (g), shall comply with s. 632.18 and the policy shall be on a form approved by the commissioner under s. 631.20.

Vetoed
in Part

SECTION 3502p. 619.10 (3m) of the statutes is created to read:

619.10 (3m) "Health care coverage revenue" means any of the following:

(a) Premiums received for health care coverage.

(b) Subscriber contract charges received for health care coverage.

(c) Health maintenance organization, limited service health organization or preferred provider plan charges received for health care coverage.

(d) The sum of benefits paid and administrative costs incurred for health care coverage under a medical reimbursement plan.

SECTION 3503. 619.12 (1) (intro.) of the statutes is amended to read:

619.12 (1) (intro.) Except as provided in ~~sub.~~ subs. (1m) and (2), the board or administering carrier shall certify as eligible a person who is covered by medicare because he or she is disabled under 42 USC 423, a person who submits evidence that he or she has tested positive for the presence of HIV, antigen or nonantigenic products of HIV or an antibody to HIV, and any person who receives and submits any of the following based wholly or partially on medical underwriting considerations within 9 months prior to making application for coverage by the plan:

SECTION 3503j. 619.12 (1) (a) of the statutes is amended to read:

619.12 (1) (a) A notice of rejection ~~or cancellation~~ of coverage from one or more insurers.

SECTION 3503m. 619.12 (1) (am) of the statutes is created to read:

619.12 (1) (am) A notice of cancellation of coverage from one or more insurers.

SECTION 3504. 619.12 (1m) of the statutes is created to read:

619.12 (1m) The board or administering carrier may not certify a person as eligible under circumstances requiring notice under sub. (1) (a) to (d) if the required notices were issued by one of the following:

(a) An insurance intermediary who is not acting as an administrator, as defined in s. 633.01.

(b) The administering carrier, unless the notice was issued to a person who had applied for insurance coverage from the administering carrier.

SECTION 3504c. 619.12 (2) (e) of the statutes is created to read:

619.12 (2) (e) No person who is eligible for health care benefits provided by an employer on a self-

insured basis or through health insurance is eligible for coverage under the plan.

SECTION 3504e. 619.12 (3) (b) of the statutes is amended to read:

619.12 (3) (b) Persons for whom deductible or co-insurance amounts are paid or reimbursed under ch. 47 for vocational rehabilitation, under s. 49.48 for renal disease, under s. 49.485 (8) for hemophilia, under s. 49.483 for cystic fibrosis, or under s. ~~415.77~~ 146.18 for special education, are not ineligible for coverage under the plan by reason of such payments or reimbursements.

SECTION 3504g. 619.13 (1) (b) of the statutes is repealed and recreated to read:

619.13 (1) (b) Every participating insurer shall share in the operating, administrative and subsidy expenses of the plan in proportion to the ratio of the insurer's total health care coverage revenue for residents of this state during the preceding calendar year to the aggregate health care coverage revenue of all participating insurers for residents of this state during the preceding calendar year, as determined by the commissioner.

SECTION 3505. 619.135 of the statutes is created to read:

619.135 Insurer assessments for premium and deductible reductions. (1) (a) Whenever a person becomes eligible for and obtains coverage under the plan as a result of receiving a notice under s. 619.12 (1) (am), (b) or (c), the commissioner shall levy an assessment of \$1,750 against the insurer that issued the notice, except that the commissioner may not levy an assessment if the notice of cancellation under s. 619.12 (1) (am) was issued on one of the permissible grounds under s. 631.36 (2) (a).

(b) An insurer shall pay an assessment levied under par. (a) within 30 days after receiving a notice of assessment.

(c) If an assessment levied under par. (a) is not paid within the time prescribed, the commissioner shall impose a penalty against the insurer in an amount established by the commissioner by rule.

(d) All assessments and penalties collected under this subsection shall be credited to the appropriation under s. 20.145 (7) (g).

Vetoed in Part (2) If after establishing the schedule of premiums in the manner provided under s. 619.14 (5) (a), (ac) and (am), the unencumbered moneys under s. 20.145 (7) (a) and (g) are insufficient to reimburse the plan for **Vetoed in Part** unfunded premium reductions under s. 619.165 and **Vetoed in Part** unfunded deductible reductions under s. 619.14 (5) (a), or the commissioner determines that the **Vetoed in Part** unencumbered moneys under s. 20.145 (7) (a) and (g) will be insufficient to reimburse the plan for **Vetoed in Part** unfunded premium reductions under s. 619.165 and unfunded deductible reductions under s. 619.14 (5) (a), the commissioner shall, by rule, increase the amount of the assessment under sub. (1) (a) or levy an assessment

against every insurer, or a combination of both, sufficient to reimburse the plan for ~~unfunded~~ premium reductions under s. 619.165 and ~~unfunded~~ deductible reductions under s. 619.14 (5) (a). **Vetoed in Part**

(3) In addition to the assessments under subs. (1) (a) and (2), the commissioner may, by rule, establish an assessment to be levied against each insurer that issues a notice of rejection under s. 619.12 (1) (a) to a person who becomes eligible for and obtains coverage under the plan as a result of receiving the notice. Any assessments levied and collected under this subsection shall be credited to the appropriation under s. 20.145 (7) (g).

SECTION 3505m. 619.14 (5) (a) of the statutes is amended to read:

619.14 (5) (a) The plan shall offer a deductible in combination with appropriate premiums determined under this subchapter for major medical expense coverage required under this section. For coverage offered to those persons eligible for medicare, the plan shall offer a deductible equal to the deductible charged by part A of title XVIII of the federal social security act, as amended. The deductible amounts for all other eligible persons shall be dependent upon household income as determined under s. 619.165. For eligible persons under s. 619.165 (1) (b) 1, the deductible shall be \$500. For eligible persons under s. 619.165 (1) (b) 2, the deductible shall be \$600. For eligible persons under s. 619.165 (1) (b) 3, the deductible shall be \$700. For eligible persons under s. 619.165 (1) (b) 4, the deductible shall be \$800. ~~For eligible persons under s. 619.165 (1) (b) 5, the deductible shall be \$900.~~ For all other eligible persons who are not eligible for medicare, the deductible shall be \$1,000. With respect to all eligible persons, expenses used to satisfy the deductible during the last 90 days of a calendar year shall also be applied to satisfy the deductible for the following calendar year. The schedule of premiums shall be promulgated by rule by the commissioner. ~~The rating plan shall not provide for rates greater than 150% of the rate which a standard risk would be charged under an individual policy providing substantially the same coverage and deductibles as provided under this section. The commissioner shall set premiums at such rates as will be sufficient to recover at least 60% of the operating and administrative costs of the plan. The commissioner may not consider geographical factors when setting the premiums.~~

Vetoed in Part
Vetoed in Part

SECTION 3505w. 619.14 (5) (ac) and (am) of the statutes are created to read:

619.14 (5) (ac) The amount to be recovered by the premiums established under par. (a) for a rating period shall be reduced by the unencumbered balance in the appropriation under s. 20.145 (7) (a).

(am) For purposes of determining the schedule of premiums under par. (a), the total operating and administrative costs of the plan shall be reduced in a

Vetoed in Part
rating period by the unencumbered balance of the moneys in the appropriation under s. 20.145 (7) (g) that were collected as a result of assessments levied under s. 619.135 (1) in the preceding rating period.

SECTION 3506m. 619.165 (1) (b) (intro.) and 1 to 4 of the statutes are amended to read:

619.165 (1) (b) (intro.) ~~Except as provided in par. (e), if~~ If the household income, as defined in s. 71.52 (5) and as determined under par. (d), of an eligible person is equal to or greater than the first amount and less than the 2nd amount listed in any of the following, the board shall reduce the ~~premiums~~ premium for the eligible person, as established by the commissioner, by the ~~percentage listed to the rate shown~~ after the amounts:

1. If equal to or greater than \$0 and less than \$6,000, by ~~33.3%~~ 33.3% \$10,000, to 100% of the rate that a standard risk would be charged under an individual policy providing substantially the same coverage and deductibles as provided under the plan.

2. If equal to or greater than \$6,000 \$10,000 and less than \$9,000, by ~~33.3%~~ 33.3% \$14,000, to 106.5% of the rate that a standard risk would be charged under an individual policy providing substantially the same coverage and deductibles as provided under the plan.

3. If equal to or greater than \$9,000 \$14,000 and less than \$12,000, by ~~29%~~ 29% \$17,000, to 115.5% of the rate that a standard risk would be charged under an individual policy providing substantially the same coverage and deductibles as provided under the plan.

4. If equal to or greater than \$12,000 \$17,000 and less than \$15,000, by ~~23%~~ 23% \$20,000, to 124.5% of the rate that a standard risk would be charged under an individual policy providing substantially the same coverage and deductibles as provided under the plan.

SECTION 3506p. 619.165 (1) (b) 5 of the statutes is repealed.

SECTION 3508. 619.165 (1) (c) of the statutes is repealed.

SECTION 3510. 619.165 (3) of the statutes is amended to read:

619.165 (3) The commissioner shall forward to the board moneys received under s. 20.145 (7) (a) and (g) in an amount sufficient to reimburse the plan for premium reductions under sub. (1) and deductible reductions under s. 619.14 (5) (a).

SECTION 3510m. 619.17 (1) of the statutes is amended to read:

619.17 (1) A Subject to s. 619.14 (5) (a), a rating plan calculated in accordance with generally accepted actuarial principles. ~~The rating plan may not provide for rates greater than 150% of the rate which a standard risk would be charged under an individual policy providing substantially the same coverage and deductibles as provided under the plan.~~

SECTION 3511. 619.175 of the statutes is created to read:

619.175 Waiver or exemption from provisions prohibited. Except as provided in s. 619.13 (1) (a), the commissioner may not waive, or authorize the board to waive, any of the requirements of this subchapter or exempt, or authorize the board to exempt, an individual or a class of individuals from any of the requirements of this subchapter.

SECTION 3511g. 628.115 of the statutes is created to read:

628.115 Agency contracts; cancellation and underwriting restrictions. (1) In this section:

(a) "Agency contract" means a written agreement between an insurer and an agent under which the agent agrees to solicit, negotiate and place insurance or annuities on behalf of the insurer, whether acting exclusively on behalf of the insurer or otherwise, for a fee, commission or other form of compensation.

(b) "Loss ratio experience" means the total dollar amount of premiums paid divided by the total dollar amount of claims paid during the previous 2 years.

(2) An insurer may not cancel an agency contract of an agent who writes property or casualty insurance or, without the agent's prior written approval, reduce or restrict the authority of an agent who has an agency contract with the insurer to underwrite property or casualty insurance, if all of the following apply:

(a) The insurer's action is based solely on the loss ratio experience on property or casualty insurance written by the agent on behalf of the insurer.

(b) With respect to the property or casualty insurance written by the agent on behalf of the insurer, the insurer required the agent to submit all applications to the insurer for underwriting approval, all material information on the applications was substantially complete, and the agent did not omit or alter any information provided by the applicants.

SECTION 3511q. 628.36 (2) (b) 5 of the statutes is amended to read:

628.36 (2) (b) 5. All health care plans, including health maintenance organizations, limited service health organizations and preferred provider plans are subject to s. 632.87 (3) and (4).

SECTION 3511r. 631.01 (1) (b) of the statutes is amended to read:

631.01 (1) (b) On business operations in this state if the contract is negotiated outside this state and if the operations in this state are incidental or subordinate to operations outside this state, unless the contract is for a policy of insurance to cover a warranty, as defined in s. 400.205 130.19 (1) (g), in which case the provisions set forth in sub. (4m) apply; and

SECTION 3512m. 631.01 (4m) of the statutes is amended to read:

631.01 (4m) **RUSTPROOFING WARRANTIES INSURANCE.** An insurer issuing a policy of insurance to cover a warranty, as defined in s. 400.205 130.19 (1) (g), shall comply with s. 632.18 and the policy shall be on a form approved by the commissioner under s. 631.20.

Vetoed in Part

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Vetoed
in Part

~~SECTION 3513m. 632.18 of the statutes is amended to read:~~

~~632.18 Rustproofing warranties insurance. A policy of insurance to cover a warranty, as defined in s. 400.205 (1) (g), shall fully cover the financial integrity of the warranty.~~

Vetoed
in Part

~~SECTION 3515g. 632.87 (1) of the statutes is amended to read:~~

~~632.87 (1) No insurer may refuse to provide or pay for benefits for health care services provided by a licensed acupuncturist who is certified or another health care professional who is licensed on the ground that the services were not rendered by a physician as defined in s. 990.01 (28), unless the contract clearly excludes services by such practitioners, but no contract or plan may exclude services in violation of sub. (2m) and (3) or (4).~~

~~SECTION 3515k. 632.87 (1) of the statutes is amended to read:~~

~~632.87 (1) No insurer may refuse to provide or pay for benefits for health care services provided by a licensed health care professional on the ground that the services were not rendered by a physician as defined in s. 990.01 (28), unless the contract clearly excludes services by such practitioners, but no contract or plan may exclude services in violation of sub. (2m) and (3) or (5).~~

Vetoed
in Part

~~SECTION 3515m. 632.87 (4) of the statutes is created to read:~~

~~632.87 (4) (a) No policy, plan or contract may exclude coverage for diagnosis and treatment of a condition or complaint by an acupuncturist certified under ch. 451 within the scope of the acupuncturist's certificate, if the policy, plan or contract covers diagnosis and treatment of the condition or complaint by a licensed physician or osteopath, even if different nomenclature is used to describe the condition or complaint. This paragraph does not:~~

~~1. Prohibit the application of deductibles or coinsurance provisions to acupuncturist and physician charges on an equal basis.~~

~~2. Prohibit the application of cost containment or quality assurance measures to acupuncturist and physician services in a like manner, consistent with this section.~~

~~(b) No insurer may require an examination by or a referral from a physician as a condition precedent for the receipt of an acupuncturist's services under par. (a).~~

~~SECTION 3515p. 632.87 (5) of the statutes is created to read:~~

~~632.87 (5) No insurer or self-insured school district, city or village may, under a policy, plan or contract covering gynecological services or procedures, exclude or refuse to provide coverage for Papanicolaou tests, pelvic examinations or associated laboratory fees when the test or examination is performed by a licensed nurse practitioner, as defined in s. 632.895 (8)~~

(a) 3, within the scope of the nurse practitioner's professional license, if the policy, plan or contract includes coverage for Papanicolaou tests, pelvic examinations or associated laboratory fees when the test or examination is performed by a physician.

~~SECTION 3516. 632.89 (2m) of the statutes is amended to read:~~

~~632.89 (2m) LIABILITY TO THE STATE OR COUNTY. For any insurance policy issued on or after January 1, 1981, any insurer providing hospital treatment coverage is liable to the state or county for any costs incurred for services a state or county owned or operated inpatient health care facility or community-based residential facility, as defined in s. 140.85 (1) (a) or 140.86, provides to a patient regardless of the patient's liability for the services, to the extent that the insurer is liable to the patient for services provided at any other inpatient health care facility or community-based residential facility.~~

~~SECTION 3516m. 632.894 of the statutes is created to read:~~

~~632.894 Required coverage of temporomandibular and craniomandibular joint disorders. (1) DEFINITIONS. In this section:~~

~~(a) "Active splint therapy" means therapy in which the insured wears one or more splints for 24 hours per day.~~

~~(b) "Disability insurance policy" has the meaning given in s. 632.895 (1) (a).~~

~~(c) "Health maintenance organization" has the meaning given in s. 609.01 (2).~~

~~(d) "Limited service health organization" has the meaning given in s. 609.01 (3).~~

~~(e) "Passive splint therapy" means therapy in which the insured wears one or more splints only while sleeping.~~

~~(f) "Preferred provider plan" has the meaning given in s. 609.01 (4).~~

~~(g) "Splint" means an appliance that prevents the movement of a joint.~~

~~(2) REQUIRED COVERAGE. (a) Conditions covered. Except as provided in pars. (b) and (c), every disability insurance policy and every accident policy shall provide coverage of the services of a licensed dentist for the diagnosis and treatment of temporomandibular joint disorder and craniomandibular joint disorder.~~

~~(b) Eligible dentists. The requirement under par. (a) applies only if the licensed dentist providing the diagnostic or treatment services has completed at least 180 hours of continuing education on the treatment of temporomandibular joint disorder or craniomandibular joint disorder.~~

~~(c) Coverage required. A policy under par. (a) shall provide coverage for the cost of all of the following:~~

~~1. Diagnostic services.~~

~~2. Active splint therapy, up to \$1,000 every policy year or, if coverage is provided by a health mainte-~~

Vetoed
in Part

Vetoed
in Part

nance organization or a preferred provider plan, the equivalent benefits measured in services rendered.

3. Passive splint therapy, up to \$250 every 3 policy years or, if coverage is provided by a health maintenance organization or a preferred provider plan, the equivalent benefits measured in services rendered.

4. Dental work required for treatment, including crown and bridge work and orthodontics, 50% of the cost.

5. Surgery, subject to par. (d), up to \$2,500 per joint every 3 policy years.

6. Obtaining a 2nd opinion for surgery as required under par. (d).

(d) *Second opinion for surgery.* The coverage requirement under par. (c) 5 applies only if the surgery is required in the opinion of the dentist providing the services and in the opinion of a 2nd licensed dentist who meets the requirement under par. (b).

(3) **PARTICIPATING PROVIDERS.** Every health maintenance organization and preferred provider plan shall include as participating providers at least 2 licensed dentists who meet the requirement under sub. (2) (b) to provide diagnostic and treatment services for temporomandibular joint disorder and craniomandibular joint disorder for persons covered by the health maintenance organization or preferred provider plan.

(4) **DEDUCTIBLES AND COINSURANCE.** Coverage required by this section may be subject to the same deductible and coinsurance provisions of the policy as other covered services.

(5) **EXCLUSION.** This section does not apply to any of the following:

(a) A disability insurance policy that covers only certain specified diseases.

(b) A health care plan offered by a limited service health organization.

(6) **APPLICABILITY.** (a) This section applies to policies issued on or after the effective date of this paragraph ... [revisor inserts date].

(b) For policies issued before the effective date of this paragraph ... [revisor inserts date], this section applies when the policy is renewed or one year after the effective date of this paragraph ... [revisor inserts date], whichever is earlier.

SECTION 3516r. Chapter 633 of the statutes is created to read:

CHAPTER 633

EMPLOYEE BENEFIT PLAN

ADMINISTRATORS AND PRINCIPALS

633.01 Definitions. In this chapter:

(1) "Administrator" means a person who directly or indirectly solicits or collects premiums or charges or otherwise effects coverage or adjusts or settles claims for a plan, but does not include the following persons if they perform these acts under the circumstances specified for each:

(a) An employer on behalf of its employees or the employees of a subsidiary or affiliated employer.

(b) A union on behalf of its members.

(c) A creditor on behalf of its debtor, if to obtain payment, reimbursement or other method of satisfaction from a plan for any part of a debt owed to the creditor by the debtor.

(d) A financial institution that is subject to supervision or regulation in performing these acts by federal or other state authorities.

(e) A company that issues credit cards and provides advances for, or collects premiums or charges from, its credit card holders, if the company does not adjust or settle claims.

(f) An attorney who adjusts or settles claims in the normal course of practice or employment as an attorney, if the attorney does not collect charges or premiums.

(g) An agent licensed in this state whose activities are limited to the sale of insurance.

(h) An insurer authorized to do an insurance business in this state if the insurer performs these acts in the normal course of its insurance business.

(2) "Employee" means any of the following or a family member or dependent of any of the following:

(a) An active or retired wage or salary earner whose services are or were used by an employer.

(b) A member of a union, trust or association.

(c) A college or university student.

(d) A person receiving continued group coverage under s. 632.897.

(3) "Insured" means an employee who is a resident of this state and who is covered under a plan.

(4) "Plan" means an insured or wholly or partially self-insured employee benefit plan which by means of direct payment, reimbursement or other arrangement provides to one or more employees who are residents of this state benefits or services that include, but are not limited to, benefits for medical, surgical or hospital care, benefits in the event of sickness, accident, disability or death, or benefits in the event of unemployment or retirement.

(5) "Principal" means a person, including an insurer, that uses the services of an administrator to provide a plan.

633.04 Written agreement required. An administrator may not administer a plan in the absence of a written agreement between the administrator and a principal. The administrator and principal shall each retain a copy of the written agreement for the duration of the agreement and for 5 years thereafter. The written agreement shall contain the following terms:

(1) That the administrator and principal shall each retain a copy of the written agreement as provided under this section.

(2) If a policy is issued to a trust, that the administrator shall retain a copy of the trust agreement for the

duration of the trust agreement and for 5 years thereafter.

(3) If the principal is an insurer, that payments to an administrator shall be treated as provided in s. 633.05.

(4) That the administrator shall maintain and retain books and records pertaining to a principal dating back 5 years at all times or until delivered to the principal by the administrator, with the right of examination and audit as provided in s. 633.06 (1), and the right of inspection and any restrictions on the right of inspection, as provided in s. 633.06 (2).

(5) If the principal is an insurer, that advertising shall be approved as provided in s. 633.07.

(6) If the principal is an insurer, that the terms, as required by s. 633.08, specify any underwriting responsibilities which the insurer has delegated to the administrator.

(7) That funds shall be collected and received as provided in s. 633.09 (1), that funds shall be paid and deposited as provided in s. 633.09 (1), that fiduciary account records shall be maintained and provided as provided in s. 633.09 (2), that interest shall be treated as provided in s. 633.09 (3) or that other terms shall specify treatment of interest, that withdrawals for payments of claims are not permitted as provided in s. 633.09 (4) (a), and that other withdrawals are permitted only as provided under s. 633.09 (4) (b).

(8) That claims are to be paid as provided in s. 633.10.

(9) That compensation to an administrator shall be paid as provided in s. 633.11.

(10) That notification shall be given as provided in s. 633.12.

(11) That an administrator has been licensed as provided in s. 633.13 (1) or need not be licensed as provided in s. 633.13 (2).

633.05 Payment to administrator. If a principal is an insurer, payment to the administrator of a premium or charge by or on behalf of an insured is payment to the insurer, but payment of a return premium or claim by the insurer to the administrator is not payment to an insured until the payment is received by the insured. This section does not limit any right of the insurer against the administrator for failure to make payments to the insurer or an insured.

633.06 Examination and inspection of books and records. (1) The commissioner may examine, audit or accept an audit of the books and records of an administrator as provided for examination of licensees under s. 601.43 (1), (3), (4) and (5), to be conducted as provided in s. 601.44, and with costs to be paid as provided in s. 601.45.

(2) A principal that uses an administrator may inspect the books and records of the administrator, subject to any restrictions set forth in ss. 146.81 to 146.835 and in the written agreement required under s.

633.04, for the purpose of enabling the principal to fulfill its contractual obligations to insureds.

633.07 Approval of advertising. An administrator may not use any advertising for a plan underwritten by an insurer unless the insurer approves the advertising in advance.

633.08 Underwriting responsibilities. If a principal is an insurer, any underwriting responsibilities regarding eligibility that the insurer has delegated to an administrator shall be set forth in the written agreement required under s. 633.04.

633.09 Accounts. (1) **MONEYS HELD IN FIDUCIARY CAPACITY.** An administrator shall hold in a fiduciary capacity all moneys that the administrator collects or receives on behalf of other persons. Within 2 business days after collection or receipt of such moneys, the administrator either shall pay the moneys to the persons entitled to them or shall deposit the moneys in a fiduciary account established and maintained by the administrator in a financial institution.

(2) **FIDUCIARY ACCOUNT RECORDS.** An administrator shall maintain fiduciary account records in accordance with generally accepted accounting principles. The administrator shall retain the fiduciary account records pertaining to a principal for at least 5 years beginning on the date of creation of the records. If an administrator deposits in a fiduciary account moneys that the administrator has collected on behalf of more than one principal, the administrator shall keep records of the account that clearly indicate deposits made under sub. (1) and withdrawals made under sub. (4) on behalf of each principal. Upon request by a principal, the administrator shall provide the principal copies of those portions of the records pertaining to deposits and withdrawals made on behalf of the principal and shall otherwise permit inspection by the principal as provided under s. 633.06 (2).

(3) **INTEREST ON DEPOSITS.** Interest earned on moneys deposited in a fiduciary account is the property of the principal unless otherwise provided in the written agreement required under s. 633.04.

(4) **WITHDRAWALS FROM FIDUCIARY ACCOUNT.** (a) An administrator may not pay any claim by withdrawal from a fiduciary account.

(b) An administrator may make the following payments from a fiduciary account:

1. To a principal, the funds belonging to the principal.

2. To a plan policyholder for payment to a principal, the funds belonging to the principal.

3. To an insured, the funds belonging to the insured.

4. To another account maintained in the name of a principal, the funds belonging to the principal.

5. To a claims paying account, the funds belonging to a principal for payment of claims owed by the principal.

6. To the administrator, commissions, fees or charges owed the administrator by a principal.

633.10 Payment of claims. An administrator shall pay claims from funds paid to the claims paying account under s. 633.09 (4) (b) 5 on drafts or checks authorized in advance by the principal.

633.11 claim adjustment compensation. If an administrator adjusts or settles claims under a plan, the commission, fees or charges that the principal pays the administrator may not be based on the plan's loss experience. This section does not prohibit compensation based on the number or amount of premiums or charges collected, or the number or amount of claims paid or processed by the administrator.

633.12 Notification required. (1) An administrator shall prepare sufficient copies of a written notice approved in advance by the principal for distribution to all insureds of the principal and either shall distribute the copies to the insureds or shall provide the copies to the principal for distribution to the insureds. The written notice shall contain all of the following:

(a) The names and addresses of the administrator and the principal.

(b) An explanation of the respective rights and responsibilities of the administrator, the principal and the insureds.

(c) A statement of the extent to which the plan is insured or self-insured, and an explanation of the terms "insured" and "self-insured".

(2) If an administrator collects premiums or charges from a person on behalf of a principal, at least once in every year, prior to collecting the premiums or charges, the administrator shall provide written notice to the person stating the amount of the premiums or charges.

633.13 License required. (1) **GENERAL.** Except as provided in sub. (2), a person may not perform, offer to perform or advertise any service as an administrator unless the person has obtained a license under s. 633.14.

(2) **EXEMPTIONS.** The commissioner may exempt by rule certain classes of administrators from the requirement of sub. (1) if the commissioner determines any of the following:

(a) That the functions that the administrators perform do not require special competence or trustworthiness or otherwise do not require the regulatory surveillance of a licensing requirement.

(b) That other safeguards make a licensing requirement unnecessary.

(3) **RESPONSIBILITIES OF PRINCIPAL.** A principal may not use the services of an administrator unless the administrator furnishes proof of licensure under s. 633.14 or exemption under sub. (2).

633.14 Issuance of license. (1) The commissioner shall issue a license to act as an administrator to an individual who does all of the following:

(a) Pays the fee under s. 601.31 (1) (w).

(b) Supplies a bond meeting the specifications established under sub. (3).

(c) Shows to the satisfaction of the commissioner all of the following:

1. That the person intends in good faith to act as an administrator in compliance with applicable laws of this state and rules and orders of the commissioner.

2. That the person is competent and trustworthy.

3. That the person is licensed to act as an agent.

4. If a nonresident, that the person has executed in a form acceptable to the commissioner an agreement to be subject to the jurisdiction of the commissioner and the courts of this state and rules and orders of the commissioner, with service of process as provided under ss. 601.72 and 601.73.

(2) The commissioner shall issue a license to act as an administrator to a corporation or partnership that does all of the following:

(a) Pays the fee under s. 601.31 (1) (w).

(b) Supplies a bond meeting the specifications established under sub. (3).

(c) Shows to the satisfaction of the commissioner all of the following:

1. That the corporation or partnership intends in good faith to act as an administrator through individuals designated under subd. 3 in compliance with applicable laws of this state and rules and orders of the commissioner.

2. That each officer, director, partner or other individual having comparable responsibilities in the corporation or partnership is competent and trustworthy.

3. That for each plan to be administered, the corporation or partnership has designated or will designate an individual in the corporation or partnership to directly administer the plan.

4. If not organized under the laws of this state, that the corporation or partnership has executed in a form acceptable to the commissioner an agreement to be subject to the jurisdiction of the commissioner and the courts of this state and rules and orders of the commissioner, with service of process as provided under ss. 601.72 and 601.73.

(3) The commissioner shall promulgate rules establishing the specifications that a bond supplied by an administrator under sub. (1) (b) or (2) (b) must satisfy to guarantee faithful performance of the administrator.

633.15 License; renewal, suspension, limitation, revocation, penalty. (1) **ANNUAL RENEWAL FEE.** (a) *Payment.* An administrator shall pay the annual renewal fee under s. 601.31 (1) (w) for each annual renewal of a license by the date specified by a schedule established under par. (b).

(b) *Schedule by rule.* The commissioner shall promulgate rules establishing a schedule for payment of the annual renewal fee.

(2) **REVOCATION, SUSPENSION, LIMITATION.** (a) *Non-payment of annual renewal fee.* 1. If an administrator

fails to pay the annual renewal fee as provided under subd. (1), the commissioner shall suspend the administrator's license effective the day following the last day when the fee may be paid, if the commissioner has given the administrator reasonable notice of when the fee must be paid to avoid suspension.

2. If an administrator pays the annual renewal fee within 60 days from the effective date of suspension under subd. 1, the commissioner shall reinstate the administrator's license effective as of the date of suspension.

3. If payment is not made within 60 days from the effective date of suspension under subd. 1, the commissioner shall revoke the administrator's license.

4. A person whose license has been revoked under subd. 3 may apply for a new license under s. 633.14 at any time.

(b) *Other reasons.* 1. The commissioner may revoke, suspend or limit the license of an administrator after a hearing if the commissioner makes any of the following findings:

a. That the administrator is unqualified to perform the responsibilities of an administrator.

b. That the administrator has repeatedly or knowingly violated an applicable law, rule or order of the commissioner.

c. That the administrator's methods or practices in administering a plan endanger the interests of insureds or the public, or that the financial resources of the administrator are inadequate to safeguard the interests of insureds or the public.

2. A person whose license has been revoked under subd. 1 may apply for a new license under s. 633.14 only after the expiration of 5 years from the date of the order revoking the administrator's license, unless the order specifies a lesser period.

633.16 Regulation. Nothing in this chapter gives the commissioner the authority to impose requirements on a plan that is exempt from state law under 29 USC 1144 (b).

633.17 Rule-making authority. The commissioner shall promulgate rules necessary for the implementation of this chapter, in addition to the rules permitted under s. 633.13 (2) and required under ss. 633.14 (3) and 633.15 (1) (b).

SECTION 3517. Chapter 635 of the statutes is created to read:

CHAPTER 635

SMALL EMPLOYER HEALTH INSURANCE

SUBCHAPTER I

GENERAL PROVISIONS

635.01 Scope. This subchapter applies to all group health insurance plans, policies or certificates, written on risks or operations in this state, providing coverage for employees of a small employer, or employees of a small employer and the employer, and to individual health insurance policies, written on risks or operations in this state, providing coverage for employees of

a small employer, or employees of a small employer and the employer when 3 or more are sold to a small employer.

635.02 Definitions. In this subchapter:

(1) "Base premium rate" means the lowest premium rate chargeable under a rating system to small employers with similar case characteristics and the same or similar benefit design characteristics in the same class of business.

(1m) "Benefit design characteristics" means covered services, cost sharing, utilization management, managed care networks and other features that differentiate plan or coverage designs.

(2) "Case characteristics" means the demographic, actuarially based characteristics of the employees of a small employer, and the employer, if covered, such as age, sex, geographic location and occupation, used by an insurer to determine premium rates for a small employer. "Case characteristics" does not include loss or claim history, health status, duration of coverage or other factors related to claim experience.

(3) "Class of business" means all or a distinct grouping of small employers determined in accordance with rules promulgated by the commissioner under s. 635.05 (4).

(4) "Insurer" means an insurer, as defined in s. 600.03 (27), including a health maintenance organization, as defined in s. 609.01 (2), a preferred provider plan, as defined in s. 609.01 (4), and a limited service health organization, as defined in s. 609.01 (3), that offers group health insurance, as defined in s. 619.10 (4), covering employees of a small employer, or employees of a small employer and the employer, or that sells 3 or more individual policies of health insurance, as defined in s. 619.10 (4), to a small employer, covering employees of the small employer, or employees and the employer.

(4m) "Midpoint rate" means the arithmetic average of the base premium rate and the corresponding highest premium rate.

(5) "New business premium rate" means the premium rate charged or offered to small employers with similar case characteristics in the same class of business for newly issued health insurance with the same or similar benefit design characteristics.

(6) "Rating period" means the period, determined by an insurer, during which a premium rate established by the insurer remains in effect.

(7) "Small employer" means an individual, firm, corporation, partnership, association or other entity actively engaged in a business enterprise in this state, employing in this state not less than 2 nor more than 25 individuals, including the employer, on a full-time basis, as that is defined by the small employer insurance board under s. 635.23 (1) (d) 2.

635.05 Rate regulation. Notwithstanding ch. 625, the commissioner shall promulgate rules:

(1) Establishing restrictions on premium rates that an insurer may charge a small employer such that the premium rates charged to small employers with similar case characteristics for the same or similar benefit design characteristics do not vary from the midpoint rate for those small employers by more than 35% of that midpoint rate.

(2) Establishing restrictions on increases in premium rates that an insurer may charge a small employer such that:

(a) The percentage increase in the premium rate for a new rating period does not exceed the sum of the following:

1. The percentage change in the new business premium rate measured from the first day of the prior rating period to the first day of the new rating period, or the percentage change in the base premium rate in the case of a class of business for which the insurer is not issuing new policies.

2. An adjustment, not to exceed 15% per year, adjusted proportionally for rating periods of less than one year, for such rating factors as claim experience, health status and duration of coverage, determined in accordance with the insurer's rate manual or rating procedures.

3. An adjustment for a change in case characteristics or in benefit design characteristics, determined in accordance with the insurer's rate manual or rating procedures.

(b) The percentage increase in the premium rate for a new rating period for a policy issued before the effective date of this paragraph [revisor inserts date], does not exceed the sum of par. (a) 1 and 3, unless premium rates are in compliance with the rules promulgated under sub. (1).

(3) Requiring the premium rate of a policy issued before the effective date of this subsection [revisor inserts date], to comply with the rules promulgated under sub. (1) no later than 3 years after the effective date of this subsection [revisor inserts date].

(4) Defining the terms necessary for compliance with this section.

(5) Ensuring that small employers are classified using objective criteria.

(6) Ensuring that rating factors are applied objectively and consistently within a class of business.

635.07 Contract termination and renewability. (1) Notwithstanding s. 631.36 (2) to (4m), a plan or policy subject to this chapter may not be canceled by an insurer before the expiration of the agreed term, and shall be renewable to the employer and all employees and dependents eligible under the terms of the plan or policy at the expiration of the agreed term at the option of the small employer, except for any of the following reasons:

(a) Failure to pay a premium when due.

(b) Fraud or misrepresentation by the small employer, or, with respect to coverage for an insured

individual, fraud or misrepresentation by the insured individual.

(c) Substantial breaches of contractual duties, conditions or warranties.

(d) The number of individuals covered under the plan or policy is less than the number required by the plan or policy.

(e) The small employer is no longer actively engaged in a business enterprise.

(2) Notwithstanding sub. (1), an insurer may elect not to renew a health insurance plan or policy subject to this chapter if the insurer complies with all of the following:

(a) The insurer ceases to renew all plans or policies subject to this chapter that are issued to all other small employers in the same class of business.

(b) The insurer provides notice to all affected small employers and to the commissioner in each state in which an affected insured individual resides not later than one year before termination of coverage.

(c) The insurer does not establish a new class of business earlier than 5 years after the nonrenewal of the plans or policies.

(d) The insurer does not transfer or otherwise provide coverage to a small employer from the nonrenewed class of business unless the insurer offers to transfer or provide coverage to all affected small employers from the nonrenewed class of business without regard to case characteristics, claim experience, health status or duration of coverage.

(3) This section does not apply to a plan or policy subject to this chapter if the insurer that issued the policy is in liquidation.

635.09 Prohibited denial of coverage. No insurer may refuse to provide coverage for employees of a small employer solely on the basis of the occupation of the employees or the type of business in which the small employer is engaged.

635.11 Disclosure of rating factors and renewability provisions. Before the sale of a plan or policy subject to this chapter, an insurer shall disclose to a small employer all of the following:

(1) The insurer's right to increase premium rates and the factors limiting the amount of increase.

(2) The extent to which benefit design characteristics and case characteristics affect premium rates.

(3) The extent to which rating factors and changes in benefit design characteristics and case characteristics affect changes in premium rates.

(4) The small employer's renewability rights.

635.13 Annual certification of compliance. (1) RECORDS. An insurer shall maintain at its principal place of business complete and detailed records relating to its rating methods and practices and its renewal underwriting methods and practices, and shall make the records available to the commissioner and the small employer insurance board upon request.

(2) CERTIFICATION. An insurer shall file with the commissioner on or before May 1 annually an actuarial opinion by a member of the American academy of actuaries certifying all of the following:

(a) That the insurer is in compliance with the rate provisions of s. 635.05.

(b) That the insurer's rating methods are based on generally accepted and sound actuarial principles, policies and procedures.

(c) That the opinion is based on the actuary's examination of the insurer's records and a review of the insurer's actuarial assumptions and statistical methods used in setting rates and procedures used in implementing rating plans.

635.15 Temporary suspension of rate regulation. The commissioner may suspend the operation of all or any part of s. 635.05 with respect to one or more small employers for one or more rating periods upon the written request of an insurer and a finding by the commissioner that the suspension is necessary in light of the financial condition of the insurer or that the suspension would enhance the efficiency and fairness of the small employer health insurance market.

SECTION 3518p. 701.105 (1) and (2) of the statutes are amended to read:

701.105 (1) (a) In the administration of any trust which is a "private foundation", as defined in ~~s. section 509 of the internal revenue code of 1954~~, a "charitable trust", as defined in ~~s. section 4947 (a) (1) of the internal revenue code of 1954~~, or a "split-interest trust" as defined in ~~s. section 4947 (a) (2) of the internal revenue code of 1954~~, all of the following acts shall be prohibited:

1. Engaging in any act of "self-dealing" as defined in ~~s. section 4941 (d) of the internal revenue code of 1954~~, which would give rise to any liability for the tax imposed by ~~s. section 4941 (a) of the internal revenue code of 1954~~;

2. Retaining any "excess business holdings" as defined in ~~s. section 4943 (c) of the internal revenue code of 1954~~, which would give rise to any liability for the tax imposed by ~~s. section 4943 (a) of the internal revenue code of 1954~~;

3. Making any investments which would jeopardize the carrying out of any of the exempt purposes of the trust, within the meaning of ~~s. section 4944 of the internal revenue code of 1954~~, so as to give rise to any liability for the tax imposed by ~~s. section 4944 (a) of the internal revenue code of 1954~~; and.

4. Making any "taxable expenditures" as defined in ~~s. section 4945 (d) of the internal revenue code of 1954~~, which would give rise to any liability for the tax imposed by ~~s. section 4945 (a) of the internal revenue code of 1954~~;

(b) ~~Provided, however, that this~~ This subsection shall not apply either to those split-interest trusts or to amounts thereof which are not subject to the prohibi-

tions applicable to private foundations by reason of the provisions of ~~s. section 4947 of the internal revenue code of 1954~~.

(2) In the administration of any trust which is a "private foundation" as defined in ~~s. section 509 of the internal revenue code of 1954~~, or which is a "charitable trust" as defined in ~~s. section 4947 (a) (1) of the internal revenue code of 1954~~, there shall be distributed, for the purposes specified in the trust instrument, for each taxable year, amounts at least sufficient to avoid liability for the tax imposed by ~~s. section 4942 (a) of the internal revenue code of 1954~~.

SECTION 3518r. 701.108 (1) (a) of the statutes is amended to read:

701.108 (1) (a) The charitable trust is required under federal law to dispose of excess business holdings, as defined in section 4943 (c) of the internal revenue code ~~of 1954~~, to avoid liability for the tax imposed under section 4943 (a) and (b) of the internal revenue code ~~of 1954~~.

SECTION 3518s. 701.20 (12) (d) 4 of the statutes is amended to read:

701.20 (12) (d) 4. Any tax levied upon profit, gain, or other receipts allocated to principal notwithstanding denomination of the tax as an income or franchise tax by the taxing authority.

SECTION 3518t. 701.27 (3) (b) of the statutes is amended to read:

701.27 (3) (b) Notwithstanding par. (a), any disclaimer which meets the requirements of section 2518 of the ~~U.S.~~ internal revenue code ~~of 1954~~, or any other provisions of federal law, constitutes an effective disclaimer under this section.

SECTION 3519. 703.16 (6) (d) of the statutes is amended to read:

703.16 (6) (d) All sums unpaid on any mortgage loan made under s. 45.80, 1989 stats.

SECTION 3520. 704.90 (3) (a) of the statutes is amended to read:

704.90 (3) (a) An operator has a lien on all personal property stored in a leased space for rent and other charges related to the personal property, including expenses necessary to the preservation, removal, storage, preparation for sale and sale of the personal property. The lien attaches as of the first day the personal property is stored in the leased space and is superior to any other lien on or security interest in the personal property except for a statutory lien or a security interest that is perfected by filing prior to the first day the personal property is stored in the leased space ~~or~~, a security interest in a vehicle perfected under ch. 342 or a security interest in a boat perfected under ch. 30.

~~SECTION 3520m. 704.90 (9) of the statutes is amended to read:~~

~~704.90 (9) Rules. The department of agriculture, trade and consumer protection justice may promul-~~

Vetoed
in Part

Vetoed in Part gate rules necessary to carry out the purposes of this section.

SECTION 3521. 706.11 (4) of the statutes is amended to read:

706.11 (4) Subsection (1) does not apply to a 2nd mortgage assigned to or executed to the department of veterans affairs under s. 45.79 (3) (a) 1 or s. 45.80 (4) (a) 1, 1989 stats.

Vetoed in Part SECTION 3521m. 710.02 (4) (a) (intro.) of the statutes is amended to read:

710.02 (4) (a) (intro.) Any person filing a report required under 7 USC 3501 to 3508 shall file with the secretary of agriculture, food and trade and consumer protection a duplicate original of the report, together with both of the following:

Vetoed in Part SECTION 3521pd. 753.016 (6) of the statutes is created to read:

753.016 (6) COURT COMMISSIONERS AND COURT REPORTERS. (a) The state shall reimburse the county from the appropriation under s. 20.625 (1) (as) for the costs of court staff necessary to assist the 4 court commissioners appointed under this subsection and for the costs of 4 court commissioner positions to be appointed on September 1, 1991, by the chief judge in the 1st judicial administrative district if all of the following conditions are met:

1. The 4 court commissioner positions are established by the county board under s. 757.68 after the effective date of this subdivision ... [revisor inserts date].

2. The 4 court commissioner positions are in addition to the number of court commissioner positions in the 1st judicial administrative district on April 1, 1991.

3. The chief judge assigns the 4 court commissioner positions to enable more judges to handle criminal cases.

(b) The state treasurer shall pay the costs reimbursable under par. (a) to the county treasurer pursuant to a voucher that the clerk of circuit courts submits to the director of state courts. The amount paid under this paragraph may not exceed \$365,400 in the 1991-92 fiscal year and \$443,900 in the 1992-93 fiscal year.

(c) The chief judge of the 1st judicial administrative district shall appoint 4 court reporters to serve the 4 court commissioners appointed under this subsection. A court reporter may be appointed under this paragraph only if he or she is certified as qualified by the director of state courts. The court reporters appointed under this paragraph serve at the pleasure of the chief judge of the 1st judicial administrative district.

SECTION 3521pg. 753.06 (1) (a) of the statutes is amended to read:

753.06 (1) (a) Milwaukee county. The ~~circuit has 40 branches.~~ Commencing August 1, 1990, the circuit has 41 branches. Commencing August 1, 1991, the circuit has 42 branches. Commencing August 1, 1992, the circuit has ~~44~~ 45 branches.

SECTION 3521pi. 753.061 (2m) of the statutes is created to read:

753.061 (2m) The chief judge of the 1st judicial administrative district is authorized to designate 4 circuit court branches to primarily handle violent crime cases that involve a violation of s. 939.63, if a felony is committed while armed, and of ss. 940.01 to 940.03, 940.05, 940.06, 940.225 and 943.32 (2). If the circuit court branches are designated under this subsection, 2 shall begin to primarily handle violent crime cases on September 1, 1991, and 2 shall begin to primarily handle violent crime cases on August 1, 1992.

~~SECTION 3521pk. 753.061 (4) of the statutes is created to read:~~

~~753.061 (4) The state shall reimburse the county for costs of a person to assist in the coordination of the speedy trial, violent crime project in the 1st judicial administrative district and in the evaluation of the allocation of court resources in that district. The costs reimbursable under this subsection shall be paid by the state treasurer to the county treasurer pursuant to a voucher submitted by the clerk of circuit courts to the director of state courts and shall be paid from the appropriation under s. 20.625 (1) (dm).~~

SECTION 3521pn. 753.061 (5) of the statutes is created to read:

753.061 (5) The state shall reimburse the county for the costs of operating one of the 2 circuit court branches designated under sub. (2m) that begin to primarily handle violent crime cases on September 1, 1991, including the one-time cost of courtroom construction, and for the costs of operating one of the 2 circuit court branches designated under sub. (2m) that begin to primarily handle violent crime cases on August 1, 1992. The costs reimbursable under this subsection shall be paid by the state treasurer to the county treasurer pursuant to a voucher submitted by the clerk of circuit court to the director of state courts and shall be paid from the appropriation under s. 20.625 (1) (as). The amount reimbursable under this subsection may not exceed \$383,100 in the 1991-92 fiscal year and ~~\$287,800~~ in the 1992-93 fiscal year.

SECTION 3522. 753.075 (3) (a) of the statutes is amended to read:

753.075 (3) (a) Temporary reserve judges shall receive a per diem of ~~\$190~~ \$205 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. 40.26 but the combined amount of this compensation and any other judicial compensation together with retirement annuities under the Wisconsin retirement system, the Milwaukee county retirement fund and other state, county, municipal, or other Wisconsin governmental retirement funds received by him or her during any one calendar year shall not exceed the yearly compensation of a circuit judge. The per diem compensation and actual and necessary expenses shall be paid from the

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appropriation under s. 20.625 (1) (a) when the judge is assigned to a circuit court and from the appropriation under s. 20.660 (1) (a) when the judge is assigned to the court of appeals.

SECTION 3525. 756.10 (8) of the statutes is amended to read:

756.10 (8) INTERCOUNTY RACKETEERING AND CRIME. When a grand jury is convened pursuant to this section to investigate unlawful activity under s. 165.70, and such activity involves more than one county, including the county where the petition for such grand jury is filed, then if the attorney general approves, all expenses of such proceeding shall be charged to the sum sufficient case account of the department of justice appropriation under s. 20.455 (1) (d).

~~SECTION 3525m. 756.25 (1) of the statutes is amended to read:~~

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~~756.25 (1) Every grand and petit juror summoned shall receive an amount, not less than \$16 \$25, as fixed by the county board, for each day's actual attendance upon any circuit court, and an amount, not less than 10 cents per mile, determined by the county board equal to the mileage rate set under s. 20.916 (8) for each mile actually traveled each day in going and returning by the most usual route. A juror shall not be paid for a day when the court is not in session unless payment is specially ordered by the court. An employer shall grant an employee a leave of absence without loss of time in service for the period of jury service. For the purpose of determining seniority or pay advancement, the status of the employee shall be considered uninterrupted by the service. No employer may use absence due to jury service as a basis for the discharge of an employee or for any disciplinary action against the employee. An employer who discharges or disciplines an employee in violation of this subsection may be fined not more than \$200 and may be required to make full restitution to the aggrieved employee, including reinstatement and back pay. Except as provided in this subsection, restitution shall be in accordance with s. 973.20.~~

SECTION 3526. 757.27 of the statutes is created to read:

757.27 Special prosecutors. (1) In addition to the authority under s. 978.045, any judge of a court of record may appoint an attorney to act as a special prosecutor to assist the district attorney in one or more of the following:

- (a) Prosecution of persons charged with a crime.
- (b) Grand jury proceedings.
- (c) John Doe proceedings.
- (d) Investigations.

(2) The court shall fix the amount of compensation for any attorney appointed as a special prosecutor under sub. (1). The department of administration shall pay the compensation ordered by the court from the appropriation under s. 20.475 (1) (d).

SECTION 3527. 757.30 (4) of the statutes is amended to read:

757.30 (4) No person shall practice law in this state under any other given name or any other surname than that under which originally admitted to the bar of this or any other state, in any instance in which the board of attorneys—professional competence bar examiners shall, after a hearing, find that practicing under the changed name operates to unfairly compete with another practitioner or to mislead the public as to identity or to otherwise result in detriment to the profession or the public. Any person violating this subsection shall be subject to the penalty provided in sub. (1). This subsection does not apply to a change of name resulting from marriage or divorce.

~~SECTION 3527m. 757.48 (1) (b) of the statutes is amended to read:~~

~~757.48 (1) (b) The guardian ad litem shall be allowed reasonable compensation for his or her services such as is customarily charged by attorneys in this state for comparable services, at the rate set by SCR 81.02 (1). If the attorney of record is also the guardian ad litem, the attorney shall be entitled only to attorney fees and shall receive no compensation for services as guardian ad litem.~~

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SECTION 3527p. 757.69 (1) (b) of the statutes is amended to read:

757.69 (1) (b) In criminal matters issue summonses, arrest warrants or search warrants and conduct initial appearances of persons arrested and set bail to the same extent as a judge. At the initial appearance, the court commissioner shall, when necessary, inform the defendant in accordance with s. 970.02 (1). If the defendant appears or claims to be unable to afford counsel, the court commissioner, in accordance with s. 970.02 (6), may refer the person to the authority for indigency determinations specified under s. 977.07 (1). If the court commissioner is a full-time court commissioner, he or she may conduct the preliminary examination and arraignment to the same extent as a judge and, with the consent of both the state and the defendant, may accept a guilty plea and sentence the defendant. ~~A court commissioner may not impose a sentence of imprisonment under s. 973.013, 973.014, 973.03 or 973.15. If the court commissioner decides that probation is appropriate, the court commissioner shall withhold the sentence and place the person on probation and may not require, under s. 973.09 (4), that as a condition of probation the person be confined. If a court refers a disputed restitution issue under s. 973.20 (13) (c) 4, the court commissioner shall conduct the hearing on the matter in accordance with s. 973.20 (13) (c) 4.~~

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SECTION 3527r. 757.69 (1) (g) of the statutes is amended to read:

757.69 (1) (g) When assigned to the court assigned jurisdiction under ch. 48, a court commissioner may, under ch. 48, issue summonses and warrants, order

the release or detention of children apprehended, conduct detention and shelter care hearings, conduct preliminary appearances, conduct uncontested proceedings under ss. 48.12 and 48.13 and enter into consent decrees. Waiver hearings under s. 48.18 and dispositional hearings under ss. 48.33 to 48.35 shall be conducted by a judge. When acting in an official capacity and assigned to the children's court center, a court commissioner shall sit at the children's court center or such other facility designated by the chief judge. Any decision by the commissioner shall be reviewed by the judge of the branch of court to which the case has been assigned, upon motion of any party. Any determination, order or ruling by the commissioner may be certified to the branch of court to which such case has been assigned upon a motion of any party for a hearing de novo.

SECTION 3527t. 757.69 (1) (m) of the statutes is created to read:

757.69 (1) (m) Hold hearings, make findings and issue orders under s. 813.125.

SECTION 3528. 758.01 (2) of the statutes is amended to read:

758.01 (2) The supreme court may establish and charge fees for photocopying, microfilm copying, books, generation of copies of documents from optical disk storage, computer services and other services provided by the state law library. The fees are subject to the cost limitations under ss. 19.35 (3) and 20.908.

SECTION 3529. 758.19 (3) of the statutes is amended to read:

758.19 (3) The director shall establish and charge fees for data processing services provided for the board of attorneys professional competence bar examiners, the board of attorneys professional responsibility and the mediation system under ch. 655.

SECTION 3529m. 758.19 (4) of the statutes is amended to read:

758.19 (4) The director of state courts may develop, promote, coordinate and implement circuit court automated information systems that are compatible among counties using the moneys appropriated under s. 20.680 (2) (f). Prior to committing any state resources for the ongoing support or maintenance of any computer system installed as part of the circuit court automated information system project, the director of state courts shall receive approval for that commitment from the joint committee on finance. If the director of state courts provides funding to counties as part of the development and implementation of this system, the director of state courts may provide funding to counties with 1 or 2 circuit court judges for a minicomputer system only up to the level of funding that would have been provided had the county implemented a microcomputer system. In those counties with 1 or 2 circuit court judges, any costs incurred to implement a minicomputer system not funded under this subsection shall be paid by the county. Those counties may use that minicomputer system for

county management information needs in addition to the circuit court automated information system use. **Vetoed in Part**

SECTION 3530g. 758.19 (6) of the statutes is created to read:

758.19 (6) (a) The director of state courts shall reimburse each county for the costs of juror fees paid under s. 59.77 (8) from the appropriation under s. 20.625 (1) (d). Each county shall be reimbursed at the minimum rates set under s. 756.25 (1) for each day's actual attendance and at the minimum rates set under s. 756.25 (2) for each half-day's actual attendance by a juror upon any circuit court. Each county shall be reimbursed at the minimum rates set under s. 756.25 (1) for jurors' services for which payments are set under s. 756.25 (3). The costs reimbursable under this paragraph shall be paid pursuant to a voucher submitted by the clerk of circuit court to the director of state courts. If the moneys available under s. 20.625 (1) (d) are insufficient to reimburse all eligible claims submitted by counties for payment under this paragraph, the moneys shall be prorated. **Vetoed in Part**

(b) The director of state courts shall pay the guardian ad litem fees under ss. 48.235 (8), 48.996, 55.06 (6) and (9) (b), 767.045 (6), 880.33 (2) (a) 2, 880.33 (8) and 891.39 (1) (b) from the appropriation under s. 20.625 (1) (e).

(c) The director of state courts shall pay all of the following from the appropriation under s. 20.625 (1) (f):

1. The fees for expert witnesses called by the guardian ad litem under s. 767.045 (6) if either or both parties are unable to pay those fees.

2. The witness fees set under s. 814.67 (1) (b) 1 and (c) for witnesses called by the court on its own motion.

3. The fees for expert witnesses called by the court on its own motion under s. 907.06.

4. The fees for witnesses subpoenaed by the court at the request of the coroner or medical examiner under s. 979.06 (1).

SECTION 3530r. 767.045 (6) of the statutes is amended to read:

767.045 (6) FEES. The guardian ad litem shall be compensated at a rate that the court determines is reasonable allowed reasonable compensation at the rate set by SCR 81.02 (1). The court shall order either or both parties to pay all or any part of the fee of the guardian ad litem. In addition, upon motion by the guardian ad litem, the court shall order either or both parties to pay the fee for an expert witness used by the guardian ad litem, if the guardian ad litem shows that the use of the expert is necessary to assist the guardian ad litem in performing his or her functions or duties under this chapter. The court shall determine a reasonable fee for an expert witness called by the guardian ad litem. If either or both parties are unable to pay, the court may direct that the county of venue state pay the fees, in whole or in part, from the appropriation under s. 20.625 (1) (f), and may direct that any or all parties reimburse the county state, in whole

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~~or in part, for the payment. The court may order a separate judgment for the amount of the reimbursement in favor of the county state and against the party or parties responsible for the reimbursement. The court may enforce its orders under this subsection by means of its contempt power.~~

SECTION 3531. 767.078 (1) (b) (intro.) of the statutes is amended to read:

767.078 (1) (b) (intro.) Except as provided in par. (c) or (d), in a case involving a dependent child, if the child's parent who is absent from the home is not employed, the court shall order that parent to do one or more of the following:

SECTION 3532. 767.078 (1) (c) of the statutes is amended to read:

767.078 (1) (c) An order is not required under par. (b) or (d) if the court makes written findings that there is good cause for not issuing the order.

SECTION 3533. 767.078 (1) (d) of the statutes is created to read:

767.078 (1) (d) 1. Except as provided in par. (c), in a case involving a dependent child whose family lives in a pilot county under s. 49.25 and is first found eligible for aid under s. 49.19 after June 30, 1992, if the child's parent who is absent from the home lives in a pilot county under s. 49.25 and is unemployed, the court shall order the parent to report to the agency providing services under s. 49.50 (7j) in that pilot county and to participate in work experience and job training activities under s. 49.51 (3) or (4) for an average of 40 hours per week.

2. The agency to which a parent is required to report under subd. 1 shall report to the court on the employment and training plan that is developed for the parent and on the parent's progress in following the plan. The agency may recommend to the court modifications in the order under subd. 1 based on the parent's employment or progress in following the plan or on the agency's evaluation of the parent's needs.

3. Subdivisions 1 and 2 only apply while the department of health and social services conducts the program under s. 49.25.

SECTION 3534. 767.23 (1n) of the statutes is amended to read:

767.23 (1n) Before making any temporary order under sub. (1), the court or family court commissioner shall consider those factors which the court is required by this chapter to consider before entering a final judgment on the same subject matter. If the court or family court commissioner makes a temporary child support order that deviates from the amount of support that would be required by using the percentage standard established by the department of health and social services under s. 46.25 (9) (a), the court or family court commissioner shall comply with the requirements of s. 767.25 (1n) (b). A temporary order under sub. (1) may be based upon the written stipulation of the parties, subject to the approval of the court or the

family court commissioner. Temporary orders made by the family court commissioner may be reviewed by the court as provided in s. 767.13 (6).

SECTION 3535. 767.25 (1n) (b) of the statutes is amended to read:

767.25 (1n) (b) Shall state in writing or on the record the amount of support that would be required by using the percentage standard, the amount by which the court's order deviates from that amount, its reasons for finding that use of the percentage standard is unfair to the child or the party, its reasons for the amount of the modification and the basis for the modification.

SECTION 3536. 767.25 (1r) of the statutes is repealed.

SECTION 3537. 767.29 (title) and (1) of the statutes are amended to read:

767.29 (title) Maintenance, child support and family support payments, clerk of court, family court commissioner, fees and compensation. (1) All orders or judgments providing for temporary or permanent maintenance, child support or family support payments ~~or support of children~~ shall direct the payment of all such sums to the clerk of the court for the use of the person for whom the same has been awarded; ~~except as otherwise determined by the department of health and social services under s. 46.257 (6).~~ A party securing an order for temporary maintenance, child support or family support payments ~~or support money~~ shall forthwith file the order, together with all pleadings in the action, with the clerk of the court. The clerk shall disburse the money so received under the judgment or order within 15 days and take receipts therefor, unless the clerk is unable to disburse the moneys because they were paid by check or other draft drawn upon an account containing insufficient funds. All moneys received or disbursed under this section shall be entered in a record kept by the clerk, which shall be open to inspection by the department of health and social services for the administration of the child and spousal support and establishment of paternity program under s. 46.25, the parties to the action and their attorneys, and the family court commissioner. If the maintenance, child support or family support payments ~~or support money~~ adjudged or ordered to be paid shall not be paid to the clerk at the time provided in the judgment or order, the clerk or the family court commissioner of the county shall take such proceedings as either of them deems advisable to secure the payment of the sum including enforcement by contempt proceedings under ch. 785 or by other means. Copies of any order issued to compel the payment shall be mailed to counsel who represented each party when the maintenance, child support or family support payments ~~or support money~~ ~~was were~~ awarded. In case any fees of officers in any of the proceedings, including the compensation of the family court commissioner at the rate of \$50 per day unless the commissioner is on a salaried basis, is not collected

from the person proceeded against, the fees shall be paid out of the county treasury upon the order of the presiding judge and the certificate of the clerk of the court.

SECTION 3537h. 767.32 (2) of the statutes is created to read:

767.32 (2) Except as provided in sub. (2m), if the court revises a judgment or order with respect to child support payments, it shall do so by using the percentage standard established by the department of health and social services under s. 46.25 (9) (a).

SECTION 3537k. 767.32 (2m) of the statutes is created to read:

767.32 (2m) Upon request by a party, the court may modify the amount of revised child support payments determined under sub. (2) if, after considering the factors listed in s. 767.25 (1m) or 767.51 (5), as appropriate, the court finds, by the greater weight of the credible evidence, that the use of the percentage standard is unfair to the child or to any of the parties.

SECTION 3538. 767.51 (5d) (b) of the statutes is amended to read:

767.51 (5d) (b) Shall state in writing or on the record the amount of support that would be required by using the percentage standard, the amount by which the court's order deviates from that amount, its reasons for finding that use of the percentage standard is unfair to the child or the party, its reasons for the amount of the modification and the basis for the modification.

SECTION 3539. 767.51 (5r) of the statutes is repealed.

SECTION 3540c. 778.02 of the statutes is amended to read:

778.02 Action in name of state; complaint; attachment. Every such forfeiture action shall be in the name of the state of Wisconsin, and it is sufficient to allege in the complaint that the defendant is indebted to the plaintiff in the amount of the forfeiture claimed, according to the provisions of the statute ~~which that~~ imposes it, specifying the statute and for the penalty assessment imposed by s. 165.87 ~~and~~, the jail assessment imposed by s. 302.46 (1) and any applicable domestic abuse assessment imposed by s. 973.055 (1). If the statute imposes a forfeiture for several offenses or delinquencies the complaint shall specify the particular offense or delinquency for which the action is brought, with a demand for judgment for the amount of the forfeiture, penalty assessment and jail assessment and any applicable domestic abuse assessment. If the defendant is a nonresident of the state, an attachment may issue.

SECTION 3540d. 778.02 of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

778.02 Action in name of state; complaint; attachment. Every such forfeiture action shall be in the name of the state of Wisconsin, and it is sufficient to allege in the complaint that the defendant is indebted

to the plaintiff in the amount of the forfeiture claimed, according to the provisions of the statute that imposes it, specifying the statute and for the penalty assessment imposed by s. 165.87, the jail assessment imposed by s. 302.46 (1), any applicable domestic abuse assessment imposed by s. 973.055 (1) and the automatic reinstatement assessment imposed by s. 345.54 (1). If the statute imposes a forfeiture for several offenses or delinquencies the complaint shall specify the particular offense or delinquency for which the action is brought, with a demand for judgment for the amount of the forfeiture, penalty assessment, jail assessment and automatic reinstatement assessment and any applicable domestic abuse assessment. If the defendant is a nonresident of the state, an attachment may issue.

SECTION 3541c. 778.03 of the statutes is amended to read:

778.03 Complaint to recover forfeited goods. In an action to recover property forfeited by any statute it shall be sufficient to allege in the complaint that the property has been forfeited, specifying the statute, with a demand of judgment for the delivery of the property, or the value thereof and for payment of the penalty assessment imposed by s. 165.87 ~~and~~, the jail assessment imposed by s. 302.46 (1) and any applicable domestic abuse assessment imposed by s. 973.055 (1).

SECTION 3541d. 778.03 of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

778.03 Complaint to recover forfeited goods. In an action to recover property forfeited by any statute it shall be sufficient to allege in the complaint that the property has been forfeited, specifying the statute, with a demand of judgment for the delivery of the property, or the value thereof and for payment of the penalty assessment imposed by s. 165.87, the jail assessment imposed by s. 302.46 (1), any applicable domestic abuse assessment imposed by s. 973.055 (1) and the automatic reinstatement assessment imposed by s. 345.54 (1).

SECTION 3542c. 778.06 of the statutes is amended to read:

778.06 Action for what sum. When a forfeiture is imposed, not exceeding a specific sum or when it is not less than one sum or more than another, the action may be brought for the highest sum specified and for the penalty assessment imposed by s. 165.87 ~~and~~, the jail assessment imposed by s. 302.46 (1) and any applicable domestic abuse assessment imposed by s. 973.055 (1); and judgment may be rendered for such sum as the court or jury shall assess or determine to be proportionate to the offense.

SECTION 3542d. 778.06 of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

778.06 Action for what sum. When a forfeiture is imposed, not exceeding a specific sum or when it is not

less than one sum or more than another, the action may be brought for the highest sum specified and for the penalty assessment imposed by s. 165.87, the jail assessment imposed by s. 302.46 (1), any applicable domestic abuse assessment imposed by s. 973.055 (1) and the automatic reinstatement assessment imposed by s. 345.54 (1); and judgment may be rendered for such sum as the court or jury shall assess or determine to be proportionate to the offense.

SECTION 3543c. 778.10 of the statutes is amended to read:

778.10 Municipal forfeitures, how recovered. All forfeitures imposed by any ordinance or regulation of any county, town, city or village, or of any other domestic corporation may be sued for and recovered, under this chapter, in the name of the county, town, city, village or corporation. It is sufficient to allege in the complaint that the defendant is indebted to the plaintiff in the amount of the forfeiture claimed, specifying the ordinance or regulation that imposes it and of the penalty assessment imposed by s. 165.87 ~~and~~, the jail assessment imposed by s. 302.46 (1) and any applicable domestic abuse assessment imposed by s. 973.055 (1). If the ordinance or regulation imposes a penalty or forfeiture for several offenses or delinquencies the complaint shall specify the particular offenses or delinquency for which the action is brought, with a demand for judgment for the amount of the forfeiture, the penalty assessment imposed by s. 165.87 ~~and~~, the jail assessment imposed by s. 302.46 (1) and any applicable domestic abuse assessment imposed by s. 973.055 (1). All moneys collected on the judgment shall be paid to the treasurer of the county, town, city, village or corporation, except that all jail assessments shall be paid to the county treasurer.

SECTION 3543d. 778.10 of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

778.10 Municipal forfeitures, how recovered. All forfeitures imposed by any ordinance or regulation of any county, town, city or village, or of any other domestic corporation may be sued for and recovered, under this chapter, in the name of the county, town, city, village or corporation. It is sufficient to allege in the complaint that the defendant is indebted to the plaintiff in the amount of the forfeiture claimed, specifying the ordinance or regulation that imposes it and of the penalty assessment imposed by s. 165.87, the jail assessment imposed by s. 302.46 (1), any applicable domestic abuse assessment imposed by s. 973.055 (1) and the automatic reinstatement assessment imposed by s. 345.54 (1). If the ordinance or regulation imposes a penalty or forfeiture for several offenses or delinquencies the complaint shall specify the particular offenses or delinquency for which the action is brought, with a demand for judgment for the amount of the forfeiture, the penalty assessment imposed by s. 165.87, the jail assessment imposed by s. 302.46 (1), any applicable domestic abuse assessment imposed by

s. 973.055 (1) and the automatic reinstatement assessment imposed by s. 345.54 (1). All moneys collected on the judgment shall be paid to the treasurer of the county, town, city, village or corporation, except that all jail assessments and automatic reinstatement assessments shall be paid to the county treasurer.

SECTION 3544c. 778.105 of the statutes is amended to read:

778.105 Disposition of forfeitures. Revenues from forfeitures imposed by any court or any branch thereof for the violation of any municipal or county ordinance shall be paid to the municipality or county. Penalty assessment payments shall be made as provided in s. 165.87. Jail assessment payments shall be made as provided in s. 302.46 (1). Domestic abuse assessments shall be made as provided in s. 973.055.

SECTION 3544d. 778.105 of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

778.105 Disposition of forfeitures. Revenues from forfeitures imposed by any court or any branch thereof for the violation of any municipal or county ordinance shall be paid to the municipality or county. Penalty assessment payments shall be made as provided in s. 165.87. Jail assessment payments shall be made as provided in s. 302.46 (1). Domestic abuse assessments shall be made as provided in s. 973.055. Automatic reinstatement assessment payments shall be made as provided in s. 345.54 (1).

SECTION 3545c. 778.13 of the statutes is amended to read:

778.13 Forfeitures collected, to whom paid. All moneys collected in favor of the state for forfeiture, except the portion to be paid to any person who sues with the state, shall be paid by the officer who collects the forfeiture to the treasurer of the county within which the forfeiture was incurred within 20 days after its receipt. In case of any failure in the payment the county treasurer may collect the payment of the officer by action, in the name of the office and upon the official bond of the officer, with interest at the rate of 12% per year from the time when it should have been paid. Penalty assessment payments shall be made as provided in s. 165.87. Jail assessment payments shall be made as provided in s. 302.46 (1). Domestic abuse assessments shall be made as provided in s. 973.055.

SECTION 3545d. 778.13 of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

778.13 Forfeitures collected, to whom paid. All moneys collected in favor of the state for forfeiture, except the portion to be paid to any person who sues with the state, shall be paid by the officer who collects the forfeiture to the treasurer of the county within which the forfeiture was incurred within 20 days after its receipt. In case of any failure in the payment the county treasurer may collect the payment of the

officer by action, in the name of the office and upon the official bond of the officer, with interest at the rate of 12% per year from the time when it should have been paid. Penalty assessment payments shall be made as provided in s. 165.87. Jail assessment payments shall be made as provided in s. 302.46 (1). Domestic abuse assessments shall be made as provided in s. 973.055. Automatic reinstatement assessment payments shall be made as provided in s. 345.54 (1).

SECTION 3546c. 778.18 of the statutes is amended to read:

778.18 Penalty upon municipal judge. If any municipal judge, of his or her own will, dismisses any action brought before the judge under this chapter, unless by order of the district attorney or attorney general or the person joined as plaintiff with the state, or renders a less judgment therein than is prescribed by law, or releases or discharges any such judgment or part thereof without payment or collection, the judge and the judge's sureties shall be liable, in an action upon the judge's bond, for the full amount of the forfeitures imposed by law or of the forfeiture imposed by the judge and for the penalty assessment imposed by s. 165.87 ~~and~~, the jail assessment imposed by s. 302.46 (1) and any applicable domestic abuse assessment imposed by s. 973.055 (1), or for an amount equal to the amount in which any such judgment or any part thereof is released or discharged. If any municipal judge gives time or delay to any person against whom any such judgment is rendered by the judge, or takes any bond or security for its future payment, the judge and the judge's sureties shall also be liable for the payment of the judgment upon the judge's bond.

SECTION 3546d. 778.18 of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

778.18 Penalty upon municipal judge. If any municipal judge, of his or her own will, dismisses any action brought before the judge under this chapter, unless by order of the district attorney or attorney general or the person joined as plaintiff with the state, or renders a less judgment therein than is prescribed by law, or releases or discharges any such judgment or part thereof without payment or collection, the judge and the judge's sureties shall be liable, in an action upon the judge's bond, for the full amount of the forfeitures imposed by law or of the forfeiture imposed by the judge and for the penalty assessment imposed by s. 165.87, the jail assessment imposed by s. 302.46 (1), any applicable domestic abuse assessment imposed by s. 973.055 (1) and the automatic reinstatement assessment imposed by s. 345.54 (1), or for an amount equal to the amount in which any such judgment or any part thereof is released or discharged. If any municipal judge gives time or delay to any person against whom any such judgment is rendered by the judge, or takes any bond or security for its future payment, the judge and the judge's sureties shall also be liable for the payment of the judgment upon the judge's bond.

SECTION 3547. 779.97 (4) (b) 2 of the statutes is amended to read:

779.97 (4) (b) 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 chs. 401 to 409, and the secretary may remove the notice of federal lien and any related refile of a notice of lien, certificate of nonattachment, discharge or subordination from the files at any time after receipt of the certificate of release, but the secretary of state shall keep the certificate of release or a microfilm or other photographic record or optical disk record of the certificate of release in a file, separate from those containing currently effective notices of liens, for a period of 30 years after the date of filing of the certificate of release.

SECTION 3548. 779.97 (4) (c) 2 of the statutes is amended to read:

779.97 (4) (c) 2. If a certificate of release is presented for filing with any other filing officer specified in sub. (2), the officer shall enter the certificate with the date of filing in any alphabetical federal lien index on the line where the original notice of lien is entered and may then remove the notice of federal lien and any related refile of a notice of 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, or in the case of the secretary of state, a microfilm or other photographic record or an optical disk record, of the certificate of release in a file, separate from those containing currently effective notices of federal liens, for a period of 30 years after the date of filing of the certificate of release.

SECTION 3548d. 779.97 (5) (a) of the statutes is amended to read:

779.97 (5) (a) The fee for filing and indexing each notice of lien or certificate or notice affecting the lien is one of the following:

1. For a lien on real estate, \$2; \$10.
2. For a lien on tangible and intangible personal property, \$2; \$10.
3. For a certificate of discharge or subordination, \$2; \$10.
4. For all other notices, including a certificate of release or nonattachment, \$2 \$10.

SECTION 3548p. 799.40 (4) of the statutes is created to read:

799.40 (4) STAY OF PROCEEDING. The court shall stay the proceedings in a civil action of eviction if the tenant applies for emergency assistance under s. 49.19 (1) (b). The tenant shall inform the court of the outcome of the determination of eligibility for emergency assistance. The stay remains in effect until the tenant's eligibility for emergency assistance is determined and,

if the tenant is determined to be eligible, until the tenant receives the emergency assistance.

SECTION 3549c. 800.02 (2) (a) 8 of the statutes is amended to read:

800.02 (2) (a) 8. Notice that if the defendant makes a deposit and fails to appear in court at the time fixed in the citation, the defendant is deemed to have tendered a plea of no contest and submits to a forfeiture, penalty assessment and jail assessment and any applicable domestic abuse assessment plus costs, including the fee prescribed in s. 814.65 (1), not to exceed the amount of the deposit. The notice shall also state that the court may decide to summon the defendant rather than accept the deposit and plea.

SECTION 3549d. 800.02 (2) (a) 8 of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

800.02 (2) (a) 8. Notice that if the defendant makes a deposit and fails to appear in court at the time fixed in the citation, the defendant is deemed to have tendered a plea of no contest and submits to a forfeiture, penalty assessment, jail assessment and automatic reinstatement assessment and any applicable domestic abuse assessment plus costs, including the fee prescribed in s. 814.65 (1), not to exceed the amount of the deposit. The notice shall also state that the court may decide to summon the defendant rather than accept the deposit and plea.

SECTION 3550c. 800.02 (3) (a) 5 of the statutes is amended to read:

800.02 (3) (a) 5. A plain and concise statement of the violation identifying the event or occurrence from which the violation arose and showing that the plaintiff is entitled to relief, the ordinance, resolution or bylaw upon which the cause of action is based and a demand for a forfeiture, the amount of which shall not exceed the maximum set by the statute involved, the penalty assessment, the jail assessment, any applicable domestic abuse assessment and such other relief that is sought by the plaintiff.

SECTION 3550d. 800.02 (3) (a) 5 of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

800.02 (3) (a) 5. A plain and concise statement of the violation identifying the event or occurrence from which the violation arose and showing that the plaintiff is entitled to relief, the ordinance, resolution or bylaw upon which the cause of action is based and a demand for a forfeiture, the amount of which shall not exceed the maximum set by the statute involved, the penalty assessment, the jail assessment, any applicable domestic abuse assessment, the automatic reinstatement assessment and such other relief that is sought by the plaintiff.

SECTION 3551c. 800.03 (3) of the statutes is amended to read:

800.03 (3) The amount of the deposit shall be set by the municipal judge, but shall not be effective until

approved by the governing body of the municipality. The amount shall not exceed the maximum penalty for the offense, including any penalty assessment that would be applicable under s. 165.87 ~~and~~, any jail assessment that would be applicable under s. 302.46 (1) and any domestic abuse assessment that would be applicable under s. 973.055 (1), plus court costs, including the fee prescribed in s. 814.65 (1).

SECTION 3551d. 800.03 (3) of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

800.03 (3) The amount of the deposit shall be set by the municipal judge, but shall not be effective until approved by the governing body of the municipality. The amount shall not exceed the maximum penalty for the offense, including any penalty assessment that would be applicable under s. 165.87, any jail assessment that would be applicable under s. 302.46 (1), any domestic abuse assessment that would be applicable under s. 973.055 (1) and any automatic reinstatement assessment that would be applicable under s. 345.54 (1), plus court costs, including the fee prescribed in s. 814.65 (1).

SECTION 3551e. 800.04 (2) (b) of the statutes is amended to read:

800.04 (2) (b) If the municipal judge determines that the defendant should not be released under par. (a) and the defendant is charged with a traffic or boating violation, the municipal judge shall release the defendant on a deposit in the amount established by the uniform deposit schedule under s. 345.26 (2) (a) or under s. 23.66. For other violations, the municipal judge shall establish a deposit in an amount not to exceed the maximum penalty for the offense, including any penalty assessment that would be applicable under s. 165.87 ~~and~~, any jail assessment that would be applicable under s. 302.46 (1) and any domestic abuse assessment that would be applicable under s. 973.055 (1). If the judge in a 1st class city determines that a defendant appearing before the judge through interactive video and audio transmission should not be released under par. (a), the judge shall inform the defendant that he or she has the right to appear personally before a judge for a determination, not prejudiced by the first appearance, as to whether he or she should be released without a deposit. On failure of the defendant to make a deposit under this paragraph, he or she may be committed to jail pending trial only if the judge finds that there is a reasonable basis to believe the person will not appear in court.

SECTION 3552c. 800.04 (2) (c) of the statutes is amended to read:

800.04 (2) (c) If the defendant has made a deposit under par. (b) or s. 800.03 and does not appear, he or she is deemed to have tendered a plea of no contest and submits to a forfeiture, a penalty assessment imposed by s. 165.87 ~~and~~, a jail assessment imposed by s. 302.46 (1) and any applicable domestic abuse assess-

ment imposed by s. 973.055 (1) plus costs, including the fee prescribed in s. 814.65 (1), not exceeding the amount of the deposit. The court may either accept the plea of no contest and enter judgment accordingly, or reject the plea and issue a summons. If the defendant fails to appear in response to the summons, the court shall issue a warrant under s. 968.09. If the defendant has made a deposit but does appear, the court shall allow the defendant to withdraw the plea of no contest.

SECTION 3552d. 800.04 (2) (c) of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

800.04 (2) (c) If the defendant has made a deposit under par. (b) or s. 800.03 and does not appear, he or she is deemed to have tendered a plea of no contest and submits to a forfeiture, a penalty assessment imposed by s. 165.87, a jail assessment imposed by s. 302.46 (1), any applicable domestic abuse assessment imposed by s. 973.055 (1) and an automatic reinstatement assessment imposed by s. 345.54 (1) plus costs, including the fee prescribed in s. 814.65 (1), not exceeding the amount of the deposit. The court may either accept the plea of no contest and enter judgment accordingly, or reject the plea and issue a summons. If the defendant fails to appear in response to the summons, the court shall issue a warrant under s. 968.09. If the defendant has made a deposit but does appear, the court shall allow the defendant to withdraw the plea of no contest.

SECTION 3553c. 800.09 (1) (intro.) of the statutes is amended to read:

800.09 (1) JUDGMENT. (intro.) If a municipal court finds a defendant guilty it may render judgment by ordering payment of a forfeiture, the penalty assessment imposed by s. 165.87 ~~and~~, the jail assessment imposed by s. 302.46 (1) and any applicable domestic abuse assessment imposed by s. 973.055 (1) plus costs of prosecution, including the fee prescribed in s. 814.65 (1). If the judgment is not paid, the court may proceed under par. (a), (b) or (c) or any combination thereof, as follows:

SECTION 3553d. 800.09 (1) (intro.) of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

800.09 (1) JUDGMENT. (intro.) If a municipal court finds a defendant guilty it may render judgment by ordering payment of a forfeiture, the penalty assessment imposed by s. 165.87, the jail assessment imposed by s. 302.46 (1), any applicable domestic abuse assessment imposed by s. 973.055 (1) and the automatic reinstatement assessment imposed by s. 345.54 (1) plus costs of prosecution, including the fee prescribed in s. 814.65 (1). If the judgment is not paid, the court may proceed under par. (a), (b) or (c) or any combination thereof, as follows:

SECTION 3554c. 800.09 (1) (a) of the statutes is amended to read:

800.09 (1) (a) The court may defer payment of any judgment or provide for instalment payments. At the time the judgment is rendered, the court shall inform the defendant, orally and in writing, of the date by which payment of the forfeiture, ~~the penalty assessment, the jail assessment and any applicable domestic abuse assessment~~ plus costs must be made, and of the possible consequences of failure to make the payment in timely fashion, including imprisonment, as provided in s. 800.095, or suspension of the defendant's motor vehicle operating privilege, as provided in par. (c), if applicable. A municipal court may order the payment of restitution under s. 755.045 (3). If the defendant is not present, the court shall ensure that the information is sent to the defendant by mail. In 1st class cities, all of the written information required by this paragraph shall be printed in English and Spanish and provided to each defendant.

SECTION 3554d. 800.09 (1) (a) of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

800.09 (1) (a) The court may defer payment of any judgment or provide for instalment payments. At the time the judgment is rendered, the court shall inform the defendant, orally and in writing, of the date by which payment of the forfeiture, the penalty assessment, the jail assessment, the automatic reinstatement assessment and any applicable domestic abuse assessment plus costs must be made, and of the possible consequences of failure to make the payment in timely fashion, including imprisonment, as provided in s. 800.095, or suspension of the defendant's motor vehicle operating privilege, as provided in par. (c), if applicable. A municipal court may order the payment of restitution under s. 755.045 (3). If the defendant is not present, the court shall ensure that the information is sent to the defendant by mail. In 1st class cities, all of the written information required by this paragraph shall be printed in English and Spanish and provided to each defendant.

SECTION 3555. 800.09 (1) (c) of the statutes is amended to read:

800.09 (1) (c) The court may suspend the defendant's operating privilege, as defined in s. 340.01 (40), until the judgment and any restitution order under par. (a) is paid, if the defendant has not paid the judgment and restitution within 60 days after the date on which payment is ordered under par. (a) and has not notified the court that he or she is unable to pay the judgment, as provided under s. 800.095 (4) (a), except that the suspension period may not exceed 5 years. The court shall take possession of the suspended license and shall forward the license, along with a notice of the suspension clearly stating that the suspension is for failure to pay a forfeiture ordered by the court, to the department of transportation. If required by s. 345.54 (1), the court shall impose an automatic reinstatement assessment of \$50.

SECTION 3556c. 800.09 (2) (b) of the statutes is amended to read:

800.09 (2) (b) If the person charged fails to appear personally or by an attorney at the time fixed for hearing of the case, the defendant may be deemed to have entered a plea of no contest and the money deposited, if any, or such portion thereof as the court determines to be an adequate penalty, plus the penalty assessment, and jail assessment and any applicable domestic abuse assessment plus costs, including the fee prescribed in s. 814.65 (1), may be declared forfeited by the court or may be ordered applied upon the payment of any penalty which may be imposed, together with the penalty assessment, and jail assessment and any applicable domestic abuse assessment plus costs. In either event, any remaining money shall be refunded to the person who made the deposit.

SECTION 3556d. 800.09 (2) (b) of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

800.09 (2) (b) If the person charged fails to appear personally or by an attorney at the time fixed for hearing of the case, the defendant may be deemed to have entered a plea of no contest and the money deposited, if any, or such portion thereof as the court determines to be an adequate penalty, plus the penalty assessment, jail assessment and automatic reinstatement assessment and any applicable domestic abuse assessment plus costs, including the fee prescribed in s. 814.65 (1), may be declared forfeited by the court or may be ordered applied upon the payment of any penalty which may be imposed, together with the penalty assessment, jail assessment and automatic reinstatement assessment and any applicable domestic abuse assessment plus costs. In either event, any remaining money shall be refunded to the person who made the deposit.

SECTION 3557c. 800.10 (2) of the statutes is amended to read:

800.10 (2) All forfeitures, fees, penalty assessments, domestic abuse assessments and costs paid to a municipal court under a judgment before a municipal judge shall be paid to the municipal treasurer within 7 days after receipt of the money by a municipal judge or other court personnel. At the time of the payment, the municipal judge shall report to the municipal treasurer the title of the action, the offense for which a forfeiture was imposed and the total amount of the forfeiture, fees, penalty assessments, domestic abuse assessments and costs, if any. The treasurer shall disburse the fees as provided in s. 814.65 (1). All jail assessments paid to a municipal court under a judgment before a municipal judge shall be paid to the county treasurer within 7 days after receipt of the money by a municipal judge or other court personnel.

SECTION 3557d. 800.10 (2) of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

800.10 (2) All forfeitures, fees, penalty assessments, domestic abuse assessments and costs paid to a municipal court under a judgment before a municipal judge shall be paid to the municipal treasurer within 7 days after receipt of the money by a municipal judge or other court personnel. At the time of the payment, the municipal judge shall report to the municipal treasurer the title of the action, the offense for which a forfeiture was imposed and the total amount of the forfeiture, fees, penalty assessments, domestic abuse assessments and costs, if any. The treasurer shall disburse the fees as provided in s. 814.65 (1). All jail assessments and automatic reinstatement assessments paid to a municipal court under a judgment before a municipal judge shall be paid to the county treasurer within 7 days after receipt of the money by a municipal judge or other court personnel.

SECTION 3558c. 800.12 (2) of the statutes is amended to read:

800.12 (2) A municipality may by ordinance provide that a municipal judge may impose a forfeiture for contempt under sub. (1) in an amount not to exceed \$50 or, upon nonpayment of the forfeiture, penalty assessment under s. 165.87 and jail assessment under s. 302.46 and any applicable domestic abuse assessment under s. 973.055 (1), a jail sentence not to exceed 7 days.

SECTION 3558d. 800.12 (2) of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

800.12 (2) A municipality may by ordinance provide that a municipal judge may impose a forfeiture for contempt under sub. (1) in an amount not to exceed \$50 or, upon nonpayment of the forfeiture, penalty assessment under s. 165.87, jail assessment under s. 302.46 and automatic reinstatement assessment under s. 345.54 (1) and any applicable domestic abuse assessment under s. 973.055 (1), a jail sentence not to exceed 7 days.

SECTION 3558k. 806.11 (intro.) of the statutes is amended to read:

806.11 (title) Delinquent income or franchise tax docket. (intro.) At the time of filing the warrant provided by s. 71.74 (14) or 71.91 (5), the clerk shall enter in the delinquent income or franchise tax docket, either arranged alphabetically or accompanied by an alphabetical index, a docket of such warrant containing:

SECTION 3558m. 806.11 (1) of the statutes is amended to read:

806.11 (1) The name of each delinquent income or franchise tax debtor, with place of residence if it is stated in the warrant.

SECTION 3558p. 806.11 (4) of the statutes is amended to read:

806.11 (4) The amount of delinquent income or franchise taxes with interest, penalties and costs as set forth in the warrant.

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SECTION 3558t. 808.04 (5) of the statutes is amended to read:

808.04 (5) A person imprisoned or in the intensive sanctions program on a criminal sentence against whom a civil final judgment or order is rendered has 120 days in which to appeal the civil judgment or order.

SECTION 3558w. 809.31 (1) of the statutes is amended to read:

809.31 (1) A defendant convicted of a felony who is seeking relief from a conviction and sentence of imprisonment or to the intensive sanctions program and who seeks release on bond pending a determination of a motion or appeal shall file in the trial court a motion seeking release.

SECTION 3558wh. 813.125 (3) (a) (intro.) and 2 of the statutes are amended to read:

813.125 (3) (a) (intro.) A judge or court commissioner may issue a temporary restraining order ordering the respondent to cease or avoid the harassment of another person, if all of the following occur:

2. The judge or court commissioner finds reasonable grounds to believe that the respondent has violated s. 947.013.

SECTION 3558wj. 813.125 (3) (c) of the statutes is amended to read:

813.125 (3) (c) The temporary restraining order is in effect until a hearing is held on issuance of an injunction under sub. (4). A judge or court commissioner shall hold a hearing on issuance of an injunction within 7 days after the temporary restraining order is issued, unless the time is extended upon the written consent of the parties or extended once for 7 days upon a finding that the respondent has not been served with a copy of the temporary restraining order although the petitioner has exercised due diligence.

SECTION 3558wm. 813.125 (4) (a) (intro.) and 3 of the statutes are amended to read:

813.125 (4) (a) (intro.) A judge or court commissioner may grant an injunction ordering the respondent to cease or avoid the harassment of another person, if all of the following occur:

3. After hearing, the judge or court commissioner finds reasonable grounds to believe that the respondent has violated s. 947.013.

SECTION 3559. 814.04 (intro.) of the statutes is amended to read:

814.04 Items of costs. (intro.) Except as provided in ss. 93.20, 814.025, 814.245, 895.035 (4) and 895.75 (3), when allowed costs shall be as follows:

SECTION 3560. 814.16 of the statutes is amended to read:

814.16 Settlement, costs on. Upon Except as provided in s. 93.20, upon settlement of an action no greater sum shall may be demanded for costs than at the rate prescribed in this chapter.

Vetoed in Part SECTION 3560g. 814.22 (1) (b) of the statutes is amended to read:

~~814.22 (1) (b) The per diem fees of the petit jurors actually in attendance upon said court charged to the county.~~

Vetoed in Part

~~SECTION 3560j. 814.22 (1) (e) of the statutes is repealed.~~

~~SECTION 3560m. 814.51 of the statutes is amended to read:~~

~~**814.51 Jury fees; discretion of court.** The court shall have discretionary authority in any civil or criminal action or proceeding triable by jury to assess the entire cost of one day's juror fees for a jury, including all mileage costs, against either the plaintiff or defendant or to divide the cost and assess the cost against both plaintiff and defendant, or additional parties plaintiff or defendant, if a jury demand has been made in any case and if a jury demand is later withdrawn within 2 business days prior to the time set by the court for the commencement of the trial. The party assessed shall be required to make payment to the clerk of circuit court within a prescribed period and the payment thereof shall be enforced by contempt proceedings. Assessments made and collected after June 30, 1993, shall be sent by the clerk of circuit court to the county treasurer, who shall send the funds to the state treasurer.~~

SECTION 3561. 814.60 (2) (aj) of the statutes is created to read:

814.60 (2) (aj) Automatic reinstatement assessment imposed by s. 345.54 (1);

SECTION 3561m. 814.60 (2) (cs) of the statutes is created to read:

814.60 (2) (cs) Environmental assessment imposed by 144.992.

SECTION 3562. 814.60 (2) (em) of the statutes is created to read:

814.60 (2) (em) Wild animal protection assessment imposed by s. 29.9965.

SECTION 3562d. 814.61 (1) (a) 2 of the statutes is amended to read:

814.61 (1) (a) 2. Beginning with fees imposed on September 1, 1989, and ending with fees imposed on June 30 December 31, 1993, at the commencement of all civil actions and special proceedings not specified in ss. 814.62 to 814.66, \$75. Of the fees received by the clerk under this subdivision, the county treasurer shall pay \$45 to the state treasurer for deposit in the general fund and shall retain the balance for the use of the county. The state treasurer shall credit \$15 of the \$45 to the appropriation under s. 20.680 (2) (j).

SECTION 3562f. 814.61 (3) (b) of the statutes is amended to read:

814.61 (3) (b) Beginning with the fees imposed on September 1, 1989, and ending with fees imposed on June 30 December 31, 1993, when any defendant files a 3rd-party complaint, the defendant shall pay a fee of \$45. The defendant shall pay only one such \$45 fee in an action. Of the fees received by the clerk under this paragraph, the county treasurer shall pay \$25 to the

state treasurer for deposit in the general fund and shall retain the balance for the use of the county. The state treasurer shall credit \$5 of the \$25 to the appropriation under s. 20.680 (2) (j).

SECTION 3562h. 814.61 (8) (am) (intro.) of the statutes is amended to read:

814.61 (8) (am) (intro.) Beginning with the fees imposed on September 1, 1989, and ending on ~~June 30~~ December 31, 1993, on appeal from municipal court or on review of any administrative decision, including an appeal from a commission's award in a condemnation action under ch. 32:

SECTION 3562hm. 814.61 (12) (b) (intro.) of the statutes is amended to read:

814.61 (12) (b) *Maintenance payments and support.* (intro.) For receiving and disbursing money deposited as payment for maintenance payments, child support or family support payments, under interim or final orders in an action affecting the family, an annual fee of ~~\$10 up to \$25~~ to be paid by ~~the each~~ each party ordered to make payments. The court shall order each party ordered to make payments to pay the annual fee to be paid for each order at the time of, and in addition to, the first payment to the clerk in each year for which payments are ordered. At the time of ordering the payment of an annual fee, the court shall notify each party ordered to make payments of the requirement to pay the annual fee for each order and of the amount of the annual fee. If the annual fee is not paid when due, the clerk shall not deduct the annual fee from the maintenance or support payment, but:

SECTION 3562hi. 814.61 (12) (b) 2 of the statutes is repealed.

SECTION 3562hj. 814.61 (12) (cm) of the statutes is created to read:

814.61 (12) (cm) *Maximum receiving and disbursing fee.* Beginning on the effective date of this paragraph [revisor inserts date], the cumulative total for all annual fees owed by a party for each order but not paid to the clerk under par. (b) may increase only by any unpaid annual fee due from that party for that order under par. (b).

SECTION 3562j. 814.62 (1) (b) of the statutes is amended to read:

814.62 (1) (b) Beginning with fees imposed on September 1, 1989, and ending with fees imposed on ~~June 30~~ December 31, 1993, the fee for commencing a garnishment action under ch. 812, including actions under s. 799.01 (1) (d) 2, is \$20. Of the fees received by the clerk under this paragraph, the county treasurer shall pay \$12.50 to the state treasurer for deposit in the general fund and shall retain the balance for the use of the county. The state treasurer shall credit \$5 of the \$12.50 to the appropriation under s. 20.680 (2) (j).

SECTION 3562m. 814.62 (3) (a) 2 of the statutes is amended to read:

814.62 (3) (a) 2. Beginning with the fees imposed on September 1, 1989, and ending with the fees imposed

on ~~June 30~~ December 31, 1993, in a small claims action under ch. 799, at the time of issuance of a summons or other process in a proceeding not commenced by a summons, the plaintiff shall pay to the clerk of court a fee of \$22.

SECTION 3562p. 814.62 (3) (d) 2 of the statutes is amended to read:

814.62 (3) (d) 2. Beginning with the fees imposed on September 1, 1989, and ending with the fees imposed on ~~June 30~~ December 31, 1993, of the fees received by the clerk under par. (a) 2, the county treasurer shall pay \$11.80 to the state treasurer for deposit in the general fund and shall retain the balance for the use of the county. The state treasurer shall credit the \$11.80 to the appropriation under s. 20.680 (2) (j).

SECTION 3562q. 814.62 (3) (d) 3 of the statutes is amended to read:

814.62 (3) (d) 3. Beginning with the fees imposed on September 1, 1989, and ending with the fees imposed on ~~June 30~~ December 31, 1993, of the fees received by the clerk under par. (b), the county treasurer shall pay \$27.20 to the state treasurer for deposit in the general fund and shall retain the balance for the use of the county. The state treasurer shall credit \$10 of the \$27.20 to the appropriation under s. 20.680 (2) (j).

SECTION 3562s. 814.63 (1) (b) of the statutes, as affected by 1991 Wisconsin Act (Senate Bill 7), is amended to read:

814.63 (1) (b) Beginning with the fees imposed on September 1, 1989, and ending on ~~June 30~~ December 31, 1993, in all forfeiture actions in circuit court, the clerk of court shall collect a fee of \$20 to be paid by the defendant when judgment is entered against the defendant.

SECTION 3563. 814.63 (3) (a) of the statutes is amended to read:

814.63 (3) (a) Penalty assessment imposed by s. 165.87 $\frac{1}{2}$.

SECTION 3564. 814.63 (3) (ag) of the statutes is amended to read:

814.63 (3) (ag) Jail assessment imposed by s. 302.46 (1) $\frac{1}{2}$.

SECTION 3565. 814.63 (3) (aj) of the statutes is created to read:

814.63 (3) (aj) Automatic reinstatement assessment imposed by s. 345.54 (1).

SECTION 3565c. 814.63 (3) (ar) of the statutes is created to read:

814.63 (3) (ar) Domestic abuse assessment imposed by s. 973.055 (1).

SECTION 3566. 814.63 (3) (b) of the statutes is amended to read:

814.63 (3) (b) Driver improvement surcharge imposed by s. 346.655 $\frac{1}{2}$.

SECTION 3567. 814.63 (3) (bm) of the statutes is amended to read:

814.63 (3) (bm) Uninsured employer assessment imposed by s. 102.85 (4);.

SECTION 3567m. 814.63 (3) (bs) of the statutes is created to read:

814.63 (3) (bs) Environmental assessment imposed by s. 144.992.

SECTION 3568. 814.63 (3) (c) of the statutes is amended to read:

814.63 (3) (c) Natural resources assessment imposed by s. 29.997; and.

SECTION 3569. 814.63 (3) (e) of the statutes is created to read:

814.63 (3) (e) Wild animal protection assessment imposed by s. 29.9965.

SECTION 3570. 814.63 (3) (eg) of the statutes is created to read:

814.63 (3) (eg) Fishing shelter removal assessment imposed by s. 29.9967.

SECTION 3571. 814.63 (3) (er) of the statutes is created to read:

814.63 (3) (er) Snowmobile registration restitution payment imposed by s. 350.115.

SECTION 3572. 814.635 (1) of the statutes, as affected by 1989 Wisconsin Act 22, section 7v, and 1991 Wisconsin Act (Senate Bill 7), is amended to read:

814.635 (1) Except for an action for a safety belt use violation under s. 347.48 (2m), the clerk of circuit court shall charge and collect a \$1 ~~\$3~~ court automation fee from any person, including any governmental unit as defined in s. 108.02 (17), paying a fee under s. 814.61 (1) (a), (3) or (8) (a) 1 or 2, 814.62 (1), (2) or (3) (a) or (b) or 814.63 (1). The court automation fee is in addition to the other fees listed in this subsection.

SECTION 3573. 814.635 (2) of the statutes is amended to read:

814.635 (2) The clerk shall pay the moneys collected under sub. (1) to the county treasurer under s. 59.395 (5). The county treasurer shall pay those moneys to the state treasurer under s. 59.20 (11) ~~for deposit in the general fund.~~

SECTION 3573d. 815.18 (14) of the statutes is repealed.

SECTION 3573m. 853.40 (3) (b) of the statutes is amended to read:

853.40 (3) (b) Notwithstanding par. (a), any disclaimer which meets the requirements of section 2518 of the U.S. internal revenue code of 1954, or any other provisions of federal law, constitutes an effective disclaimer under this section.

SECTION 3573p. 859.02 (2) (a) of the statutes is amended to read:

859.02 (2) (a) It is a claim based on tort or on Wisconsin income, franchise, sales, withholding, gift, inheritance or estate taxes, a claim for funeral or administrative expenses or a claim of the United States; or

SECTION 3573r. 859.02 (2) (a) of the statutes, as affected by 1989 Wisconsin Act 96, and 1991 Wisconsin Act (this act), is repealed and recreated to read:

859.02 (2) (a) It is a claim based on tort or on Wisconsin income, franchise, sales, withholding, gift or death taxes, a claim for funeral or administrative expenses or a claim of the United States; or

SECTION 3574. 859.07 (2) of the statutes is amended to read:

859.07 (2) If the decedent was at the time of death or at any time prior thereto a patient or inmate of any state or county hospital or institution or any person responsible for any obligation owing to the state or county under s. 46.03 (18), 46.10 or 48.36 or if the decedent or the spouse of the decedent ever received medical assistance under ss. 49.45 to 49.47, the personal representative shall send notice in writing of the date set under s. 859.01 by registered or certified mail to the department of health and social services or the department of corrections, as applicable, and the county clerk of the applicable county not less than 30 days before the date set under s. 859.01, upon such blanks and containing such information as the applicable department or county clerk may provide. The applicable county is the county of residence, as defined in s. 49.01 (8g).

SECTION 3575. 867.035 of the statutes is created to read:

867.035 Transfer by affidavit; recipients of medical assistance. (1) The department of health and social services may collect the funds of a decedent who received medical assistance under ss. 49.45 to 49.47 after attaining age 65 or while residing in a nursing home, as defined in s. 50.01 (3), and who dies after September 30, 1991, if all of the following conditions are satisfied:

(a) No person files a petition for administration or summary settlement of the decedent's estate within 90 days of death.

(b) The decedent is not survived by a spouse, a child who is under age 21 or a child who is disabled, as defined in s. 49.468 (1) (a) 1.

(c) The decedent leaves no property other than cash, including the residue of any burial trust account.

(d) The value of the property left by the decedent, after payment of burial costs, does not exceed the lesser of the following:

1. The amount under s. 49.47 (4) (b) 3g. e.

2. The total of the amount of medical assistance benefits paid on behalf of the decedent after the decedent attained age 65 plus the amount of medical assistance benefits paid on behalf of the decedent while the decedent resided in a nursing home.

(2) A person possessing funds of a decedent shall pay the funds to the department of health and social services upon receipt of an affidavit by a person designated by the secretary of health and social services to administer this section showing that the conditions in sub. (1) are satisfied. Upon payment, the person is

released from any obligation to other creditors or heirs of the decedent. The department of health and social services shall provide a copy of the affidavit to the department of revenue.

(3) If a person has a valid claim against the decedent's estate that would have a higher priority under s. 859.25 (1) if the estate were administered than the department of health and social services would have under s. 859.25 (1) (e) and the person demands payment in writing within one year of the date the funds were collected by the department, the department shall pay to the person the amount collected under sub. (2) or the amount of the claim, whichever is less. The department of health and social services shall notify the department of revenue of a payment under this subsection.

(4) From the appropriation under s. 20.435 (1) (im), the department of health and social services shall pay claims under sub. (3), shall pay to the federal government the amount of the funds recovered under this section equal to the amount of federal funds used to pay the benefits recovered under this section that are not paid out as claims under sub. (3) and shall spend the remainder of the funds recovered under this section for medical assistance benefits administered under s. 49.45.

Vetoed
in Part

~~SECTION 3575m. 879.23 (4) (d) of the statutes is amended to read:~~

~~879.23 (4) (d). The guardian ad litem may be allowed reasonable compensation at the rate set by SCR 81.02 (1) and may be allowed reimbursement for necessary disbursements, the amount of which shall be set by the court and paid out of the estate.~~

~~SECTION 3576. 880.33 (2) (a) 2 of the statutes is amended to read:~~

~~880.33 (2) (a) 2. If the person requests but is unable to obtain legal counsel, the court shall refer the person to the authority for indigency determinations specified under s. 977.07 (1), appoint legal counsel.~~

~~3. If the person is indigent, the county of legal settlement shall be the county liable for guardian ad litem any fees, if any due the guardian ad litem and the person's legal counsel.~~

Vetoed
in Part

~~SECTION 3576d. 880.33 (2) (a) 3 of the statutes, as affected by 1991 Wisconsin Act ... (this act), is repealed and recreated to read:~~

~~880.33 (2) (a) 3. If the person is indigent, the state shall be liable for any fees due to the guardian ad litem and the person's legal counsel.~~

~~SECTION 3576f. 880.331 (8) of the statutes is amended to read:~~

~~880.331 (8) Fees. On order of the court the guardian ad litem appointed under this chapter shall be allowed reasonable compensation, at the rate set by SCR 81.02 (1), to be paid by the county of venue state, unless the court otherwise directs.~~

Vetoed
in Part

~~SECTION 3576g. 885.01 (4) of the statutes is amended to read:~~

~~885.01 (4). By any arbitrator, coroner, medical examiner, board, commission, commissioner, examiner, committee or other person authorized to take testimony, or by any member of a board, commission, authority or committee which is authorized to take testimony, within their jurisdictions, to require the attendance of witnesses, and their production of documentary evidence before them, respectively, in any matter, proceeding or examination authorized by law, and likewise by the secretary of revenue and by any agent of the department of agriculture, food and trade and consumer protection.~~

Vetoed
in Part

~~SECTION 3576h. 885.08 of the statutes is amended to read:~~

~~885.08 State witnesses in criminal cases, how paid. The fees of witnesses on the part of the state in every criminal action or proceeding, and of every person who is committed to jail in default of security for his or her appearance as a witness, shall be paid by the county in which the action or proceeding is had state. The clerk of the court upon proof of his or her attendance, travel or confinement shall give each such witness or person a certificate of the number of days attendance or confinement, the number of miles traveled, and the amount of compensation due him or her, which certificate shall be receipted for by such witness or person, and the county treasurer state shall pay the amount thereof on surrender of the certificate.~~

Vetoed
in Part

~~SECTION 3576j. 885.09 of the statutes is amended to read:~~

~~885.09 Compensation of nonresident or indigent witness. If a witness attends a court of record in behalf of the state and it appears that the witness came from outside this state or is indigent, the court may order that the witness be paid a specific reasonable sum for expenses and attendance, in lieu of fees. The clerk shall give a certificate for the sum, with a copy of the order affixed, and the certificate shall be paid as other court certificates are paid by the state.~~

~~SECTION 3576L. 891.39 (1) (b) of the statutes is amended to read:~~

~~891.39 (1) (b). In actions affecting the family, in which the question of paternity is raised, and in paternity proceedings, the court, upon being satisfied that the parties to the action are unable to adequately compensate any such guardian ad litem for his or her services and expenses, shall then make an order specifying the guardian's fee and expenses, which fee and expenses shall be paid as provided in s. 962.06 by the state.~~

~~SECTION 3576m. 893.33 (5) of the statutes is amended to read:~~

~~893.33 (5) This section bars all claims to an interest in real property, whether rights based on marriage, remainders, reversions and reverter clauses in covenants restricting the use of real estate, mortgage liens, old tax deeds, inheritance, gift and income or franchise tax liens, rights as heirs or under will, or any~~

claim of any nature, however denominated, and whether such claims are asserted by a person sui juris or under disability, whether such person is within or without the state, and whether such person is natural or corporate, or private or governmental, unless within the 30-year period provided by sub. (2) there has been recorded in the office of the register of deeds some instrument expressly referring to the existence of the claim, or a notice pursuant to this section. This section does not apply to any action commenced or any defense or counterclaim asserted, by any person who is in possession of the real estate involved as owner at the time the action is commenced. This section does not apply to any real estate or interest in real estate while the record title to the real estate or interest in real estate remains in a railroad corporation, a public service corporation as defined in s. 184.01, an electric cooperative organized and operating on a nonprofit basis under ch. 185, or any trustee or receiver of a railroad corporation, a public service corporation or an electric cooperative, or to claims or actions founded upon mortgages or trust deeds executed by that cooperative or corporation, or trustees or receivers of that cooperative or corporation. This section also does not apply to real estate or an interest in real estate while the record title to the real estate or interest in real estate remains in the state or a political subdivision or municipal corporation of this state.

SECTION 3576n. 893.33 (5) of the statutes, as affected by 1987 Wisconsin Acts 27 and 330 and 1991 Wisconsin Act (this act), is repealed and recreated to read:

893.33 (5) This section bars all claims to an interest in real property, whether rights based on marriage, remainders, reversions and reverter clauses in covenants restricting the use of real estate, mortgage liens, old tax deeds, death and income or franchise tax liens, rights as heirs or under will, or any claim of any nature, however denominated, and whether such claims are asserted by a person sui juris or under disability, whether such person is within or without the state, and whether such person is natural or corporate, or private or governmental, unless within the 30-year period provided by sub. (2) there has been recorded in the office of the register of deeds some instrument expressly referring to the existence of the claim, or a notice pursuant to this section. This section does not apply to any action commenced or any defense or counterclaim asserted, by any person who is in possession of the real estate involved as owner at the time the action is commenced. This section does not apply to any real estate or interest in real estate while the record title to the real estate or interest in real estate remains in a railroad corporation, a public service corporation as defined in s. 184.01, an electric cooperative organized and operating on a nonprofit basis under ch. 185, or any trustee or receiver of a railroad corporation, a public service corporation or an electric cooperative, or to claims or actions founded upon mortgages or trust deeds executed by that cooperative

or corporation, or trustees or receivers of that cooperative or corporation. This section also does not apply to real estate or an interest in real estate while the record title to the real estate or interest in real estate remains in the state or a political subdivision or municipal corporation of this state.

SECTION 3579. 893.82 (1) (a) of the statutes is renumbered 893.82 (1).

SECTION 3580. 893.82 (1) (b) of the statutes is repealed.

SECTION 3582. 893.82 (2m) of the statutes is created to read:

893.82 (2m) No claimant may bring an action against a state officer, employe or agent unless the claimant complies strictly with the requirements of this section.

SECTION 3583. 895.44 of the statutes is amended to read:

895.44 Exemption from civil liability for furnishing safety inspection or advisory services. The furnishing of, or failure to furnish, safety inspection or advisory services intended to reduce the likelihood of injury, death or loss shall not subject the a state officer, employe or agent, or an insurer, its the insurer's agent or employe undertaking to perform such services as an incident to insurance, to liability for damages from injury, death or loss occurring as a result of any act or omission in the course of such the safety inspection or advisory services. This section shall not apply if the active negligence of the state officer, employe or agent, or of the insurer, its the insurer's agent or employe created the condition which that was the proximate cause of injury, death or loss, nor shall it. This section shall not apply to such an insurer, the insurer's agent or employe performing the safety inspection or advisory services when required to be performed do so under the provisions of a written service contract.

SECTION 3586g. 895.51 (5) of the statutes is repealed.

SECTION 3587. 905.04 (4) (h) of the statutes is amended to read:

905.04 (4) (h) (title) *Reporting wounds and burn injuries.* There is no privilege regarding information contained in a report under s. 146.995 pertaining to a patient's name and type of wound or burn injury.

~~SECTION 3587m. 908.03 (6m) (c) 3 of the statutes, as affected by supreme court order effective January 1, 1991, is amended to read:~~

~~908.03 (6m) (c) 3. If upon a properly authorized request of an attorney, the health care provider refuses, fails or neglects to supply within 2 business days a legible certified duplicate of its records at a rate of \$5 per request or 10 cents per record page and \$2 per X-ray copy, whichever is greater for a fee which may not exceed any actual direct and necessary costs incurred by the health care provider for processing the request and locating, reproducing and mailing the records.~~

Vetoed
in Part

Vetoed
in Part

~~SECTION 3588c. 940.20 (5) of the statutes is created to read:~~

~~940.20 (5) BATTERY TO SPORTS OFFICIALS. (a) In this subsection, "sports official" means any person who officiates or keeps the official time or score at an athletic contest at any level of competition in this state.~~

~~(b) Whoever intentionally causes bodily harm to a person who he or she knows or has reason to know is a sports official and the harm occurs during or within 24 hours before or after an athletic contest in which the sports official officiates or keeps the official time or score, without the consent of the person injured, is guilty of a Class E felony.~~

~~SECTION 3588m. 941.298 of the statutes is created to read:~~

~~941.298 Firearm silencers. (1) In this section, "firearm silencer" means any device for silencing, muffling or diminishing the report of a portable firearm, including any combination of parts, designed or redesigned, and intended for use in assembling or fabricating such a device, and any part intended only for use in that assembly or fabrication.~~

~~(2) Whoever sells, delivers or possesses a firearm silencer is guilty of a Class E felony.~~

~~(3) Subsection (2) does not apply to sales or deliveries of firearm silencers to or possession of firearm silencers by any of the following:~~

~~(a) Any peace officer who is acting in compliance with the written policies of the officer's department or agency. This paragraph does not apply to any officer whose department or agency does not have such a policy.~~

~~(b) Any armed forces or national guard personnel, while in the line of duty.~~

~~(c) Any person who has complied with the licensing and registration requirements under 26 USC 5801 to 5872.~~

~~SECTION 3595c. 943.013 of the statutes is created to read:~~

Vetoed
in Part

~~943.013 Demolition of historic building without authorization. (1) In this section, "historic building" means any building or structure listed on, or any building or structure within and contributing to a historic district listed on, the national register of historic places in Wisconsin or the state register of historic places or any building or structure included on a list of historic places designated by a city, village, town or county.~~

~~(2) Whoever intentionally demolishes a historic building without a permit issued by a city, village, town or county or without an order issued under s. 66.05 is guilty of a Class E felony.~~

~~SECTION 3596c. 943.20 (3) (a) of the statutes is amended to read:~~

~~943.20 (3) (a) If the value of the property does not exceed \$500 \$1,000, is guilty of a Class A misdemeanor.~~

SECTION 3598c. 943.20 (3) (b) of the statutes is amended to read:

943.20 (3) (b) If the value of the property exceeds \$500 \$1,000 but not \$2,500, is guilty of a Class E felony.

SECTION 3599c. 943.21 (3) (a) of the statutes is amended to read:

943.21 (3) (a) Is guilty of a Class A misdemeanor when the value of any food, lodging, accommodation or other service is \$500 \$1,000 or less.

SECTION 3601c. 943.21 (3) (b) of the statutes is amended to read:

943.21 (3) (b) Is guilty of a Class E felony when the value of any food, lodging, accommodation or other service exceeds \$500 \$1,000.

SECTION 3602c. 943.24 (1) of the statutes is amended to read:

943.24 (1) Whoever issues any check or other order for the payment of money ~~less~~ not more than \$500 \$1,000 which, at the time of issuance, he or she intends shall not be paid is guilty of a Class A misdemeanor.

SECTION 3604c. 943.24 (2) of the statutes is amended to read:

943.24 (2) Whoever issues any single check or other order for the payment of \$500 ~~or more than \$1,000~~ or whoever within a 15-day period issues more than one check or other order amounting in the aggregate to \$500 ~~or more than \$1,000~~ which, at the time of issuance, the person intends shall not be paid is guilty of a Class E felony.

SECTION 3607c. 943.34 (1) (a) of the statutes is amended to read:

943.34 (1) (a) A Class A misdemeanor, if the value of the property does not exceed \$500 \$1,000.

SECTION 3608c. 943.34 (1) (b) of the statutes is amended to read:

943.34 (1) (b) A Class E felony, if the value of the property exceeds \$500 \$1,000 but not more than \$2,500.

SECTION 3613c. 943.395 (2) (a) of the statutes is amended to read:

943.395 (2) (a) Is guilty of a Class A misdemeanor if the value of the claim or benefit does not exceed \$500 \$1,000.

SECTION 3615c. 943.395 (2) (b) of the statutes is amended to read:

943.395 (2) (b) Is guilty of a Class E felony if the value of the claim or benefit exceeds \$500 \$1,000.

SECTION 3617c. 943.41 (8) (c) of the statutes is amended to read:

943.41 (8) (c) Any person violating any provision of sub. (5) or (6) (a), (b) or (d), if the value of the money, goods, services or property illegally obtained does not exceed \$500 \$1,000 is guilty of a Class A misdemeanor; if the value of the money, goods, services or property exceeds \$500 \$1,000 but does not exceed

\$2,500, in a single transaction or in separate transactions within a period not exceeding 6 months, the person is guilty of a Class E felony; or if the value of the money, goods, services or property exceeds \$2,500, the person is guilty of a Class C felony.

SECTION 3618c. 943.45 (3) (a) of the statutes is amended to read:

943.45 (3) (a) A Class A misdemeanor, if the charges for the service obtained, or attempted to be obtained, do not exceed ~~\$500~~ \$1,000.

SECTION 3619c. 943.45 (3) (b) of the statutes is amended to read:

943.45 (3) (b) A Class E felony, if the charges for the service obtained, or attempted to be obtained, exceed ~~\$500~~ \$1,000.

SECTION 3619m. 943.455 of the statutes is created to read:

943.455 Theft of cellular telephone service. (1) DEFINITIONS. In this section:

(a) "Cellular telephone service" means any telecommunications service provided by a company over a cellular telephone system for payment.

(b) "Company" means a cellular mobile radio telecommunications utility as defined in s. 196.202 (1).

(2) PROHIBITIONS. No person may intentionally do any of the following:

(a) Obtain or attempt to obtain cellular telephone service from a company by trick, artifice, deception, use of an illegal device or other fraudulent means with the intent to deprive that company of any or all lawful compensation for rendering each type of service obtained. The intent required for a violation of this paragraph may be inferred from the presence on the property and in the actual possession of the defendant of a device not authorized by the company, the major purpose of which is to permit reception of cellular telephone services without payment. This inference is rebutted if the defendant demonstrates that he or she purchased that device for a legitimate use or if the company cannot demonstrate that it notified the defendant, by mail using the procedure under sub. (3) (b), that he or she was obtaining or attempting to obtain cellular telephone service by means prohibited in this subsection and that at least 20 days thereafter the device was present on the property and in the actual possession of the defendant.

(b) Give technical assistance or instruction to any person in obtaining or attempting to obtain any cellular telephone service without payment of all lawful compensation to the company providing that service. This paragraph does not apply if the defendant demonstrates that the technical assistance or instruction was given for a legitimate purpose.

(c) Maintain an ability to connect, whether physical, electronic, by radio wave or by other means, with any facilities, components or other devices used for the transmission of cellular telephone services for the purpose of obtaining cellular telephone service without payment of all lawful compensation to the com-

pany providing that service. The intent required for a violation of this paragraph may be inferred from proof that the cellular telephone service to the defendant was authorized under a service agreement with the defendant and has been terminated by the company, that the company notified the defendant, by mail using the procedure under sub. (3) (b), of the termination and that at least 20 days thereafter there exists in fact an ability to connect to the company's cellular telephone system at the defendant's property.

(d) Make or maintain any modification or alteration to any device installed with the authorization of a company for the purpose of obtaining any service offered by that company which that person is not authorized by that company to obtain. The intent required for a violation of this paragraph may be inferred from proof that, as a matter of standard procedure, the company places written warning labels on its telecommunications devices explaining that tampering with the device is a violation of law and the device is found to have been tampered with, altered or modified so as to allow the reception of services offered by the company without authority to do so.

(e) Possess without authority any device designed to receive from a company any services offered for sale by that company, whether or not the services are encoded, filtered, scrambled or otherwise made unintelligible, or designed to perform or facilitate the performance of any of the acts under pars. (a) to (d) with the intent that that device be used to receive that company's services without payment. The intent required for a violation of this paragraph may be inferred from proof that the company has mailed to the defendant, using the procedure under sub. (3) (b), a written demand requesting the return of a company-owned device that was in the possession of the defendant at the time of mailing and from proof that the defendant has failed to return or make reasonable arrangements to return the device within 20 days after the notice has been mailed to the defendant. Intent to violate this paragraph for direct or indirect commercial advantage or private financial gain may be inferred from proof of the existence on the property and in the actual possession of the defendant of a device if the totality of circumstances, including quantities or volumes, indicates possession for resale.

(f) Manufacture, import into this state, distribute, publish, advertise, sell, lease or offer for sale or lease any device or any plan or kit for a device designed to receive cellular telephone services offered for sale by a company, whether or not the services are encoded, filtered, scrambled or otherwise made unintelligible, with the intent that that device, plan or kit be used for obtaining a company's services without payment. The intent required for a violation of this paragraph may be inferred from proof that the defendant has sold, leased or offered for sale or lease any device, plan or kit for a device in violation of this paragraph and during the course of the transaction for sale or lease the defendant expressly states or implies to the buyer that

the product will enable the buyer to obtain cellular telephone service without charge.

(3) CIVIL ACTIONS. (a) Any person who incurs injury because of conduct described in sub. (2) may bring a civil action under s. 801.02. At least 20 days before commencing an action, as specified in s. 801.02, under this subsection, the plaintiff shall notify the defendant, by mail using the procedure under par. (b), of his or her intent to bring the action. The notice shall include an explanation of the provisions of par. (c) and a statement explaining that if the defendant pays the actual damages sought by the plaintiff before the commencement of the action, the defendant may not be sued for damages under this subsection.

(b) Notice shall be sent by regular mail supported by an affidavit of service of mailing or by a certificate of mailing obtained from the U.S. post office from which the mailing was made. The plaintiff shall mail the notice to the defendant's last-known address.

(c) If the defendant is entitled to costs under s. 814.03 (1), the defendant shall recover as costs the greater of the following:

1. Costs computed under s. 814.03.
2. All reasonable costs of litigation before any appeal.

(4) PENALTIES. The following penalties apply for violations of this section:

(a) Except as provided in pars. (b) to (d), any person who violates sub. (2) (a) to (e) is subject to a Class C forfeiture.

(b) Except as provided in pars. (c) and (d), any person who violates sub. (2) (a) to (e) as a 2nd or subsequent offense is guilty of a Class B misdemeanor.

(c) Except as provided in par. (d), any person who violates sub. (2) (a) to (f) for direct or indirect commercial advantage or private financial gain is guilty of a Class E felony.

(d) Any person who violates sub. (2) (a) to (f) for direct or indirect commercial advantage or private financial gain as a 2nd or subsequent offense is guilty of a Class D felony.

(5) EXCEPTION. This section does not affect the use by a person of cellular telephone services if the services have been paid for.

SECTION 3620c. 943.50 (4) (a) of the statutes is amended to read:

943.50 (4) (a) A Class A misdemeanor, if the value of the merchandise does not exceed ~~\$500~~ \$1,000.

SECTION 3621c. 943.50 (4) (b) of the statutes is amended to read:

943.50 (4) (b) A Class E felony, if the value of the merchandise exceeds ~~\$500~~ \$1,000 but not \$2,500.

SECTION 3622c. 943.61 (5) (a) of the statutes is amended to read:

943.61 (5) (a) A Class A misdemeanor, if the value of the library materials does not exceed ~~\$500~~ \$1,000.

SECTION 3623c. 943.61 (5) (b) of the statutes is amended to read:

943.61 (5) (b) A Class E felony, if the value of the library materials exceeds ~~\$500~~ \$1,000 but not \$2,500.

~~SECTION 3623m. 945.01 (5) (b) 2. g. of the statutes is amended to read:~~

~~945.01 (5) (b) 2. g. To use a chance promotion exempt under s. 100.16 130.16 (2).~~

Vetoed
in Part

SECTION 3624m. 946.82 (4) of the statutes is amended to read:

946.82 (4) "Racketeering activity" means any activity specified in 18 USC 1961 (1) in effect as of April 27, 1982 or the attempt, conspiracy to commit, or commission of any of the felonies specified in: chs. 161 and 945 and ss. 49.49, 134.05, 139.44 (1), 180.0129, 181.69, 184.09 (2), 185.82 (4) [185.825], 215.12, 221.17, 221.31, 221.39, 221.40, 551.41, 551.42, 551.43, 551.44, 553.41 (3) and (4), 553.52 (2), 940.01, 940.19 (2) and (3), 940.20, 940.21, 940.30, 940.305, 940.31, 941.20 (2), 941.26, 941.28, 941.298, 941.31, 941.32, 943.01 (2), 943.012, 943.02, 943.03, 943.04, 943.05, 943.06, 943.10, 943.20 (3) (b) to (d), 943.23 (2) and (3), 943.24 (2), 943.25, 943.27, 943.28, 943.30, 943.32, 943.34 (1) (b) and (c), 943.38, 943.39, 943.40, 943.41 (8) (b) and (c), 943.50 (4) (b) and (c), 943.60, 943.70, 944.32, 944.33 (2), 944.34, 945.03, 945.04, 945.05, 945.08, 946.10, 946.11, 946.12, 946.13, 946.31, 946.32 (1), 946.48, 946.49, 946.61, 946.64, 946.65, 946.72, 946.76, 947.015, 948.05, 948.08, 948.12 and 948.30.

SECTION 3627. 947.012 (intro.) of the statutes is renumbered 947.012 (1) (intro.).

SECTION 3628. 947.012 (1) of the statutes is renumbered 947.012 (1) (a).

SECTION 3629. 947.012 (2) of the statutes is renumbered 947.012 (1) (b) and amended to read:

947.012 (1) (b) With intent to frighten, intimidate, threaten, or abuse, ~~harass or offend~~, telephones another and uses any obscene, lewd or profane language or suggests any lewd or lascivious act.

SECTION 3630. 947.012 (2) of the statutes is created to read:

947.012 (2) Whoever does any of the following is subject to a Class B forfeiture:

(a) With intent to harass or offend, telephones another and uses any obscene, lewd or profane language or suggests any lewd or lascivious act.

(d) Makes a telephone call, whether or not conversation ensues, without disclosing his or her identity and with intent to harass any person at the called number.

SECTION 3631. 947.012 (3) of the statutes is renumbered 947.012 (2) (b).

SECTION 3632. 947.012 (4) of the statutes is renumbered 947.012 (2) (c).

SECTION 3633. 947.012 (5) of the statutes is renumbered 947.012 (1) (c) and amended to read:

947.012 (1) (c) Makes a telephone call, whether or not conversation ensues, without disclosing his or her identity and with intent to abuse, or threaten or harass any person at the called number.

SECTION 3634. 947.012 (6) of the statutes is renumbered 947.012 (2) (e).

Vetoed in Part SECTION 3634g. 950.04 (9m) of the statutes is created to read:

950.04 (9m). To be provided with appropriate intervention services, including emotional support, that are needed as a result of the crime.

SECTION 3634h. 950.05 (1) (j) of the statutes is created to read:

950.05 (1) (j). Peer support groups, crisis counseling and related forms of emotional support.

SECTION 3634i. 950.08 of the statutes is created to read:

950.08 Hotline, information and mediation services.

(1) The department shall maintain a toll-free telephone number to provide crime victims and witnesses with all of the following services:

- (a) Information and referral to available services.
- (b) Crisis counseling and emotional support.
- (c) Assistance in securing resources and protection.

(2) The department shall provide an informational program to inform crime victims, the general public, criminal justice officials and related professionals about crime victim rights and services.

(3) The department may receive complaints, seek to mediate complaints and, with the consent of the involved parties, actually mediate complaints regarding the treatment of crime victims and witnesses by public officials, employees or agencies or under crime victim and witness assistance programs. The department may act as a liaison between crime victims or witnesses and others when seeking to mediate these complaints.

Vetoed in Part SECTION 3634j. 950.09 of the statutes is created to read:

950.09 Crisis intervention services; populous counties. (1) In each county having a population of 500,000 or more, the department shall provide crisis intervention services on a 24-hour per day basis to family members of homicide victims and to victims suffering bodily harm.

(2) The department may contract with a public agency or a private nonprofit agency to provide any of the services under sub. (1).

SECTION 3635r. 968.27 (14) (d) of the statutes is amended to read:

968.27 (14) (d) Transmitted over a communication system provided by a common carrier, including a cellular mobile radio telecommunications utility, as defined in s. 196.202 (1), unless the communication is a tone-only paging system communication.

SECTION 3636m. 971.16 (1) to (5) of the statutes are renumbered 971.16 (2) to (6) and amended to read:

971.16 (2) ~~Whenever~~ If the defendant has entered a plea of not guilty by reason of mental disease or defect or there is reason to believe that mental disease or defect of the defendant will otherwise become an issue in the case, the court may appoint at least one physician or at least one psychologist, but not more than 3 physicians or psychologists or combination thereof, to examine the defendant and to testify at the trial. The compensation of ~~such~~ the physicians or psychologists shall be fixed by the court and paid by the county upon the order of the court as part of the costs of the action. The receipt by any physician or psychologist summoned under this section of any other compensation than that so fixed by the court and paid by the county, or the offer or promise by any person to pay such other compensation, is unlawful and punishable as contempt of court. The fact that ~~such~~ the physician or psychologist has been appointed by the court shall be made known to the jury and ~~such~~ the physician or psychologist shall be subject to cross-examination by both parties.

(3) Not less than 10 days before trial, or ~~such~~ at any other time as that the court directs, any physician or psychologist appointed ~~pursuant to~~ under sub. (4) (2) shall file a report of his or her examination of the defendant with the judge, who shall cause copies to be transmitted to the district attorney and to counsel for the defendant. The contents of the report shall be confidential until the physician or psychologist has testified or at the completion of the trial. The report shall contain an opinion regarding the ability of the defendant to appreciate the wrongfulness of the defendant's conduct or to conform the defendant's conduct with the requirements of law at the time of the commission of the criminal offense charged and, if sufficient information is available to the physician or psychologist to reach an opinion, his or her opinion on whether the defendant needs medication or treatment and whether the defendant is not competent to refuse medication or treatment for the defendant's mental condition. The defendant is not competent to refuse medication or treatment if, because of mental illness, developmental disability, alcoholism or drug dependence, the defendant is incapable of expressing an understanding of the advantages and disadvantages of accepting medication or treatment, and the alternatives to accepting the particular medication or treatment offered, after the advantages, disadvantages and alternatives have been explained to the defendant.

(4) ~~Whenever~~ If the defendant wishes to be examined by a physician, psychologist or other expert of his or her own choice, the examiner shall be permitted to have reasonable access to the defendant for the purposes of examination. No testimony regarding the mental condition of the defendant shall be received from a physician, psychologist or expert witness summoned by the defendant unless not less than 3 days before trial a report of the examination has been transmitted to the district attorney and unless the prosecution has been afforded an opportunity to

examine and observe the defendant if ~~such~~ the opportunity has been seasonably demanded. The state may summon a physician, psychologist or other expert to testify, but ~~such~~ that witness shall not give testimony unless not less than 3 days before trial a written report of his or her examination of the defendant has been transmitted to counsel for the defendant.

(5) If a physician, psychologist or other expert who has examined the defendant testifies concerning the defendant's mental condition, he or she shall be permitted to make a statement as to the nature of his or her examination, his or her diagnosis of the mental condition of the defendant at the time of the commission of the offense charged, his or her opinion as to the ability of the defendant to appreciate the wrongfulness of the defendant's conduct or to conform to the requirements of law and, if sufficient information is available to the physician, psychologist or expert to reach an opinion, his or her opinion on whether the defendant needs medication or treatment and whether the defendant is not competent to refuse medication or treatment for the defendant's mental condition. Testimony concerning the defendant's need for medication or treatment and competence to refuse medication or treatment may not be presented before the jury that is determining the ability of the defendant to appreciate the wrongfulness of his or her conduct or to conform his or her conduct with the requirements of law at the time of the commission of the criminal offense charged. The physician, psychologist or other expert shall be permitted to make an explanation reasonably serving to clarify his or her diagnosis and opinion and may be cross-examined as to any matter bearing on his or her competency or credibility or the validity of his or her diagnosis or opinion.

(6) Nothing in this section shall require the attendance at the trial of any physician, psychologist or other expert witness for any purpose other than the giving of his or her testimony.

SECTION 3636p. 971.16 (1) of the statutes is created to read:

971.16 (1) In this section:

(a) "Physician" has the meaning given in s. 448.01 (5).

(b) "Psychologist" means a person holding a valid license under s. 455.04.

SECTION 3636t. 971.17 (1) of the statutes is amended to read:

971.17 (1) COMMITMENT PERIOD. When a defendant is found not guilty by reason of mental disease or mental defect, the court shall commit the person to the department of health and social services for a specified period not exceeding two-thirds of the maximum term of imprisonment that could be imposed under s. 973.15 (2) (a) against an offender convicted of the same crime or crimes, including imprisonment authorized by ss. 161.48, 939.62, 939.621, 939.63, 939.64, 939.641 and 939.645 and other penalty enhancement

statutes, as applicable, subject to the credit provisions of s. 973.155. If the maximum term of imprisonment is life, the commitment period specified by the court may be life, subject to termination under sub. (5).

SECTION 3637. 971.17 (2) (a) of the statutes is amended to read:

971.17 (2) (a) The court shall enter an initial commitment order under this section pursuant to a hearing held as soon as practicable after the judgment of not guilty by reason of mental disease or mental defect is entered. If the court lacks sufficient information to make the determination required by sub. (3) immediately after trial, it may adjourn the hearing and order the department of health and social services to conduct a predisposition investigation using the procedure in s. 972.15 or a supplementary mental examination or both, to assist the court in framing the commitment order.

SECTION 3637g. 971.17 (2) (e) of the statutes is amended to read:

971.17 (2) (e) The examiner appointed under par. (b) shall personally observe and examine the person. The examiner or facility shall have access to the person's past or present treatment records, as defined in s. 51.30 (1) (b), and patient health care records ~~under ss. 146.81 to 146.83, as provided under s. 146.82 (2) (c).~~ If the examiner believes that the person is appropriate for conditional release, the examiner shall report on the type of treatment and services that the person may need while in the community on conditional release.

SECTION 3637m. 971.17 (3) (b) and (c) of the statutes are amended to read:

971.17 (3) (b) If the state proves by clear and convincing evidence that the person is not competent to refuse medication or treatment for the person's mental condition, under the standard specified in s. 971.16 ~~(2)~~ (3), the court shall issue, as part of the commitment order, an order that the person is not competent to refuse medication or treatment for the person's mental condition and that whoever administers the medication or treatment to the person shall observe appropriate medical standards.

(c) If the court order specifies institutional care, the department of health and social services shall place the person in an institution under s. 51.37 (3) that the department considers appropriate in light of the rehabilitative services required by the person and the protection of public safety. If the person is not subject to a court order determining the person to be not competent to refuse medication or treatment for the person's mental condition and if the institution in which the person is placed determines that the person should be subject to such a court order, the institution may file with the court, with notice to the person and his or her counsel and the district attorney, a motion for a hearing, under the standard specified in s. 971.16 ~~(2)~~ (3), on whether the person is not competent to refuse medication or treatment. A report on which the motion is

based shall accompany the motion and notice of motion and shall include a statement signed by a licensed physician that asserts that the person needs medication or treatment and that the person is not competent to refuse medication or treatment, based on an examination of the person by a licensed physician. Within 10 days after a motion is filed under this paragraph, the court shall determine the person's competency to refuse medication or treatment for the person's mental condition. At the request of the person, his or her counsel or the district attorney, the hearing may be postponed, but in no case may the postponed hearing be held more than 20 days after a motion is filed under this paragraph. If the district attorney, the person and his or her counsel waive their respective opportunities to present other evidence on the issue, the court shall determine the person's competency to refuse medication or treatment on the basis of the report accompanying the motion. In the absence of these waivers, the court shall hold an evidentiary hearing on the issue. If the state proves by evidence that is clear and convincing that the person is not competent to refuse medication or treatment, under the standard specified in s. 971.16 (2) (3), the court shall order that the person is not competent to refuse medication or treatment for the person's mental condition and that whoever administers the medication or treatment to the person shall observe appropriate medical standards.

SECTION 3638. 971.17 (3) (e) of the statutes is amended to read:

971.17 (3) (e) An order for conditional release places the person in the custody and control of the department of health and social services. A conditionally released person is subject to the conditions set by the court and to the ~~control of the department of corrections under rules established for the supervision of parolees of the department of health and social services~~. Before a person is conditionally released by the court under this subsection, the court shall so notify the municipal police department and county sheriff for the area where the person will be residing. The notification requirement does not apply if a municipal department or county sheriff submits to the court a written statement waiving the right to be notified. If the department of ~~corrections~~ health and social services alleges that a released person has violated any condition or rule, or that the safety of the person or others requires that conditional release be revoked, he or she may be taken into custody under the rules of the department of ~~corrections~~. The department of ~~corrections~~ health and social services shall submit a statement showing probable cause of the detention and a petition to revoke the order for conditional release to the committing court, ~~the department of health and social services~~ and the regional office of the state public defender responsible for handling cases in the county where the committing court is located within 48 hours after the detention. ~~Upon receiving this statement, the department of health and social ser-~~

~~vices shall forthwith petition the committing court to revoke its order for conditional release.~~ The court shall hear the petition within 30 days, unless the hearing or time deadline is waived by the detained person. Pending the revocation hearing, the department of ~~corrections~~ health and social services may detain the person in a jail or in a hospital, center or facility specified by s. 51.15 (2). The state has the burden of proving by clear and convincing evidence that any rule or condition of release has been violated, or that the safety of the person or others requires that conditional release be revoked. If the court determines after hearing that any rule or condition of release has been violated, or that the safety of the person or others requires that conditional release be revoked, it may revoke the order for conditional release and order that the released person be placed in an appropriate institution under 51.37 (3) until the expiration of the commitment or until again conditionally released under this section.

SECTION 3638b. 971.17 (4) (c) of the statutes is amended to read:

971.17 (4) (c) Within 20 days after receipt of the petition, the court shall appoint one or more examiners having the specialized knowledge determined by the court to be appropriate, who shall examine the person and furnish a written report of the examination to the court within 30 days after appointment. The examiners shall have reasonable access to the person for purposes of examination and to the person's past and present treatment records, as defined in s. 51.30 (1) (b), and patient health care records ~~under ss. 146.81 to 146.83, as provided under s. 146.82 (2) (c)~~. If any such examiner believes that the person is appropriate for conditional release, the examiner shall report on the type of treatment and services that the person may need while in the community on conditional release.

SECTION 3638c. 971.17 (7) (c) of the statutes is amended to read:

971.17 (7) (c) ~~Whenever~~ If the person wishes to be examined by a physician, as defined in s. 971.16 (1) (a), or a psychologist, as defined in s. 971.16 (1) (b), or other expert of his or her choice, the procedure under s. 971.16 (3) (4) shall apply. Upon motion of an indigent person, the court shall appoint a qualified and available examiner for the person at public expense. Examiners for the person or the district attorney shall have reasonable access to the person for purposes of examination, and to the person's past and present treatment records, as defined in s. 51.30 (1) (b), and patient health care records under ss. 146.81 to 146.83.

SECTION 3638e. 971.17 (7) (c) of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

971.17 (7) (c) If the person wishes to be examined by a physician, as defined in s. 971.16 (1) (a), or a psychologist, as defined in s. 971.16 (1) (b), or other expert of his or her choice, the procedure under s.

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971.16 (4) shall apply. Upon motion of an indigent person, the court shall appoint a qualified and available examiner for the person at public expense. Examiners for the person or the district attorney shall have reasonable access to the person for purposes of examination, and to the person's past and present treatment records, as defined in s. 51.30 (1) (b), and patient health care records as provided under s. 146.82 (2) (c).

SECTION 3638h. 971.225 (1) (a) of the statutes is amended to read:

971.225 (1) (a) The court ~~is required or~~ has decided to sequester the jurors after the commencement of the trial, as provided in s. 972.12;

SECTION 3638j. 971.37 (1m) (a) of the statutes is repealed and recreated to read:

971.37 (1m) (a) The district attorney may enter into a deferred prosecution agreement under this section with any of the following:

1. A person accused of or charged with child sexual abuse.

Vetoed in Part 2. An adult accused of or charged with a violation of s. ~~940.01, 940.02, 940.03, 940.05, 940.06, 940.19, 940.20 (3), 940.21, 940.225, 940.23, 940.285, 940.30, 940.305, 940.31, 940.42, 940.43, 940.44, 940.45, 940.48, 941.20, 941.30, 943.01, 943.14, 943.15, 946.49, 947.01 or 947.012~~ and the conduct constituting the violation involved an act by the adult person against his or her spouse or former spouse, against an adult with whom the adult person resides or formerly resided or against an adult with whom the adult person has created a child.

3. A person accused of or charged with a violation of s. 813.12 (8).

SECTION 3638k. 971.37 (1m) (c) 1. (intro.) of the statutes is amended to read:

971.37 (1m) (c) 1. (intro.) The agreement may provide as one of its conditions that ~~the a~~ a person covered under sub. (1) (b) or (c) pay the domestic abuse assessment under s. 973.055. Payments and collections under this subdivision are subject to s. 973.055 (2) to (4), except as follows:

SECTION 3639d. 972.12 (1) of the statutes is renumbered 972.12 and amended to read:

972.12 Sequestration of jurors. ~~Except as provided in sub. (2), the~~ The court may direct that the jurors sworn be kept together or be permitted to separate. The court may appoint an officer of the court to keep the jurors together and to prevent communication between the jurors and others.

SECTION 3639f. 972.12 (2) of the statutes is repealed.

SECTION 3639m. 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

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 asked the defendant whether the defendant has anything to state why sentence should not be pronounced, 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 placed in the intensive sanctions program subject to the limitations of section 973.032 (3) of the Wisconsin Statutes and the following conditions:....

*IT IS ADJUDGED That the defendant is hereby committed to detention in (the defendant's place of residence or place designated by judge) for a term of not more than....

*IT IS ADJUDGED That the defendant is ordered to pay a fine of \$.... (and the costs of this action).

*IT IS ADJUDGED That the defendant pay restitution to....

*IT IS ADJUDGED That the defendant is restricted in his or her use of computers as follows:....

*The at is designated as the Reception Center to which the 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.

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 3640. 972.15 (1) of the statutes is amended to read:

972.15 (1) After a conviction the court may order a presentence investigation, except that the court may order an employe of the department of corrections to conduct a presentence investigation only after a conviction for a felony.

SECTION 3640bg. 972.15 (5) (intro.) of the statutes is amended to read:

972.15 (5) (intro.) The department may use the presentence investigation report for correctional programming, parole consideration or care and treatment of any person sentenced to imprisonment or the intensive sanctions program, placed on probation, released on parole or committed to the department under ch. 51 or 971 or any other person in the custody of the department or for research purposes. The department may make the report available to other agencies or persons to use for purposes related to correctional programming, parole consideration, care and treatment, or research. Any use of the report under this subsection is subject to the following conditions:

SECTION 3640c. 973.01 (1) (d) of the statutes is amended to read:

973.01 (1) (d) Cooperate with the supreme court in developing instructional programs for judges relating to sentencing, including the intensive sanctions program, restitution policies and community service alternatives to incarceration and probation.

SECTION 3640g. 973.011 of the statutes is renumbered 973.011 (1), and 973.011 (1) (intro.), (a) and (b), as renumbered, are amended to read:

973.011 (1) (intro.) The sentencing commission shall promulgate rules under this section subsection. Any such rules shall provide guidelines for use by judges for sentencing defendants convicted of felonies, but shall not provide guidelines for determinations under s. 973.014. The rules shall:

(a) Be based primarily on sentencing experience in this state to the extent sufficient data is available. The rules shall set forth the methodology for calculating recommended sentence lengths for terms of confinement or intensive sanctions but need not include the actual recommended sentence lengths. The commission shall determine, periodically revise and make available to the public actual recommended sentence lengths calculated using the methodology set forth in the rules. The rules shall indicate the likelihood that the offender would be placed on probation, sentenced to the intensive sanctions program or incarcerated according to sentencing experience in this state.

(b) Include consideration of previous criminal history; status relating to incarceration, intensive sanc-

tions, probation, parole or pretrial release; and severity of the present offense.

SECTION 3640m. 973.011 (2) of the statutes is created to read:

973.011 (2) Beginning July 1, 1992, the sentencing commission shall provide guideline matrices for judges for sentencing defendants convicted of felonies identifying cases in which the presumptively appropriate sentence is to the intensive sanctions program. The commission shall design the guideline matrices to encourage the use of that sentence for offenders who show a low risk of assaultive behavior and to limit the use of that sentence for persons who would be placed on probation if the intensive sanctions program did not exist.

~~SECTION 3640n. 973.013 (1m) of the statutes is created to read:~~

~~973.013 (1m) (a) If imprisonment in Wisconsin state prisons for a term of years is imposed, the court may sentence the person to serve the sentence in the correctional institution under s. 301.132. The court may order this sentence only under all of the following circumstances:~~

~~1. The court allows the department to report on the appropriateness of the sentence.~~

~~2. The court states its reasons for the sentence on the record.~~

~~3. The sentence provides imprisonment for not less than 18 months nor more than 42 months.~~

~~(am) The court may not combine the sentence under par. (a) with the sentence under s. 973.032. The person may become eligible to enter the intensive sanctions program under s. 301.048 (2) (b) to (d), subject to the restrictions under par. (b).~~

~~(b) The department may not transfer a prisoner sentenced under par. (a) to a different state prison unless the department has completed an assessment and evaluation of the prisoner.~~

~~(c) The department shall notify the director of state courts when the correctional institution under s. 301.132 begins operations. No court may sentence a person under sub. (1m) until the director has received the notice.~~

SECTION 3640p. 973.02 of the statutes is amended to read:

973.02 Place of imprisonment when none expressed. When Except as provided in s. 973.032, if a statute authorizes imprisonment for its violation but does not prescribe the place of imprisonment, a sentence of less than one year shall be to the county jail, a sentence of more than one year shall be to the Wisconsin state prisons and the minimum under the indeterminate sentence law shall be one year, and a sentence of one year may be to either the Wisconsin state prisons or the county jail. In any proper case, sentence and commitment may ~~nevertheless~~ be to the department or any house of correction or other institution as provided by law or to detention under s. 973.03 (4).

Vetoed
in Part

SECTION 3640r. 973.032 of the statutes is created to read:

973.032 Sentence to intensive sanctions program. (1) SENTENCE. Beginning July 1, 1992, a court may sentence a person who is convicted of a felony occurring on or after the effective date of this subsection [revisor inserts date], to participate in the intensive sanctions program under s. 301.048.

(2) ELIGIBILITY. (a) A court may sentence a person under sub. (1) if the department provides a presentence investigation report recommending that the person be sentenced to the program. If the department does not make the recommendation, a court may order the department to assess and evaluate the person. After that assessment and evaluation, the court may sentence the person to the program unless the department objects on the ground that the presumptively appropriate sentence under the sentencing guideline matrices is probation.

(b) Notwithstanding par. (a), the court may not sentence a person under sub. (1) if he or she is convicted of a felony punishable by life imprisonment.

(3) LIMITATIONS. The following apply to a sentence under sub. (1):

(a) The court shall provide a maximum period for the sentence, which may not exceed the maximum term of imprisonment that could be imposed on the person, including imprisonment authorized by any penalty enhancement statute.

(b) The court shall provide a maximum period for placements under s. 301.048 (3) (a) 1, which may not exceed one year unless the defendant waives this requirement.

(c) 1. In this paragraph, "Type 1 prison" has the meaning given in s. 301.01 (5).

2. The court may prescribe reasonable and necessary conditions of the sentence in accordance with s. 301.048 (3), except the court may not specify a particular Type 1 prison, jail, camp or facility where the offender is to be placed under s. 301.048 (3) (a) and the court may not restrict the department's authority under s. 301.048 (3) (b).

(4) MODIFICATION. (a) The department may provide for placements under s. 301.048 (3) (a) for a shorter period than the maximum period specified by the court under sub. (3) (b).

(b) The department may request that the court extend the maximum period provided by the court under sub. (3) (a) or the maximum period provided by the court under sub. (3) (b) or both. Unless a hearing is voluntarily waived by the person, the court shall hold a hearing on the matter. The court may not extend the maximum period of the sentence beyond the amount allowable under sub. (3) (a). The court may not extend the maximum period for placements under s. 301.048 (3) (a) 1 beyond a total, including the original period and all extensions, of 2 years or two-thirds of the maximum term of imprisonment that

could have been imposed on the person, whichever is less.

(5) PAROLE RESTRICTIONS. A person sentenced under sub. (1) is not eligible for parole except as provided in s. 302.11.

(6) CREDIT. Any sentence credit under s. 973.155 (1) applies toward service of the period under sub. (3) (a) but does not apply toward service of the period under sub. (3) (b).

SECTION 3640t. 973.035 of the statutes is amended to read:

973.035 Transfer to state-local shared correctional facilities. ~~Any Except as provided in s. 973.013 (1m) (b), any person serving a sentence of imprisonment to the Wisconsin state prisons, a county jail, a county reforestation camp or a county house of correction or serving a sentence to the intensive sanctions program~~ may be transferred to a state-local shared correctional facility under s. 302.45 (1).

Vetoed
in Part

SECTION 3642. 973.05 (1) of the statutes is amended to read:

973.05 (1) When a defendant is sentenced to pay a fine, the court may grant permission for the payment of the fine, of the penalty assessment imposed by s. 165.87, the jail assessment imposed by s. 302.46 (1), the crime victim and witness assistance surcharge under s. 973.045, any applicable drug abuse program improvement surcharge imposed by s. 161.41 (5), any applicable domestic abuse assessment imposed by s. 971.37 (1m) (c) 1 or 973.055, any applicable driver improvement surcharge imposed by s. 346.655, any applicable weapons assessment imposed by s. 167.31, any applicable uninsured employer assessment imposed by s. 102.85 (4), any applicable environmental assessment imposed by s. 144.992, any applicable wild animal protection assessment imposed by s. 29.9965, any applicable natural resources assessment imposed by s. 29.997 and any applicable natural resources restitution payment imposed by s. 29.998 to be made within a period not to exceed 60 days. If no such permission is embodied in the sentence, the fine, the penalty assessment, the jail assessment, the crime victim and witness assistance surcharge, any applicable drug abuse program improvement surcharge, any applicable domestic abuse assessment, any applicable driver improvement surcharge, any applicable weapons assessment, any applicable uninsured employer assessment, any applicable environmental assessment, any applicable wild animal protection assessment, any applicable natural resources assessment and any applicable natural resources restitution payment shall be payable immediately.

SECTION 3643. 973.05 (1) of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

973.05 (1) When a defendant is sentenced to pay a fine, the court may grant permission for the payment of the fine, of the penalty assessment imposed by s.

165.87, the jail assessment imposed by s. 302.46 (1), the automatic reinstatement assessment imposed by s. 345.54 (1), the crime victim and witness assistance surcharge under s. 973.045, any applicable drug abuse program improvement surcharge imposed by s. 161.41 (5), any applicable domestic abuse assessment imposed by s. 971.37 (1m) (c) 1 or 973.055, any applicable driver improvement surcharge imposed by s. 346.655, any applicable weapons assessment imposed by s. 167.31, any applicable uninsured employer assessment imposed by s. 102.85 (4), any applicable environmental assessment imposed by s. 144.992, any applicable wild animal protection assessment imposed by s. 29.9965, any applicable natural resources assessment imposed by s. 29.997 and any applicable natural resources restitution payment imposed by s. 29.998 to be made within a period not to exceed 60 days. If no such permission is embodied in the sentence, the fine, the penalty assessment, the jail assessment, the automatic reinstatement assessment, the crime victim and witness assistance surcharge, any applicable drug abuse program improvement surcharge, any applicable domestic abuse assessment, any applicable driver improvement surcharge, any applicable weapons assessment, any applicable uninsured employer assessment, any applicable environmental assessment, any applicable wild animal protection assessment, any applicable natural resources assessment and any applicable natural resources restitution payment shall be payable immediately.

SECTION 3644. 973.05 (2) of the statutes is amended to read:

973.05 (2) When a defendant is sentenced to pay a fine and is also placed on probation, the court may make the payment of the fine, the penalty assessment, the jail assessment, the crime victim and witness assistance surcharge, any applicable drug abuse program improvement surcharge, any applicable domestic abuse assessment, any applicable uninsured employer assessment, any applicable driver improvement surcharge, any applicable weapons assessment, any applicable environmental assessment, any applicable wild animal protection assessment, any applicable natural resources assessment and any applicable natural resources restitution payments a condition of probation. When the payments are made a condition of probation by the court, payments thereon shall be applied first to payment of the penalty assessment until paid in full, shall then be applied to the payment of the jail assessment until paid in full, shall then be applied to the payment of the crime victim and witness assistance surcharge until paid in full, shall then be applied to the drug abuse improvement surcharge until paid in full, shall then be applied to payment of the driver improvement surcharge until paid in full, shall then be applied to payment of the domestic abuse assessment until paid in full, shall then be applied to payment of the natural resources assessment if applicable until paid in full, shall then be applied to payment of the natural resources restitution payment

until paid in full, shall then be applied to the payment of the environmental assessment if applicable until paid in full, shall then be applied to the payment of the wild animal protection assessment if applicable until paid in full, shall then be applied to payment of the weapons assessment until paid in full, shall then be applied to payment of the uninsured employer assessment until paid in full and shall then be applied to payment of the fine.

SECTION 3645. 973.05 (2) of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

973.05 (2) When a defendant is sentenced to pay a fine and is also placed on probation, the court may make the payment of the fine, the penalty assessment, the jail assessment, the automatic reinstatement assessment, the crime victim and witness assistance surcharge, any applicable drug abuse program improvement surcharge, any applicable domestic abuse assessment, any applicable uninsured employer assessment, any applicable driver improvement surcharge, any applicable weapons assessment, any applicable environmental assessment, any applicable wild animal protection assessment, any applicable natural resources assessment and any applicable natural resources restitution payments a condition of probation. When the payments are made a condition of probation by the court, payments thereon shall be applied first to payment of the penalty assessment until paid in full, shall then be applied to the payment of the jail assessment until paid in full, shall then be applied to the payment of the crime victim and witness assistance surcharge until paid in full, shall then be applied to the drug abuse improvement surcharge until paid in full, shall then be applied to payment of the driver improvement surcharge until paid in full, shall then be applied to payment of the domestic abuse assessment until paid in full, shall then be applied to payment of the natural resources assessment if applicable until paid in full, shall then be applied to payment of the natural resources restitution payment until paid in full, shall then be applied to the payment of the environmental assessment if applicable until paid in full, shall then be applied to the payment of the wild animal protection assessment if applicable until paid in full, shall then be applied to payment of the weapons assessment until paid in full, shall then be applied to payment of the uninsured employer assessment until paid in full, shall then be applied to payment of the automatic reinstatement assessment and shall then be applied to payment of the fine.

SECTION 3645c. 973.055 (1) of the statutes is repealed and recreated to read:

973.055 (1) If a court imposes a sentence on an adult person or places an adult person on probation, regardless of whether any fine is imposed, the court shall impose a domestic abuse assessment of \$50 for each offense if:

(a) 1. The court convicts the person of a violation of s. 940.01, 940.02, 940.03, 940.05, 940.06, 940.19,

940.20 (3), 940.21, 940.225, 940.23, 940.285, 940.30, 940.305, 940.31, 940.42, 940.43, 940.44, 940.45, 940.48, 941.20, 941.30, 943.01, 943.14, 943.15, 946.49, 947.01 or 947.012 or of a municipal ordinance conforming to s. 941.20, 941.30, 943.01, 943.14, 943.15, 946.49, 947.01 or 947.012; and

2. The court finds that the conduct constituting the violation under subd. 1 involved an act by the adult person against his or her spouse or former spouse, against an adult with whom the adult person resides or formerly resided or against an adult with whom the adult person has created a child; or

(b) The court convicts a person under s. 813.12 (8) or a conforming municipal ordinance.

SECTION 3645d. 973.055 (2) of the statutes is renumbered 973.055 (2) (a) and amended to read:

973.055 (2) (a) After If the assessment is imposed by a court of record, after the court determines the amount due, the clerk of the court shall collect and transmit the amount to the county treasurer as provided in s. 59.395 (5). The county treasurer shall then make payment to the state treasurer as provided in s. 59.20 (5) (b).

SECTION 3645e. 973.055 (2) (b) of the statutes is created to read:

973.055 (2) (b) If the assessment is imposed by a municipal court, after a determination by the court of the amount due, the court shall collect and transmit the amount to the treasurer of the county, city, town or village, and that treasurer shall make payment to the state treasurer as provided in s. 66.12 (1) (b).

SECTION 3646. 973.06 (1) (intro.) of the statutes is amended to read:

973.06 (1) (intro.) The Except as provided in s. 93.20, the costs taxable against the defendant shall consist of the following items and no others:

SECTION 3646m. 973.06 (1) (d) of the statutes is amended to read:

973.06 (1) (d) Fees and travel allowances of witnesses for the defense incurred by the county state at the request of the defendant, at the preliminary hearing and the trial.

SECTION 3647m. 973.06 (4) of the statutes is created to read:

973.06 (4) The court shall order the defendant to reimburse the state for any costs incurred by the state and taxable against the defendant under sub. (1).

SECTION 3648. 973.07 of the statutes is amended to read:

973.07 Failure to pay fine or costs. If the fine, costs, penalty assessment, jail assessment, crime victim and witness assistance surcharge, applicable drug abuse program improvement surcharge, applicable domestic abuse assessment, applicable driver improvement surcharge, applicable weapons assessment, applicable uninsured employer assessment, applicable environmental assessment, applicable wild animal protection assessment, applicable natural resources assessment

and applicable natural resources restitution payments are not paid as required by the sentence, the defendant may be committed to the county jail until the fine, costs, penalty assessment, jail assessment, crime victim and witness assistance surcharge, applicable drug abuse program improvement surcharge, applicable domestic abuse assessment, applicable driver improvement surcharge, applicable weapons assessment, applicable uninsured employer assessment, applicable environmental assessment, applicable wild animal protection assessment, applicable natural resources assessment or applicable natural resources restitution payments are paid or discharged for a period fixed by the court not to exceed 6 months.

SECTION 3649. 973.07 of the statutes, as affected by 1991 Wisconsin Act (this act), is repealed and recreated to read:

973.07 Failure to pay fine or costs. If the fine, costs, penalty assessment, jail assessment, automatic reinstatement assessment, crime victim and witness assistance surcharge, applicable drug abuse program improvement surcharge, applicable domestic abuse assessment, applicable driver improvement surcharge, applicable weapons assessment, applicable uninsured employer assessment, applicable environmental assessment, applicable wild animal protection assessment, applicable natural resources assessment and applicable natural resources restitution payments are not paid as required by the sentence, the defendant may be committed to the county jail until the fine, costs, penalty assessment, jail assessment, automatic reinstatement assessment, crime victim and witness assistance surcharge, applicable drug abuse program improvement surcharge, applicable domestic abuse assessment, applicable driver improvement surcharge, applicable weapons assessment, applicable uninsured employer assessment, applicable environmental assessment, applicable wild animal protection assessment, applicable natural resources assessment or applicable natural resources restitution payments are paid or discharged for a period fixed by the court not to exceed 6 months.

SECTION 3649c. 973.09 (1) (a) of the statutes is amended to read:

973.09 (1) (a) Except as provided in par. (c) or s. 557.69 (1) (b), or if probation is prohibited for a particular offense by statute, if a person is convicted of a crime, the court, by order, may withhold sentence or impose sentence under s. 973.15 and stay its execution, and in either case place the person on probation to the department for a stated period, stating in the order the reasons therefor. The court may impose any conditions which appear to be reasonable and appropriate. The period of probation may be made consecutive to a sentence on a different charge, whether imposed at the same time or previously. If the court imposes an increased term of probation, as authorized under sub. (2) (a) 2 or (b) 2, it shall place its reasons for doing so on the record.

Vetoed
in Part

Vetoed
in Part

SECTION 3650. 973.09 (1) (d) of the statutes is amended to read:

973.09 (1) (d) If a person is convicted of an offense that provides a mandatory or presumptive minimum period of one year or less of imprisonment, a court may place the person on probation under par. (a) if the court requires, as a condition of probation, that the person be confined under sub. (4) for at least that mandatory or presumptive minimum period. The person is eligible to earn good time credit calculated under s. 302.43 regarding the period of confinement. This paragraph does not apply if the conviction is for any violation under s. 346.63.

SECTION 3650c. 973.09 (1) (e) of the statutes is created to read:

973.09 (1) (e) The court may impose a sentence under s. 973.032, stay its execution and place the person on probation. A court may not provide that a condition of any probation involves participation in the intensive sanctions program.

SECTION 3650g. 973.15 (1) of the statutes is amended to read:

973.15 (1) All Except as provided in s. 973.032, all sentences to the Wisconsin state prisons shall be for one year or more. Except as otherwise provided in this section, all sentences commence at noon on the day of sentence, but time which elapses after sentence while the convicted offender is at large on bail shall not be computed as any part of the term of imprisonment.

SECTION 3650m. 973.15 (2) of the statutes is renumbered 973.15 (2) (a) and amended to read:

973.15 (2) (a) The Except as provided in par. (b), the court may impose as many sentences as there are convictions and may provide that any such sentence be concurrent with or consecutive to any other sentence imposed at the same time or previously.

SECTION 3650p. 973.15 (2) (b) of the statutes is created to read:

973.15 (2) (b) The court may not impose a sentence to the intensive sanctions program consecutive to any other sentence. The court may not impose a sentence to the intensive sanctions program concurrent with a sentence imposing imprisonment. The court may impose concurrent intensive sanctions program sentences. The court may impose an intensive sanctions program sentence concurrent to any nonintensive sanctions program sentence that does not include any imprisonment or concurrent to probation.

SECTION 3650t. 973.15 (8) (a) (intro.) of the statutes is amended to read:

973.15 (8) (a) (intro.) The sentencing court may stay execution of a sentence of imprisonment or to the intensive sanctions program only:

SECTION 3650v. 973.19 (1) (a) of the statutes is amended to read:

973.19 (1) (a) A person sentenced to imprisonment or the intensive sanctions program or ordered to pay a

fine who has not requested the preparation of transcripts under s. 809.30 (2) may, within 90 days after the sentence or order is entered, move the court to modify the sentence or the amount of the fine.

SECTION 3650x. 973.20 (10) of the statutes is amended to read:

973.20 (10) The court may require that restitution be paid immediately, within a specified period or in specified instalments. If the defendant is placed on probation or sentenced to imprisonment, the end of a specified period shall not be later than the end of any period of probation or parole. If the defendant is sentenced to the intensive sanctions program, the end of a specified period shall not be later than the end of the sentence under s. 973.032 (3) (a).

SECTION 3651. 974.05 (1) (a) of the statutes is amended to read:

974.05 (1) (a) Final order or judgment adverse to the state ~~made before jeopardy has attached or after waiver thereof or after the setting aside of a verdict of guilty or finding of guilty~~, whether following a trial or a plea of guilty or no contest, if the appeal would not be prohibited by constitutional protections against double jeopardy.

~~SECTION 3652d. 977.05 (4) (hm) of the statutes is created to read:~~

~~977.05 (4) (hm) Pay the witness fees set under s. 814.67 (1) (b) 1 and (c) or under s. 907.06 for witnesses called by the office of the state public defender or by private attorneys appointed to act as counsel for indigent persons under s. 977.08 from the appropriation under s. 20.550 (1) (f).~~

SECTION 3653. 977.07 (2) (a) of the statutes is amended to read:

977.07 (2) (a) The representative of the state public defender or the authority for indigency determinations specified under sub. (1) making a determination of indigency shall ascertain the assets of the person which exceed the amount needed for the payment of reasonable and necessary expenses incurred, or which must be incurred to support the person and the person's immediate family. The assets shall include disposable income, cash in hand, stocks and bonds, bank accounts and other property which can be converted to cash within a reasonable period of time and is not needed to hold a job, or to shelter, clothe and care for the person and the person's immediate family. Assets which cannot be converted to cash within a reasonable period of time, such as a person's home, car, household furnishings, clothing and other property which has been declared exempt from attachment or execution by law, shall be calculated to be assets equivalent in dollars to the amount of the loan which could be, in fact, raised by using these assets as collateral. Assets also include any money expended by the person to post bond to obtain release regarding the current alleged offense. If the person's assets, less reasonable and necessary living expenses, are not sufficient to cover the anticipated cost of effective representation

Vetoed
in Part

when the length and complexity of the anticipated proceedings are taken fully into account, the person shall be determined to be indigent in full or in part. The determination of the ability of the person to contribute to the cost of legal services shall be based upon specific written standards relating to income, assets and the anticipated cost of representation. If found to be indigent in full or in part, the person shall be promptly informed of the state's right to payment or recoupment under s. 48.275 (2), 757.66 or 973.06 (1) (e), and the possibility that the payment of attorney fees may be made a condition of probation, should the person be placed on probation. Furthermore, if found to be indigent in part, the person shall be promptly informed of the extent to which he or she will be expected to pay for counsel, and whether the payment shall be in the form of a lump sum payment or periodic payments. The person shall be informed that the payment amount may be adjusted if his or her financial circumstances change by the time of sentencing. The payment and payment schedule shall be set forth in writing. Payments for services of the state public defender or other counsel provided under this chapter made pursuant to this subsection shall be paid to the state public defender for deposit in the state treasury and credited to the appropriation under s. 20.550 (1) (ja). Under this subsection, reasonable and necessary living expenses equal the applicable payment amount under s. 49.19 (11) (a) 1 plus other specified, emergency or essential costs. The representative or authority making the determination of indigency shall consider any assets of the spouse of the person claiming to be indigent as if they were assets of the person, unless the spouse was the victim of a crime allegedly committed by the person.

SECTION 3654. 977.08 (3) (a) of the statutes is amended to read:

977.08 (3) (a) Attorneys notified under sub. (2) shall have a reasonable time to submit their names for inclusion on any or all of the lists. Attorneys shall, in submitting their names, set forth their legal education and experience which qualifies them to provide representation in the types of cases they have expressed an interest in handling. The state public defender shall compile a list of the names and qualifications submitted, and submit such names and qualifications to the district attorney of that county, all judges presiding regularly in that county and the president of the county bar association. Such persons may submit written comments on the attorneys named on such lists.

SECTION 3655. 977.08 (4m) of the statutes is amended to read:

977.08 (4m) ~~For cases assigned prior to December 1, 1987, private local attorneys shall be paid \$40 per hour for time spent in court; \$30 per hour for time spent out of court, excluding travel, related to a case; and \$25 per hour for time spent in travel related to a case if any portion of the trip is outside the county in~~

~~which the attorney's principal office is located. Unless otherwise provided by a rule promulgated under s. 977.02 (7r), for cases assigned on or after before December 1, 1987 1992, private local attorneys shall be paid \$45 per hour for time spent in court; \$35 per hour for time spent out of court, excluding travel, related to a case; and \$25 per hour for time spent in travel related to a case if any portion of the trip is outside the county in which the attorney's principal office is located. Unless otherwise provided by a rule promulgated under s. 977.02 (7r), for cases assigned on or after December 1, 1992, private local attorneys shall be paid \$50 per hour for time spent in court; \$40 per hour for time spent out of court, excluding travel, related to a case; and \$25 per hour for time spent in travel related to a case if any portion of the trip is outside the county in which the attorney's principal office is located.~~

SECTION 3656. 977.08 (5) (b) (intro.) of the statutes is amended to read:

977.08 (5) (b) (intro.) ~~Any~~ For the period before January 1, 1993, any of the following constitutes an annual caseload standard for an assistant state public defender in the subunit responsible for trials:

SECTION 3656m. 977.08 (5) (b) 1 of the statutes is amended to read:

977.08 (5) (b) 1. Felony cases not specified in subd. 1m: 184.5.

SECTION 3656p. 977.08 (5) (b) 1m of the statutes is created to read:

977.08 (5) (b) 1m. First-degree intentional homicide cases: 15.

SECTION 3656r. 977.08 (5) (b) 3 of the statutes is amended to read:

977.08 (5) (b) 3. Cases not covered under subd. 1, 1m or 2: 246.

SECTION 3657. 977.08 (5) (bd) of the statutes is created to read:

977.08 (5) (bd) After January 1, 1993, any of the following constitutes an annual caseload standard for an assistant state public defender in the subunit responsible for trials:

1. Felony cases not specified in subd. 1m: 166.8.

1m. First-degree intentional homicide cases: 15.

2. Misdemeanor cases: 410.9.

3. Juvenile cases: 228.4.

4. Cases not covered under subd. 1, 1m, 2 or 3: 246.

SECTION 3659. 977.08 (5) (c) of the statutes is amended to read:

977.08 (5) (c) At the trial level, ~~76%~~ 67% of the felony and juvenile cases shall be handled within the office.

~~SECTION 3659g. 977.083 of the statutes is created to read.~~

~~977.083 Contract of private investigators. (1) In providing legal services, the state public defender may contract for the services of private investigators.~~

Vetoed
in Part

Vetoed
in Part

~~(2) For cases assigned after July 30, 1991, from the offices of the state public defender serving the county of Milwaukee, private investigators shall be paid at least \$20 per hour.~~

SECTION 3660. 978.01 (2) (b) of the statutes, as affected by 1989 Wisconsin Act 31, is amended to read:

978.01 (2) (b) A district attorney serves on a part-time basis if his or her prosecutorial unit consists of Buffalo, Florence, Forest, ~~Green Lake~~, Pepin, Richland, Rusk, Trempealeau or Vernon county.

SECTION 3661. 978.03 (1) of the statutes is renumbered 978.03 (1m) and amended to read:

978.03 (1m) The district attorney of any prosecutorial unit having a population of 200,000 or more but not more than 499,999 may appoint 3 deputy district attorneys and such assistant district attorneys as may be requested by the department of administration and authorized in accordance with s. 16.505. The district attorney shall rank the deputy district attorneys for purposes of carrying out duties under this section. The deputies, according to rank, may perform any duty of the district attorney, under the district attorney's direction. In the absence or disability of the district attorney, the deputies, according to rank, may perform any act required by law to be performed by the district attorney. Any such deputy must have practiced law in this state for at least 2 years prior to appointment under this section.

SECTION 3662. 978.03 (1) of the statutes is created to read:

978.03 (1) The district attorney of any prosecutorial unit having a population of 500,000 or more may appoint 4 deputy district attorneys and such assistant district attorneys as may be requested by the department of administration and authorized in accordance with s. 16.505. The district attorney shall rank the deputy district attorneys for purposes of carrying out duties under this section. The deputies, according to rank, may perform any duty of the district attorney, under the district attorney's direction. In the absence or disability of the district attorney, the deputies, according to rank, may perform any act required by law to be performed by the district attorney. Any such deputy must have practiced law in this state for at least 2 years prior to appointment under this section.

SECTION 3664. 978.03 (3) of the statutes is amended to read:

978.03 (3) Any assistant district attorney under sub. (1), ~~(1m)~~ or (2) must be an attorney admitted to practice law in this state and may perform any duty required by law to be performed by the district attorney. The district attorney of the prosecutorial unit under sub. (1), ~~(1m)~~ or (2) may appoint such temporary counsel as may be authorized by the department of administration.

SECTION 3667. 978.045 (title) of the statutes is amended to read:

978.045 (title) Special prosecutors.

SECTION 3668. 978.045 (1) of the statutes is renumbered 978.045 (1r) and amended to read:

978.045 (1r) If there is no district attorney for the county, if the district attorney is absent from the county, has acted as attorney for a party accused in relation to the matter of which the accused stands charged and for which he or she is to be tried, is near of kin to the party to be tried on a criminal charge, is unable to attend to his or her duties or is serving in the armed forces of the United States, ~~or~~ if the district attorney stands charged with a crime and the governor has not acted under s. 17.11 or if the district attorney determines that a conflict of interest exists regarding the district attorney or district attorney staff, any judge of a court of record, by an order entered in the record stating the cause therefor, may appoint some suitable attorney as a special prosecutor to perform, for the time being, or for the trial of the accused person, the duties of the district attorney, and the attorney so appointed shall have all the powers of the district attorney while so acting.

SECTION 3669. 978.045 (1g) of the statutes is created to read:

978.045 (1g) A district attorney may request a court to appoint a special prosecutor under sub. (1r). The district attorney must receive approval from the department of administration before requesting an appointment that exceeds ~~16~~ hours per case. If a district attorney requests an appointment under sub. (1r), the court shall first consider the feasibility of appointing a district attorney, deputy district attorney or assistant district attorney from another prosecutorial unit or an assistant attorney general to serve as a special prosecutor.

SECTION 3670. 978.045 (2) of the statutes is renumbered 978.045 (2) (a) and amended to read:

978.045 (2) (a) The court shall fix the amount of compensation for any attorney appointed as a special prosecutor under this section, ~~which shall be the amount customarily charged by attorneys of this state for comparable services, and shall provide for the repayment of disbursements in such sum as the court deems proper.~~ sub. (1r) according to the rates specified in s. 977.08 (4m).

(b) The department of administration shall pay the compensation ~~and disbursements~~ ordered by the court from the appropriation under s. 20.475 (1) ~~(+)~~ (d).

(c) The court, district attorney and the appointed attorney special prosecutor shall provide any information regarding this a payment under par. (b) that the department requests. ~~When appointing an attorney under this section, the court shall first consider the feasibility of appointing a district attorney, a deputy district attorney or an assistant district attorney from another prosecution unit or an assistant attorney general.~~

SECTION 3672. 978.05 (4m) of the statutes is created to read:

Vetoed
in Part

978.05 (4m) WELFARE FRAUD INVESTIGATIONS. Cooperate with the department of health and social services regarding the fraud investigation program under s. 49.197 (1m).

SECTION 3673. 978.05 (6) (a) of the statutes, as affected by 1991 Wisconsin Act 16, is amended to read:

978.05 (6) (a) Institute, commence or appear in all civil actions or special proceedings under and perform the duties set forth for the district attorney under ss. 17.14, 30.03 (2), 48.09 (1), (2) and (5), 48.18, 48.355 (6) (b), 59.073, 59.77, ~~69.07 (3)~~, 70.36, 103.50 (8), 103.92 (4), 109.09, 161.55 (5), 343.305 (9) (a), 453.08, 806.05, 946.86, 946.87, 971.14 and 973.075 to 973.077, perform any duties in connection with court proceedings in a court assigned to exercise jurisdiction under ch. 48 as the judge may request and perform all appropriate duties and appear if the district attorney is designated in specific statutes, including matters within chs. 782, 976 and 979 and ss. 51.81 to 51.85. Nothing in this paragraph limits the authority of the county board to designate, under s. 48.09 (2) or (5), that the corporation counsel provide representation as specified in s. 48.09 (2) or (5) or to designate, under s. 48.09 (6), the district attorney as an appropriate person to represent the interests of the public under s. 48.14.

SECTION 3674. 978.05 (9) of the statutes is amended to read:

978.05 (9) BUDGET. Prepare a biennial budget request for submission to the department under s. 978.11 (~~4~~) by September 1 of each even-numbered year.

SECTION 3676. 978.06 (4) of the statutes is amended to read:

978.06 (4) No person who acted as district attorney, deputy district attorney or assistant district attorney, or special ~~district attorney~~ prosecutor under s. 978.045, for a county at the time of an arrest, examination or indictment of any person charged with a crime in that county may thereafter appear for, or defend that person against the crime charged in the complaint, information or indictment.

SECTION 3677. 978.06 (5) of the statutes is amended to read:

978.06 (5) (a) No full-time district attorney, deputy district attorney, or assistant district attorney ~~or full-time district attorney~~ may engage in a private practice of law, but he or she is authorized to complete all civil cases, not in conflict with the interest of the county or counties of his or her prosecutorial unit, in which he or she is counsel, pending in court before he or she takes office. A part-time district attorney, deputy district attorney or assistant district attorney may engage in a private practice of law.

(b) Notwithstanding par. (a), if a full-time district attorney, deputy district attorney, or assistant district attorney ~~or full-time district attorney~~ has a contractual obligation on January 1, 1990, to provide legal

services, he or she may continue to provide those services until January 1, 1993. The services provided may not be in conflict with the interest of the county or counties of his or her prosecutorial unit.

SECTION 3678. 978.07 (title) of the statutes is created to read:

978.07 (title) Obsolete district attorney records.

SECTION 3679. 978.07 (1) (intro.) of the statutes is created to read:

978.07 (1) (intro.) Whenever necessary to gain needed vault and filing space, a district attorney may destroy, subject to sub. (2), obsolete records in his or her custody as follows:

SECTION 3680. 978.07 (1) (c) 1 of the statutes is created to read:

978.07 (1) (c) 1. Any case record of a felony punishable by life imprisonment or a related case, after the defendant's parole eligibility date under s. 304.06 (1) or 973.014 or 50 years after the commencement of the action, whichever occurs later.

SECTION 3681. 978.07 (1) (c) 2 of the statutes is created to read:

978.07 (1) (c) 2. Any case record of a felony punishable by a maximum period of imprisonment equal to at least 20 years or a related case, after the mandatory release date established under s. 302.11 (1), if applicable, of any person convicted of that felony or 20 years after commencement of the action, whichever is later.

SECTION 3682. 978.07 (2) of the statutes is created to read:

978.07 (2) Prior to destruction of records under sub. (1), the district attorney for a prosecutorial unit with a population of less than 500,000 shall make a written offer to the historical society under s. 44.09. If the offer is accepted by the society within 60 days after the day the offer is made, the district attorney shall transfer the title to those records to the historical society. If the offer is not accepted within 60 days after the day the offer is made, the district attorney may destroy the records.

SECTION 3683. 978.11 (title) of the statutes is amended to read:

978.11 (title) Budget.

SECTION 3684. 978.11 (1) (title) of the statutes is repealed.

SECTION 3685. 978.11 (1) of the statutes is renumbered 978.11.

SECTION 3686. 978.11 (2) of the statutes is repealed.

SECTION 3687. 978.12 (1) (a) of the statutes is renumbered 978.12 (1) (a) 1, and 978.12 (1) (a) 1. (intro.), as renumbered, is amended to read:

978.12 (1) (a) 1. (intro.) District attorneys shall be compensated based on the following percentages of the dollar value of the midpoint of the salary range for executive salary group 6, as determined under s. 20.923 (1) on the 2nd Tuesday of July preceding the

commencement of their terms of office, based on the population of the prosecutorial units in which they serve, as determined under s. 16.96 on October 10 of the year prior to commencement of their terms of office, except that no district attorney may receive a salary that is greater than the salary established for the attorney general under s. 20.923 (2):

SECTION 3688. 978.12 (1) (a) 2 of the statutes is created to read:

978.12 (1) (a) 2. If an individual is appointed to fill a vacancy in the office of district attorney, the appointee shall be compensated for the residue of the unexpired term at the same rate that applied to the individual who vacates the office filled by the appointee on the date the vacancy occurs.

SECTION 3689. 978.12 (6) (a) of the statutes is renumbered 978.12 (6) and amended to read:

978.12 (6) OTHER FRINGE BENEFITS. District attorneys and state employees of the office of district attorney shall be included within all insurance benefit plans under ch. 40, except as authorized in this paragraph subsection. Alternatively, the state shall provide insurance benefit plans for district attorneys and state employees in the office of district attorney in the manner provided in this paragraph subsection. A district attorney or other employee of the office of district attorney who was employed in that office as a county employee on December 31, 1989, and who received any form of fringe benefits other than a retirement, deferred compensation or employee-funded reimbursement account plan as a county employee, as defined by that county pursuant to the county's personnel policies, or pursuant to a collective bargaining agreement in effect on January 1, 1990, or the most recent collective bargaining agreement covering represented employees who are not covered by such an agreement, may elect to continue to be covered under all such fringe benefit plans provided by the county after becoming a state employee. In a county having a population of 500,000 or more, the fringe benefit plans shall include health insurance benefits fully paid by the county for each retired employee who, on or after December 31, 1989, attains at least 15 years of service in the office of district attorney of that county, whether or not the service is as a county employee, for the duration of the employee's life. An employee may make an election under this paragraph subsection no later than January 31, 1990, except that an employee who serves as an assistant district attorney in a county having a population of 500,000 or more may make an election under this paragraph subsection no later than March 1, 1990. An election under this paragraph subsection shall be for the duration of the employee's employment in the office of district attorney for the same county by which the employee was employed or until the employee terminates the election under this paragraph subsection, at the same cost to the county as the county incurs for a similarly situated county employee. If the employer's cost for such fringe benefits for any such employee is less than or equal to the

cost for comparable coverage under ch. 40, if any, the state shall reimburse the county for that cost. If the employer's cost for such fringe benefits for any such employee is greater than the cost for comparable coverage under ch. 40, the state shall reimburse the county for the cost of comparable coverage under ch. 40 and the county shall pay the remainder of the cost. The cost of comparable coverage under ch. 40 shall equal the average cost of comparable coverage under ch. 40 for employees in the office of the state public defender, as contained in budget determinations approved by the joint committee on finance or the legislature under the biennial budget act for the period during which the costs are incurred. An employee who makes the election under this paragraph subsection may terminate that election, and shall then be included within all insurance benefit plans under ch. 40, except that the department of employee trust funds may require prior written notice, not exceeding one year's duration, of an employee's intent to be included under any insurance benefit plan under ch. 40.

SECTION 3690. 978.13 (1) (a) of the statutes is amended to read:

978.13 (1) (a) Payment of salaries and fringe benefits for district attorneys, deputy district attorneys and assistant district attorneys and compensation ~~and disbursements of acting district attorneys~~ special prosecutors.

SECTION 3690b. 978.13 (1) (b) of the statutes is amended to read:

978.13 (1) (b) In counties having a population of 500,000 or more, the one-time purchase of office equipment for 3 prosecutors and 2 clerks in the district attorney's office and the salary and fringe benefit costs of 2 clerk positions providing clerical services to the prosecutors in the district attorney's office handling cases involving felony violations under ch. 161. The state treasurer shall pay the amount authorized under this paragraph to the county treasurer pursuant to a voucher submitted by the district attorney to the department of administration from the appropriations appropriation under s. 20.475 (1) (c) ~~and (v)~~.

SECTION 3690m. 978.13 (1) (c) of the statutes is created to read:

978.13 (1) (c) In counties having a population of 500,000 or more, the salary and fringe benefit costs of clerk positions in the district attorney's office necessary for the prosecution of violent crime cases primarily involving felony violations under s. 939.63, if a felony is committed while armed, and under ss. 940.01 to 940.03, 940.05, 940.06, 940.225 and 943.32 (2). The state treasurer shall pay the amount authorized under this paragraph to the county treasurer pursuant to a voucher submitted by the district attorney to the secretary of administration from the appropriation under s. 20.475 (1) (c). The amount paid under this paragraph may not exceed \$45,800 in the 1991-92 fiscal year and \$73,400 in the 1992-93 fiscal year.

Vetoed
in Part

~~SECTION 3691h. 979.05 (7) of the statutes is amended to read:~~

~~979.05 (7) Inquest jurors shall receive the same compensation as jurors under s. 756.25 and that compensation shall be paid by the state.~~

~~SECTION 3691k. 979.06 (2) of the statutes is amended to read:~~

~~979.06 (2) The judge or court commissioner conducting the inquest and the district attorney may require by subpoena the attendance of one or more expert witnesses, including physicians, surgeons and pathologists, for the purposes of conducting an examination of the body and all relevant and material scientific and medical tests connected with the examination and testifying as to the results of the examination and tests. The expert witnesses so subpoenaed shall receive reasonable fees determined by the district attorney and the judge or court commissioner conducting the inquest and those fees shall be paid by the state.~~

~~SECTION 3691m. 979.06 (6) of the statutes is amended to read:~~

~~979.06 (6) Inquest witnesses shall receive the same compensation as witnesses in circuit court under s. 814.67 and that compensation shall be paid by the state.~~

SECTION 3692. 990.01 (25g) of the statutes is created to read:

990.01 (25g) OPTICAL DISK. "Optical disk" means a rotating circular plate on which information or images are placed in storage ~~in the form of holes~~, and which is recorded and read by laser beams focused on the plate.

SECTION 3693. 990.01 (25r) of the statutes is created to read:

990.01 (25r) OPTICAL IMAGING. "Optical imaging" means transferring to a format employing an optical disk.

SECTION 3694. 990.07 of the statutes is amended to read:

990.07 Evidence. The Wisconsin statutes as prepared under s. 35.18 shall be prima facie evidence in all courts and proceedings as provided by s. 889.01; but they shall not preclude reference to, nor control, in case of any discrepancy, any original act of the legislature; and the certified volumes of ~~session laws~~ the Laws of Wisconsin provided for by s. 35.15 shall also and in the same degree be prima facie evidence in all courts and proceedings.

SECTION 3694f. Laws of 1967, chapter 307 is renumbered chapter 307, section 1 and amended to read:

[Laws of 1967, chapter 307] Section 1. The secretary of health and social services, with the approval of the governor, is authorized to sell and convey approximately 60 acres of land described as follows:

"Commencing at a point on the North Line of Section 6, Township 18 North,

Range 17 East which is Sixty (60) feet East of the Northwest (NW) corner of said Section 6; thence Easterly along the North line of said Section 6 two thousand two hundred sixty-seven and 3/10 (2267.3) feet to a point; thence South one degree, three minutes (1°-03") West [five hundred sixty-three and 6/10 (563.6)] feet to a point; thence North eighty-five degrees, twelve minutes (85°-12") East five hundred and ninety-six and 5/10 (596.5) feet to a point; thence South zero degrees, forty-nine minutes (0°-49") West four hundred six and 8/10 (406.8) feet to a point; thence North eighty-four degrees, two minutes (84°-02") East six hundred three and 5/10 (603.5) feet to a point; thence South one degree, twenty-six minutes (1°-26") West four hundred forty-four and 8/10 (444.8) feet to the point of intersection with the West Shore of Lake Winnebago; thence Southwesterly along said shore to a point of intersection with the following described line:

Commencing at a point on the North line of Section 6, Township 18 North, Range 17 East which is sixty (60) feet East of the Northwest corner of said Section 6; thence South four degrees, zero minutes (4°-0") East eight hundred fifty-eight (858.0) feet on a line parallel to the West line of said Section 6; thence South thirty-nine degrees, forty-nine minutes (39°-49") East ninety-seven (97.0) feet; thence North eighty-one degrees, thirty minutes (81°-30") East one thousand two hundred fifty-five (1255.0) feet; thence South sixty degrees, thirty-six minutes (60°-36") East one thousand six hundred nineteen (1619.0) feet; thence South twenty-six degrees, twenty-four minutes (26°-24") West sixty and 12/100 (60.12) feet; thence South eighty degrees, thirty-six minutes (80°-36") East, one hundred ninety-seven and 9/10 (197.9) feet to the shore of Lake Winnebago..."

at a price of not less than \$300 an acre to Winnebago county subject to the restrictive covenant that, except as provided in SECTION 2 of this act, such land shall only be used for park purposes and that if such land is used for purposes other than that of a park title to said land shall automatically revert to the state of Wisconsin and the department of health and social services and whatever other terms, conditions and covenants as the secretary determines; and the proceeds of such sale credited to the appropriation made by section 20.670 (1) (a) of the statutes and the secretary is authorized to pay the expenses of such sale out of said appropriation.

SECTION 3694fm. Laws of 1967, chapter 307, section 2 is created to read:

Vetoed
in Part

[Laws of 1967, chapter 307] Section 2 (1) Notwithstanding the restrictive covenant under SECTION 1 of this act, Winnebago county may convey to the department of natural resources approximately 17 acres of the land described under SECTION 1 of this act, if all of the conditions under subsections (2) to (4) are met.

(2) In exchange for the land conveyed to the department of natural resources under this SECTION, the department of natural resources shall convey to Winnebago county land that is of equivalent value to the land conveyed by the county under this SECTION and that is contiguous to the land described under SECTION 1 of this act.

(3) Winnebago county shall use the land conveyed to it under this SECTION only for park purposes.

(4) The department of natural resources may use the land conveyed to it under this SECTION to place an administrative and operations facility. If the facility is placed on the land, it shall be designed and operated so as not to conflict with the county's use of its remaining land under SECTION 1 of this act and the county's use of the land conveyed to the county under this SECTION for park purposes.

Vetoed in Part SECTION 3694kk. 1983 Wisconsin Act 536, section 4 is amended to read:

[1983 Wisconsin Act 536] Section 4. Effective date. This act takes effect on the first day of the 3rd month commencing after the governor certifies, by executive order directed to the secretary of agriculture, food and trade and consumer protection and published in the official state newspaper, that all states contiguous to the borders of this state have in effect milk content requirements identical to those requirements created by this act.

SECTION 3695. 1989 Wisconsin Act 31, section 3023 (22b) is renumbered 146.80 (4) of the statutes and amended to read:

146.80 (4) FAMILY PLANNING SERVICES. From the appropriation under section s. 20.435 (1) (f) of the statutes, as affected by this act, the department of health and social services shall allocate funds in the following amounts, for the following services:

(a) For each of state fiscal years 1989-90 and 1990-91 year, \$225,000 to establish and maintain 2 city-based clinics for delivery of family planning services under this section 146.80 of the statutes, in the cities of Milwaukee, Racine or Kenosha.

(b) For each of state fiscal years 1989-90 and 1990-91 year, \$67,500 to subsidize the provision by family planning agencies under this section 146.80 of the statutes of papanicolaou tests to individuals with low income. In this paragraph, "low income" means adjusted gross income that is less than 200% of the poverty line established under 42 USC 9902 (2).

(c) For each of state fiscal years 1989-90 and 1990-91 year, \$54,000 to subsidize the provision by family planning agencies under this section 146.80 of the statutes of follow-up cancer screening.

(d) For each of state fiscal years 1989-90 and 1990-91 year, \$31,500 as grants to applying family planning agencies under this section 146.80 of the statutes for employment in communities of licensed registered nurses, licensed practical nurses, certified nurse-midwives or certified physician's assistants who are members of a racial minority.

(e) For each of state fiscal years 1989-90 and 1990-91 year, \$36,000 to initiate, in areas of high incidence of the disease chlamydia, education and outreach programs to locate, educate and treat individuals at high risk of contracting the disease chlamydia and their partners.

SECTION 3696. 1989 Wisconsin Act 31, section 3023 (22c) (intro.), (a) and (b) are renumbered 46.996 (intro.), (1) and (2) of the statutes and amended to read:

46.996 Adolescent services. (intro.) From the appropriation under section s. 20.435 (7) (er) of the statutes, as created by this act, the department of health and social services shall allocate funds in the following amounts:

(1) To a county with a population of 500,000 or more, for each of state fiscal years 1989-90 and 1990-91 year, \$250,000 for the development and continued operation, in an area of high need as determined by the department, of an adolescent resource center to provide services including educational tutoring; counseling; recreational programming; health care, including direct service or referral and follow-up for physical and mental health screening, assessment and treatment; employment skills training; job intake and placement support; family social services; alcohol and other drug abuse programming; and cultural enrichment activities.

(2) To a county with a population of 500,000 or more, for each of state fiscal years 1989-90 and 1990-91 year, \$50,000 to each of 2 organizations operated by members of a racial minority for members of that minority, to provide services related to development of adolescent parenting skills.

SECTION 3697. 1989 Wisconsin Act 31, section 3023 (22p) is repealed.

SECTION 3697c. 1989 Wisconsin Act 31, section 3023 (22x) (a) 2 is renumbered 46.717 of the statutes and amended to read:

46.717 (title) Alcohol and other drug abuse treatment; hearing impaired. In state fiscal year 1989-90 expend \$100,000 and in state fiscal year 1990-91 expend \$200,000 to establish From the appropriation under s. 20.435 (7) (md), the department shall allocate \$160,000 in fiscal year 1991-92 for a pilot alcohol and other drug abuse treatment program, within an existing alcohol and other drug abuse treatment program, for hearing-impaired individuals. The department shall provide a grant to an applying organization to develop and operate the pilot program and shall, at the end of state fiscal year 1990-91, evaluate the pilot

program to determine its effectiveness in serving hearing-impaired alcohol or other drug abusers.

Vetoed in Part ~~SECTION 3697m. 1989 Wisconsin Act 31, section 3023 (23p) (a) 6 is renumbered 46.95 (2) (f) of the statutes and amended to read:~~

~~46.95 (2) (f). Provide Notwithstanding par. (d), the department shall provide from the appropriation under s. 20.435 (7) (cb) \$30,000 in fiscal year 1989-90, 1991-92 and \$30,000 in fiscal year 1990-91, 1992-93 to fund a pilot program to be administered by the domestic violence center in Manitowish county. The pilot Notwithstanding par. (a), the program shall provide direct services to children who have been physically, emotionally or sexually abused and to children who live in homes where there has been domestic violence abuse between adults. Services provided by the pilot program shall include child care, intake, individual counseling, counseling through support groups and referral and coordination to other community services and resources.~~

SECTION 3698. 1989 Wisconsin Act 31, section 3023 (24z) (title), (a) and (b) are renumbered 146.0277 (title), (1) and (2) of the statutes and amended to read:

146.0277 (title) Rural cervical cancer treatment training. (1) In this subsection section, "nurse practitioner" means a registered nurse licensed under chapter ch. 441 of the statutes, whose practice of professional nursing under section s. 441.11 (4) of the statutes includes performance of delegated medical services under the supervision of a physician, dentist or podiatrist.

(2) From the appropriation under section s. 20.435 (1) (cf) of the statutes, as created by this act, the department of health and social services shall allocate \$25,000 in each of state fiscal years 1989-90 and 1990-91 year to applying organizations for the provision of specialized training of nurse practitioners to perform, in rural areas, colposcopic examinations and follow-up activities for treatment of cervical cancer.

SECTION 3699. 1989 Wisconsin Act 31, section 3023 (24z) (c) is repealed.

SECTION 3700. 1989 Wisconsin Act 31, section 3023 (26w) is repealed.

Vetoed in Part ~~SECTION 3700m. 1989 Wisconsin Act 31, section 3028 (3x) (title), (a) to (c) and (f) are renumbered 101.235 (title), (1) to (3) and (4) of the statutes and amended to read:~~

~~101.235 (title) Job center networks.~~ (1) In this subsection section, "job center network" means an office or similar location where individuals help employers find qualified employees and help individuals seeking employment prepare for and start employment.

(2) The department of industry, labor and human relations, the department of health and social services, the state board of vocational, technical and adult education and other appropriate state bodies shall cooperate to develop and maintain operate job center pilot

projects which demonstrate how networks to improve the quality and efficiency of employment and training services by consolidating or coordinating related functions performed by state, local and private bodies.

(3) ~~The From the amounts appropriated under s. 20.445 (1) (c), the department of industry, labor and human relations shall seek proposals from make grants to groups of public and private employment and training bodies for the planning, development and operation of job center pilot projects networks. The department of industry, labor and human relations shall establish eligibility criteria for participation in proposing and operating job centers center networks. The local body responsible for administering the federal job training partnership act, 29 USC 1501 to 1791j, and the subunit of the department of industry, labor and human relations responsible for the provision of employment services under section s. 101.23 of the statutes shall participate in each proposal and the operation of each job center network. The department of industry, labor and human relations may require the inclusion of other specified bodies in proposing and operating job centers center networks.~~

(4) ~~This subsection section does not apply after June 30, 1991 1995.~~

~~SECTION 3700n. 1989 Wisconsin Act 31, section 3028 (3x) (d) and (e) are repealed.~~

SECTION 3701. 1989 Wisconsin Act 31, section 3053 (2g) is repealed.

SECTION 3701m. 1989 Wisconsin Act 31, section 3053 (7x) is repealed.

SECTION 3703. 1989 Wisconsin Act 31, section 3203 (5) (an) is amended to read:

[1989 Wisconsin Act 31] Section 3203 (5) (an) *Rural arts grants.* The repeal of sections 20.215 (1) (e) and 44.58 of the statutes takes effect on July 1, 1992 1993.

~~SECTION 3703m. 1989 Wisconsin Act 122, section 3023 (7f) is amended to read:~~

~~[1989 Wisconsin Act 122] Section 3023 (7f) SERVICES FOR HOMELESS INDIVIDUALS, REPORT. The department of health and social services shall collect and analyze information about the programs funded under section 46.48 (20) and (21) of the statutes, as created by this act, evaluate the programs' effectiveness and submit a report of the evaluation that includes recommendations about continued funding and fund sources to the governor and the chief clerk of each house of the legislature for distribution to the appropriate standing committees in the manner provided in section 13.172 (3) of the statutes by July and to the joint committee on finance by February 1, 1992.~~

~~SECTION 3703p. 1989 Wisconsin Act 122, section 3058 (1) (title) is renumbered 165.28 (title) of the statutes and amended to read:~~

~~165.28 (title) Drug abatement team pilot grant.~~

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed
in Part

~~SECTION 3703g. 1989 Wisconsin Act 122, section 3058 (1) (intro.) is renumbered 165.28 (1) of the statutes and amended to read:~~

~~165.28 (1). From the appropriation under section 5.20.455 (2) (dm) of the statutes, as created by this act, during the 1989-91 biennium, the department of justice shall award a grant to a 1st class city for a drug abatement team pilot project. Notwithstanding s. 165.87 (1) (bm), no local matching funds are required for a grant received under this section. The grant shall include funds for equipment necessary for operation of the drug abatement team. The drug abatement team shall be appointed by the mayor, and shall be composed of include outreach workers from the affected neighborhoods who represent local community organizations, health, fire and building inspectors, police, attorneys and support staff and.~~

~~(2) The drug abatement team shall do all of the following:~~

~~SECTION 3703r. 1989 Wisconsin Act 122, section 3058 (1) (a) to (d) are renumbered 165.28 (2) (a) to (d) of the statutes, and 165.28 (2) (a) and (d), as renumbered, are amended to read:~~

~~165.28 (2) (a). Identify houses located in the city where controlled substances, as defined in chapter ch. 161 of the statutes, are illegally manufactured or delivered.~~

~~(d). Proceed under sections ss. 823.113 to 823.115 of the statutes, as created by this act, to have the drug house declared a nuisance, closed and sold or razed.~~

SECTION 3704. 1989 Wisconsin Act 297, section 3 is amended to read:

[1989 Wisconsin Act 297] Section 3. **Nonstatutory provisions.** (1) Notwithstanding section 115.88 (7) (a) of the statutes, any discretionary federal aid received under 20 USC 1411 (c) (1) (A) during the 1990-91 1991-92 school year by a school district that incurred a financial burden in that school year as a result of the transfer of handicapped pupils from a state institution shall not be deducted from costs aidable under section 115.88 of the statutes when calculating aids paid under that section in the 1991-92 1992-93 school year.

(2) Notwithstanding section 121.83 (1) (a) of the statutes, any discretionary federal aid received under 20 USC 1411 (c) (1) (A) during the 1990-91 1991-92 school year by a school district that incurred a financial burden in that school year as a result of the transfer of handicapped pupils from a state institution shall not be treated as an offsetting receipt for purposes of determining net school cost under section 121.83 of the statutes.

SECTION 3704r. 1989 Wisconsin Act 307, section 71 is repealed.

SECTION 3705. 1989 Wisconsin Act 307, section 103 (3) (b) is amended to read:

[1989 Wisconsin Act 307] Section 103 (3) (b) *Registration fees; cemetery preneed sellers.* In its 1991-93 biennial budget request under section 16.42 of the statutes, the department of regulation and licensing

shall recommend establishing in the statutes the initial and renewal fees for cemetery preneed sellers specified in the rules promulgated under section 440.92 (1) (d) of the statutes, as created by this act, ~~and any filing fees for annual reports of cemetery authorities that are established in rules promulgated under section 157.62 (7) of the statutes, as created by this act.~~

SECTION 3705m. 1989 Wisconsin Act 335, section 85 (7) is repealed.

SECTION 3706. 1989 Wisconsin Act 336, section 3015 (1m) (title) and (b) (intro.), 2, 4 and 5 are amended to read:

[1989 Wisconsin Act 336] Section 3015 (1m) (title) **FIRM GRANT OR LOAN.**

(b) (intro.) The department may make a grant or loan from the appropriation under section 20.143 (1) (c) of the statutes, as affected by this act, to a firm, if all of the following apply:

2. The firm submits to the department a plan detailing the proposed use of the grant or loan proceeds, and the secretary approves the plan under paragraph (c).

4. The firm enters into a written agreement with the department specifying the terms of the grant or loan, including reporting and auditing requirements.

5. The amount of the grant or loan does not exceed \$1,200,000.

SECTION 3707. 1989 Wisconsin Act 336, section 3015 (1m) (c) 1 and 2, (d) and (f) are amended to read:

[1989 Wisconsin Act 336] Section 3015 (1m) (c) 1. The firm proposes to use the grant or loan proceeds to cover expenses necessary to maintain the sound business and financial operations of the facility.

2. The secretary determines that the proposed use of the grant or loan proceeds is likely to lead to jobs in an area of the state with high unemployment and a low average income.

(d) A firm that receives a grant or loan under this subsection shall submit to the secretary a report describing how the grant or loan proceeds were actually used. The report shall be submitted within 2 years after receiving the grant or loan.

(f) The department may not make a grant or loan under this subsection after June 30, 1994 1993.

SECTION 3708. 1989 Wisconsin Act 336, section 3015 (1m) (g) is created to read:

[1989 Wisconsin Act 336] Section 3015 (1m) (g) The department may forgive all or part of a loan under this subsection and all or part of the interest on a loan under this subsection.

SECTION 3709. 1989 Wisconsin Act 336, section 3023 (3x) (title) and (a) (intro.) and 1 to 7 are renumbered 146.0275 (title) and (1) (intro.) and (a) to (f) of the statutes, and 146.0275 (1) (intro.), (a) and (c), as renumbered, are amended to read:

146.0275 (1) **DEFINITIONS.** (intro.) In this subsection:

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(a) "Hospital" has the meaning given in section s. 50.33 (2) of the statutes.

(c) "Nonprofit corporation" means a nonstock, nonprofit corporation organized under chapter ch. 181 of the statutes or a nonprofit corporation organized under chapter ch. 180 of the statutes prior to before July 1, 1953.

SECTION 3710. 1989 Wisconsin Act 336, section 3023 (3x) (b) (intro.) and 1. (intro.) are consolidated, renumbered 146.0275 (2) (intro.) of the statutes and amended to read:

146.0275 (2) BREAST CANCER SCREENING PROGRAM. (intro.) From the appropriation under section s. 20.435 (1) (cc) of the statutes, the department of ~~health and social services~~ shall, in state each fiscal year 1990-94, administer a breast cancer screening program and allocate: ~~1. Up up to \$422,600 as grants for provision of mammography services to women who are aged 40 years or older and who reside in the county of Adams, Clark, Dunn, Iron, Kewaunee, Langlade, Marquette, Oconto, Price, Taylor, Trempealeau or Wood in this state county.~~ Grants shall be awarded to an applying hospital or organization that has a mobile or portable mammography unit available for use in an area of service under this ~~subdivision subsection~~ and that is selected by the department of ~~health and social services~~ under procedures established by the department. Payment for services provided under a grant shall be as follows:

SECTION 3711. 1989 Wisconsin Act 336, section 3023 (3x) (b) 1. a. to c. are renumbered 146.0275 (2) (a) to (c) of the statutes.

SECTION 3712. 1989 Wisconsin Act 336, section 3203 (48) (a) is amended to read:

[1989 Wisconsin Act 336] Section 3203 (48) (a) *Telecommunications.* 1. The treatment of section 76.38 (3), (4) (intro.), (5) (intro.), (5m) (intro.), (5r) and (6) of the statutes takes effect on January 1, 1992.

SECTION 3713. 1989 Wisconsin Act 336, section 3203 (48) (a) 2 is created to read:

[1989 Wisconsin Act 336] Section 3203 (48) (a) 2. The treatment of section 76.38 (5) (intro.) and (5m) (intro.) of the statutes takes effect on May 1, 1990.

SECTION 3714. 1989 Wisconsin Act 336, section 3203 (48) (bp) is repealed.

SECTION 9101. **Nonstatutory provisions; administration.**

~~(1b) TRANSFER OF MAILING SERVICES FUNCTIONS.~~

Vetoed in Part (a) *Definition.* In this subsection, "agency" has the meaning given in section 16.52 (7) of the statutes.

(b) *Review.* The department of administration shall review the performance of mailing services functions by agencies and shall recommend to the joint committee on finance no later than June 30, 1993, the transfer of any mailing services function from an agency to the department of administration that the department believes can be more efficiently and economically operated by the department.

(1q) ALLOCATION OF OIL OVERCHARGE FUNDS TO THE EMPLOYMENT TRANSIT ASSISTANCE PROGRAM.

(a) Notwithstanding section 14.065 of the statutes, in fiscal year 1991-92, the secretary of administration shall transfer from the appropriation under section 20.505 (1) (md) of the statutes, as affected by the acts of 1991, to the appropriation under section 20.395 (1) (bz) of the statutes, as affected by the acts of 1991, \$494,400 in oil overcharge funds, not authorized before the effective date of this paragraph for expenditure by the joint committee on finance, for the employment transit assistance program under section 85.26 of the statutes.

(b) Notwithstanding section 14.065 of the statutes, in fiscal year 1992-93, the secretary of administration shall transfer from the appropriation under section 20.505 (1) (md) of the statutes, as affected by the acts of 1991, to the appropriation under section 20.395 (1) (bz) of the statutes, as affected by the acts of 1991, \$504,100 in oil overcharge funds, not authorized before the effective date of this paragraph for expenditure by the joint committee on finance, for the employment transit assistance program under section 85.26 of the statutes.

~~(2w) COMMUNITY LAND TRUST STUDY. The division of housing in the department of administration, in consultation with the department of development, shall prepare a report on the feasibility of establishing community land trusts in this state. Before June 1, 1992, the division shall submit the report to the chief clerk of each house of the legislature for distribution to the appropriate committees in the manner provided under section 13.172 (3) of the statutes. The report shall specifically address all of the following:~~ **Vetoed in Part**

~~(a) The methods available to finance a community land trust, including a determination of whether federal regulations permit the use of federal small cities community development block grant funds for this purpose.~~

~~(b) The potential for community land trusts to provide housing opportunities for low-income and homeless persons in this state.~~

~~(c) The areas of this state in which the establishment of a community land trust would be most beneficial to low-income and homeless persons.~~

(3) PROSECUTION OF DRUG CRIMES. From federal and program revenue moneys appropriated to the department of administration for the office of justice assistance under section 20.505 (6) (g) of the statutes, as affected by this act, and section 20.505 (6) (pb) of the statutes, the department shall expend \$89,600 in fiscal year 1991-92 and \$107,600 in fiscal year 1992-93 to provide the multi-jurisdictional enforcement group serving Milwaukee county with funding for additional assistant district attorneys, notwithstanding section 978.13 (1) (a) of the statutes, as affected by this act, to prosecute criminal violations of chapter 161 of the statutes. The funding is not subject to the grant proce-

dures under section 16.964 (2m) of the statutes, as affected by this act.

Vetoed
in Part

~~(3d) VIOLENT CRIME POSITION AUTHORIZATIONS. The authorized FTE positions for the department of administration are increased by 4.0 GPR positions on August 1, 1992, to primarily handle violent crime cases in the 1st judicial administrative district, to be funded from the appropriation under section 20.475 (1) (d) of the statutes, as created by this act.~~

~~(3n) POSITION AUTHORIZATION, ASSISTANT DISTRICT ATTORNEY FOR TAYLOR COUNTY. The authorized FTE positions for the department of administration are increased by 0.5 GPR position for an assistant district attorney for Taylor county.~~

Vetoed
in Part

~~(3n) PARALEGAL EMPLOYEES IN DISTRICT ATTORNEY OFFICES.~~

~~(a) The department of administration shall assess all of the following:~~

~~1. The extent to which paralegal employees in district attorney offices provide prosecutorial services compared to the extent to which they perform support services.~~

~~2. The extent to which caseload relief for district attorney offices can be provided by increasing paralegal positions compared to the extent to which caseload relief can be provided by increasing attorney positions.~~

~~(b) The department shall report its findings, conclusions and recommendations to the governor and the joint committee on finance by January 1, 1992.~~

~~(4mx) PRIVACY COUNCIL.~~

~~(a) The terms of the initial members of the privacy council appointed under section 15.107 (13) (a) of the statutes, as created by this act, expire as follows:~~

Vetoed
in Part

~~1. The 2 members who were appointed under section 15.107 (13) (a) 1 and 2, as created by this act, on July 1, 1993.~~

Vetoed
in Part

~~2. The 3 members who were appointed under section 15.107 (13) (a) 3 to 5, as created by this act, on July 1, 1994.~~

Vetoed
in Part

~~3. The 2 members who were appointed under section 15.107 (13) (a) 6 and 7, as created by this act, on July 1, 1995.~~

~~(b) 1. In this paragraph:~~

~~a. "Authority" has the meaning specified in section 19.32 (1) of the statutes.~~

~~b. "Personally identifiable information" has the meaning specified in section 19.62 (5) of the statutes, as created by this act.~~

~~2. As part of the privacy advocate's review of the adequacy of personal privacy protection policies under section 19.63 (1) (f) of the statutes, as created by this act, the privacy advocate shall study all of the following:~~

~~a. The need for requiring authorities to do the following: 1) maintain on the date of collection and source of personally identifiable information which the authority may use to make a determination~~

adverse to the subject of the information; and 2) notify an individual when an authority discloses personally identifiable information about the individual to the private sector, if the disclosure is not made under section 19.35 of the statutes.

b. The need for expanding the applicability to other authorities, including local governments, of the following: 1) the notice requirements in section 15.04 (1) (m) of the statutes, as affected by this act; 2) the registry of records series created under section 16.61 (3) (u) of the statutes, as created by this act; 3) the requirement for a matching agreement under section 19.69 (1) of the statutes, as created by this act; and 4) the ability of an individual to request that his or her name, address or other identifier not be disclosed by an authority, as presently authorized under sections 341.08 (1m) and 343.14 (2) (j) of the statutes, as created by this act.

3. The privacy advocate shall submit a report on the findings and recommendations of the study under subdivision 2 to the governor and chief clerk of each house of the legislature for distribution in the manner provided under section 13.172 (2) of the statutes on or before June 30, 1993.

(4my) PRIVACY ADVOCATE POSITIONS. The authorized FTE positions for the department of administration are increased by 4.0 GPR positions to be funded from the appropriation under section 20.505 (4) (fz) of the statutes, as created by this act, for the privacy advocate and staff for the privacy advocate.

(6) HOUSING STRATEGY PLAN. Notwithstanding section 16.31 (4) of the statutes, as created by this act, the department of administration shall submit its initial state housing strategy plan before January 1, 1992.

~~(6b) ENHANCED URBAN HOMEOWNERSHIP PROGRAM GRANT. From the appropriation under section 20.505 (7) (d) of the statutes, as amended by this act, the department of administration shall award a grant of \$20,000 to the Washington Heights neighborhood association, Inc., for the purpose of assisting the Washington Heights neighborhood association, Inc., to rent and operate a facility at which it may conduct community homeownership activities, including home-buying seminars, tenant rights and responsibilities workshops and maintenance of housing stock data and local school information.~~

Vetoed
in Part

(6g) PAYMENTS TO THE DIRECTOR OF STATE COURTS.

(a) From federal and program revenue moneys appropriated to the department of administration for the office of justice assistance under section 20.505 (6) (g) and (pb) of the statutes, the department of administration shall pay \$191,900 in fiscal year 1991-92 to the director of state courts to reimburse the county for costs incurred in operating one circuit court branch in the 1st judicial administrative district that primarily handles drug-related cases.

(b) From federal and program revenue moneys appropriated to the department of administration for the office of justice assistance under section 20.505 (6)

(g) and (pb) of the statutes, the department of administration shall pay \$196,800 in fiscal year 1992-93 to the director of state courts to reimburse the county for costs incurred in operating one circuit court branch in the 1st judicial administrative district that primarily handles drug-related cases.

(7) PAYMENTS TO THE DEPARTMENT OF JUSTICE.

(a) From federal and program revenue moneys appropriated to the department of administration for the office of justice assistance under section 20.505 (6) (h) of the statutes, as affected by this act, and section 20.505 (6) (pc) of the statutes, the department of administration shall pay \$888,400 in fiscal year 1992-93 to the department of justice for the purchase of an automated fingerprint identification system.

(d) From federal and program revenue moneys appropriated to the department of administration for the office of justice assistance under section 20.505 (6) (g) of the statutes, as affected by this act, and section 20.505 (6) (pb) of the statutes, the department of administration shall pay \$650,000 in fiscal year 1991-92 and \$750,000 in fiscal year 1992-93 to the department of justice to provide a grant to a 1st class city for a drug abatement team pilot program.

(8n) MADISON CHILD CARE CENTER. In order to determine how to provide the most suitable and cost-effective child care services for employees of agencies under section 16.841 of the statutes, as created by this act, the department of administration shall, during the 1991-93 fiscal biennium, issue a request for competitive sealed proposals under section 16.75 (2m) of the statutes to potential child care providers. Under the request, a child care provider may include a proposal to offset leasing costs incurred by the department of administration in providing child care facilities. After review of any proposals, the department may proceed as provided in section 16.841 of the statutes, as created by this act.

(8q) SNOWMOBILE GAS TAX SUPPLEMENTAL PAYMENT. The department of administration shall calculate the difference between the amount that it would have paid for fiscal year 1991-92 on or before the effective date of this subsection from the moneys appropriated under section 20.855 (4) (t) of the statutes, as affected by this act, using the calculation method under section 25.29 (1) (d) of the statutes, as affected by this act, and the amount of such moneys that it did pay on or before the effective date of this subsection in fiscal year 1991-92 using the calculation method under section 25.29 (1) (d), 1989 stats. The department of administration shall make an additional payment in an amount equal to this difference from the moneys appropriated under section 20.855 (4) (t) of the statutes, as affected by this act, into the conservation fund within 30 days after the effective date of this subsection.

Vetoed
in Part

~~(9b) DEPARTMENT OF NATURAL RESOURCES MAILING SERVICES. The department of administration shall sub-~~

~~mit a report to the joint committee on finance at its 4th quarterly meeting under section 13.10 of the statutes in 1991 evaluating the advantages and disadvantages of transferring the mailing services function of the department of natural resources to the department of administration, and shall provide to the committee the recommendation of the department of administration concerning such a transfer.~~

Vetoed
in Part

(9c) MANAGEMENT AND EFFICIENCY STUDY. The department of administration shall contract with a private consultant to study the management and operational efficiency of the department of health and social services, the department of natural resources or the university of Wisconsin system. The study shall include an examination of the current operation of the department or agency selected by the department of administration for the study and the current organizational arrangements and staffing levels of that department or agency. The study shall be accompanied by a report that contains specific recommendations for changes in staffing levels. The report shall specifically address whether any positions may be reallocated or eliminated without an unacceptable reduction in operational efficiency. The secretary of administration shall transmit the report to the governor and to the chief clerk of each house of the legislature for distribution to the legislature in the manner provided in section 13.172 (2) of the statutes no later than January 1, 1993.

(9d) INFORMATION TECHNOLOGY STRATEGIC PLANNING.

(a) In this subsection, "information technology" means the electronic processing, storage and transmission of information.

(b) The department of administration shall develop a statewide information technology strategic planning process and shall report to the joint committee on finance no later than December 15, 1992, concerning the initial strategic planning actions of the department, and the expected benefits, additional resource requirements and the future directions of the strategic planning activities of state agencies with regard to information technology.

(9e) ~~CLEAN ENERGY REBATE PROGRAM.~~

~~(a) Position. The authorized FTE positions for the department of administration are increased by 1.0 GPR position, to be funded from the appropriation under section 20.505 (1) (e) of the statutes, as created by this act, for the purpose of administering the clean energy rebate program.~~

Vetoed
in Part

~~(b) Rules. The department of administration shall submit the proposed rules required under section 16.957 (4) of the statutes, as created by this act, to the legislative council staff under section 227.15 (1) of the statutes no later than the first day of the 4th month beginning after the effective date of this paragraph.~~

Vetoed
in Part

(9p) CASE MANAGEMENT AND TIME-REPORTING METHODOLOGY. The secretary of administration, state pub-

lic defender and attorney general shall jointly develop a case management and time-reporting methodology for use by each district attorney, deputy district attorney and assistant district attorney, each trial and appellate staff attorney of the office of the state public defender and each assistant attorney general. The proposed methodology shall be submitted no later than March 1, 1992, to the joint committee on finance for approval.

Vetoed
in Part

Vetoed
in Part

~~(9x) MILWAUKEE PUBLIC MUSEUM. From the appropriation under section 20.855 (10) (a) of the statutes, as created by this act, the department of administration shall reimburse the Milwaukee public museum, in fiscal year 1991-92, for costs incurred by the museum in 1991, in an amount not to exceed \$500,000 for the design and construction of a large-screen theater.~~

(10h) NEW STATE ACCOUNTING SYSTEM STUDY.

(a) The department of administration shall study the state's requirements for development of an automated state accounting system. The study shall include:

1. A definition of the characteristics that are needed in a new system by state agencies for management information and by the department of administration for statewide level financial processing and reporting.

2. A detailed estimate of the costs of development and operation of a new system and the value of the benefits of a new system.

3. Specification of procedures for the programming and implementation of the new system, and identification of the numbers and types of state employees and consultants needed for programming the new system.

(b) The department of administration shall submit the results of the study, together with its recommendations, to the joint committee on finance no later than October 30, 1992.

Vetoed
in Part

~~(11z) RACINE ZOO GRANT. The department of administration shall grant \$150,000 from the appropriation under section 20.505 (1) (fo) of the statutes, as created by this act, during the 1991-92 fiscal year to the city of Racine for capital improvements at the city zoo.~~

Vetoed
in Part

~~(12g) NATIONAL AERIAL PHOTOGRAPHY PROGRAM. The department of administration shall contract with the U.S. geological survey for participation by this state in the national aerial photography program during the 1991-92 fiscal year. The purpose of the contract shall be to conduct an aerial photographic survey of this state during the period when deciduous vegetation is not in leafed condition. The department shall make payment for the survey from the appropriation under section 20.505 (1) (fo) of the statutes, as created by this act.~~

(13w) INITIAL COSTS OF DIVISION OF INFORMATION TECHNOLOGY SERVICES. During the period prior to July 1, 1992, the department of administration may assess the department of industry, labor and human relations and the appropriations under section 20.855 (8) (k) and (ka) of the statutes for the initial costs of estab-

lishment and operation of the division of information technology services in the department of administration, in accordance with the proportion that the data processing services funded by the department of industry, labor and human relations and each of the appropriations under section 20.855 (8) (k) and (ka) of the statutes bears to the total of such services funded by and from those sources during the 1989-91 fiscal biennium, as determined by the department of administration.

(13x) TRANSFER OF INFORMATION TECHNOLOGY PROCESSING FUNCTIONS.

(a) In this subsection:

1. "Agency" has the meaning given under section 16.70 (1) of the statutes.

2. "Division" means the division of information technology services in the department of administration, as created by this act.

3. "Information technology" has the meaning given under section 16.97 (6) of the statutes, as created by this act.

4. "Judicial branch agency" has the meaning given under section 16.70 (5) of the statutes.

5. "Legislative service agency" has the meaning given under section 16.70 (6) of the statutes.

(b) 1. ~~No later than 60 days after the effective date of this paragraph, the department of administration shall submit to the cochairpersons of the joint committee on finance an implementation plan for transferring responsibilities of agencies relating to information technology processing functions to the division on a date specified in the plan not later than June 30, 1994. The plan shall not include provision for transfer of responsibilities of the university of Wisconsin system or any subunit thereof unless the board of regents of the university of Wisconsin system requests a transfer. The plan shall not include provision for transfer of responsibilities of any judicial branch agency or legislative service agency unless the head of the agency requests such a transfer. The plan shall not include provision for transfer of any responsibilities of any other unit of the legislature unless the joint committee on legislative organization requests such a transfer. The plan shall not include provision for transfer of any responsibilities of any other unit of the court system unless the director of state courts requests such a transfer. The plan shall take effect upon approval of the plan by the joint committee on finance.~~

Vetoed
in Part

Vetoed
in Part

2. ~~Following approval of the plan, the department of administration shall notify the cochairpersons of the joint committee on finance in writing of any proposed change, including any proposed change in the numbers and types of positions to be transferred to the division, made by the department in the plan after the date of submittal under this paragraph, prior to implementation of the proposed change. If within 14 working days after the date of submittal of the proposed change, the cochairpersons do not notify the~~

Vetoed
in Part

Vetoed
in Part

Vetoed
in Part

department of administration that the committee has scheduled a meeting for the purpose of reviewing the proposed change, the department may implement the change. If, within 14 working days after the date of submittal of the proposed change, the cochairpersons notify the department of administration that the committee has scheduled a meeting for the purpose of reviewing the proposed change, the department may implement the proposed change only upon approval of the proposed change by the committee.

(c) All agencies shall cooperate fully with the department of administration in implementing the plan submitted under paragraph (b).

(d) Prior to July 1, 1994, the division and the departments of health and social services; industry, labor and human relations; natural resources; public instruction; and transportation shall coordinate the delivery to agencies of services and billings and the transfer of assets and personnel relating to information technology processing functions in accordance with the plan submitted under paragraph (b). If there is any dispute between the division and these agencies relating to any matter contained in the plan, the secretary of administration shall determine the matter.

(e) Prior to July 1, 1993, the regional data processing service centers established under section 16.971 (1) of the statutes, as affected by this act, shall in establishing rates for services provided to agencies, charge agencies for all costs of information technology processing services obtained by the centers from the division. The secretary of administration shall include in the 1993-95 biennial budget compilation under section 16.43 of the statutes a recommendation concerning any amounts to be deposited into or lapsed to any fund, transferred to or from any appropriation, or appropriated to any agency to reflect increased or decreased costs of agencies for information technology processing services or to compensate agencies or funds for the value of assets transferred to the division. The secretary of administration shall also include in the 1993-95 budget compilation under section 16.43 of the statutes any recommended adjustments to agency appropriations for the 1993-95 fiscal biennium to reflect the permanent transfer of personnel, functions and assets from agencies to the division.

Vetoed
in Part

(f) The plan submitted under paragraph (b) may provide that on the effective date of any transfer, specified assets and liabilities of the transferring agency relating to its information technology processing functions, as determined by the department of administration, shall become the assets and liabilities of the division.

(g) The plan submitted under paragraph (b) may provide that on the effective date of any transfer, specified materials, supplies, furniture and capital equipment of the transferring agency relating to its information technology processing functions, as determined by the department of administration, are transferred to the division.

(h) The plan submitted under paragraph (b) shall include identification of the numbers and types of authorized FTE positions utilized by any transferring agency for specified information technology processing functions. On the effective date of any transfer, the positions and incumbents in the positions identified in the plan are transferred to the division. The secretary of administration shall appoint the incumbents transferred under this paragraph to the positions transferred under this paragraph which correspond to the positions held by the incumbents on the day prior to the effective date of the transfer. Employees transferred to the department of administration under this paragraph have all of the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes, as affected by this act, in the department of administration that they enjoyed in the agency by which they were employed immediately prior to transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class may be required to serve a probationary period.

(i) The plan submitted under paragraph (b) may provide that on the effective date of any transfer, specified records of the transferring agency relating to its information technology processing functions, as determined by the department of administration, are transferred to the division.

(j) The plan submitted under paragraph (b) may provide that specified contracts entered into by the transferring agency relating to its information technology processing functions, which are in effect on the effective date of any transfer, remain in effect and are transferred to the division. Unless modified or rescinded, the contractual obligations arising under all such contracts shall be carried out by the division.

(k) The plan submitted under paragraph (b) may provide that specified matters pending with the transferring agency on the effective date of any transfer relating to its information technology processing functions are transferred to the division. All materials submitted to or actions taken by the transferring agency with respect to the pending matters are deemed to have been submitted to or taken by the division.

(L) The plan submitted under paragraph (b) may provide that on and after the effective date of any transfer, the division may collect any amount payable prior to the effective date of the transfer to the transferring agency relating to specified information technology processing functions and the department of administration shall credit the amounts collected to the applicable account or fund as determined by the division.

~~(m) The plan submitted under paragraph (b) shall be accompanied by the recommendations of the department of administration, prepared as draft legislation in proper form, for a procedure for setting of fees to be charged for services provided by the division.~~

Vetoed
in Part

(13y) COUNCIL ON INFORMATION TECHNOLOGY; INITIAL TERMS. Notwithstanding section 15.107 (15) (b) of the statutes, as created by this act, the governor may appoint the heads of any 2 agencies, as defined in section 16.70 (1) of the statutes, to serve as members of the council on information technology, as created by this act, during the period prior to July 1, 1993.

SECTION 9104. Nonstatutory provisions; agriculture, trade and consumer protection.

(1) STRAY VOLTAGE PROJECT POSITIONS. Notwithstanding section 230.27 of the statutes, a project position to administer the stray voltage program under section 93.41 of the statutes, as affected by this act, may have a probable date of termination of August 31, 1993.

(2) SUSTAINABLE AGRICULTURE FUNDING. Notwithstanding the approval by the joint committee on finance, under section 14.065 of the statutes, of the expenditure of certain oil overcharge funds that are transferred from the appropriation under section 20.505 (1) (md) of the statutes, as affected by this act, to the appropriation under section 20.115 (7) (k) of the statutes, as affected by this act, for sustainable agriculture grants by the department of agriculture, trade and consumer protection, the department of agriculture, trade and consumer protection may spend such oil overcharge funds for sustainable agriculture grants and for positions funded from program revenues authorized under section 16.505 (1) or (2) of the statutes to administer a sustainable agriculture program.

Vetoed in Part (3i) ANIMAL HEALTH LABORATORY FEES. The department of agriculture, trade and consumer protection shall submit the proposed rules required under section 93.07 (15m) of the statutes, as created by this act, to the legislative council staff under section 227.15 (1) of the statutes no later than November 1, 1991.

Vetoed in Part (3w) MINIMUM MILK PRICES. Notwithstanding the absence of a petition under section 100.50 (2) of the statutes, as created by this act, the secretary of agriculture, trade and consumer protection shall, within 30 days after the effective date of this subsection, schedule one or more public hearings under section 100.50 of the statutes, as created by this act, to determine whether there is a need for an order establishing fair and adequate minimum prices at which milk may be purchased from milk producers in this state. The secretary shall complete the hearing process within 60 days after the effective date of this subsection and shall issue a decision within 30 days after the close of the last public hearing.

Vetoed in Part (4h) REPORT. On or before July 1, 1992, the department of agriculture, trade and consumer protection shall submit a written report to the chief clerk of each house of the legislature for distribution to the appropriate standing committees in the manner provided under section 13.172 (3) of the statutes and to the members of the joint committee on finance on the feasibility of requiring pesticide manufacturers and labelers, as a condition of licensure, to fund the disposal

costs of pesticide products, and their containers, that are sold or distributed and on the feasibility of establishing volume-based pesticide fees.

~~(4p) FAIRGROUND IMPROVEMENTS. From the appropriation under section 20.115 (4) (fg) of the statutes, as created by this act, the department of agriculture, trade and consumer protection shall allocate \$30,000 in fiscal year 1991-92 for a grant to the Rusk county board of supervisors for improvements to the Rusk county fairground and recreational area. From the amount allocated under this subsection, the department of agriculture, trade and consumer protection shall release to the Rusk county board of supervisors an amount that is equal to the amount that the Rusk county board of supervisors provides, from funds not provided by this state, for improvements to the Rusk county fairground and recreational area under section 59.69 of the statutes.~~

Vetoed in Part

~~(5m) TRANSFER OF CONSUMER PROTECTION RESPONSIBILITIES.~~

Vetoed in Part

~~(a) Assets and liabilities. On the effective date of this paragraph, the assets and liabilities of the department of agriculture, trade and consumer protection relating to the administration and enforcement of the consumer protection responsibilities transferred under this act to the department of justice, as determined by agreement between the department of agriculture, trade and consumer protection and the department of justice, shall become the assets and liabilities of the department of justice. In the case of disagreement, the department of administration shall resolve the dispute and shall develop and execute a plan for the orderly transfer thereof.~~

~~(b) Furniture, equipment and supplies. On the effective date of this paragraph, all furniture, equipment and supplies of the department of agriculture, trade and consumer protection that are used primarily for the administration and enforcement of the consumer protection responsibilities transferred under this act to the department of justice, as determined by agreement between the department of agriculture, trade and consumer protection and the department of justice, are transferred to the department of justice. In the case of disagreement, the secretary of administration shall resolve the dispute and shall develop and execute a plan for the orderly transfer thereof.~~

~~(c) Positions abolished.~~

~~1. On the effective date of this subdivision, the following FTE GPR positions in the department of agriculture, trade and consumer protection, as determined by agreement between the department of agriculture, trade and consumer protection and the department of justice, are abolished:~~

Vetoed in Part

~~b. Two regional compliance investigator supervisors.~~

~~c. One consumer specialist.~~

~~d. One hotline staff program assistant.~~

~~2. In the case of a disagreement under subdivision 1, the secretary of administration shall resolve the dis-~~

Vetoed in Part

Vetoed
in Part

shall develop and execute a plan for the orderly elimination of those positions.

(d) Transfer of positions.

1. On the effective date of this subdivision, the following positions and the incumbent employees, if any, in the following positions in the bureau of consumer protection in the division of trade and consumer protection in the department of agriculture, trade and consumer protection, as determined by agreement between the department of agriculture, trade and consumer protection and the department of justice, are transferred to the department of justice:

Vetoed
in Part

a. One FTE GPR administrative officer 3 position.

b. One FTE SEG attorney position related to the regulation of motor vehicle repair.

Vetoed
in Part

c. Two 0.5 FTE SEG clerical assistant 2 positions related to the regulation of motor vehicle repair.

Vetoed
in Part

d. Four FTE SEG investigator positions related to the regulation of motor vehicle repair.

Vetoed
in Part

e. One FTE SEG weights and measures inspector position related to recycling.

Vetoed
in Part

f. One FTE SEG environmental engineer position related to recycling.

Vetoed
in Part

g. One FTE PR administrative assistant 4 position related to ozone depletion.

Vetoed
in Part

h. One FTE PR clerical assistant 1 position related to ozone depletion.

Vetoed
in Part

i. Two FTE PR investigator positions related to ozone depletion.

Vetoed
in Part

j. Five FTE GPR investigator positions.

Vetoed
in Part

k. Three FTE GPR consumer specialist positions.

l. One FTE GPR program assistant 2 position relating to the consumer hotline.

Vetoed
in Part

m. Three FTE GPR regional program assistant 1 positions.

Vetoed
in Part

n. One FTE GPR central office program assistant 2 position.

Vetoed
in Part

2. In the case of disagreement under subdivision 1 the department of administration shall resolve the dispute and shall develop and execute a plan for the orderly transfer thereof.

(e) Employee status. Employees transferred under paragraph (d) have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes, as affected by this act, in the department of justice that they enjoyed in the department of agriculture, trade and consumer protection. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

(f) Records. On the effective date of this paragraph, all records of the department of agriculture, trade and consumer protection relating to the administration and enforcement of the consumer protection responsibilities transferred under this act to the department of justice, as determined by agreement between the department of agriculture, trade and consumer protection and the department of justice, shall become the records of the department of justice. In the case of disagreement, the department of administration shall resolve the dispute and shall develop and execute a plan for the orderly transfer thereof.

(g) Rules and orders.

1. All rules and orders issued by the department of agriculture, trade and consumer protection relating to the administration and enforcement of the consumer protection responsibilities transferred under this act to the department of justice that are in effect on the effective date of this paragraph, as determined by agreement between the department of agriculture, trade and consumer protection and the department of justice, shall remain in effect until their specified expiration date or until modified, repealed or rescinded by the department of justice, acting under the authority granted by this act or until January 1, 1994, whichever occurs first.

2. In the rules and orders transferred under subdivision 1, references to the secretary or department of agriculture, trade and consumer protection or to an officer or employee of the department of agriculture, trade and consumer protection transferred under this act to the department of justice shall be treated as references to the attorney general or department of justice or to an officer or employee of the department of justice.

(h) Contracts. All contracts entered into by the department of agriculture, trade and consumer protection that are in effect on the effective date of this paragraph remain in effect and are transferred to the department of justice. The department of justice shall carry out such contractual obligations unless they are modified or rescinded.

(i) Pending matters. Any matter pending with the secretary of agriculture, trade and consumer protection on the effective date of this paragraph relating to the administration and enforcement of the consumer protection responsibilities transferred under this act to the department of justice is transferred to the department of justice. All materials submitted to or actions taken by the secretary of agriculture, trade and consumer protection with respect to the pending matter are deemed to have been submitted to or taken by the department of justice.

(j) Collections. On and after the effective date of this paragraph, the department of justice may collect any amount payable under the statutes before the effective date of this paragraph for the cost of materials, activities or services provided by the department of agriculture, trade and consumer protection relating to the administration and enforcement of the consumer protection responsibilities transferred under this act to the department of justice. The amounts collected shall be credited to the applicable appropriations under chapter 20 of the statutes, as affected by this act.

Vetoed
in Part

Vetoed
in Part

Vetoed
in Part

Vetoed in Part (k) ~~Cooperation.~~ Immediately after the effective date of this subsection, the department of agriculture, food and trade and the department of justice shall cooperate to efficiently and effectively carry out the transfer of functions provided by this act.

Vetoed in Part (6d) ~~EXPORT TRADING COMPANY GRANT.~~

(a) The department of agriculture, trade and consumer protection shall make an agricultural export trading company planning and technical assistance grant to one applicant in the amount of \$50,000 from the appropriation under section 20.115 (3) (c) of the statutes, as created by this act, no later than December 31, 1991. If more than one applicant applies for the grant, the department shall make the grant to the applicant who demonstrates the greatest likelihood for successful formation of an export trading company specializing in the export of manufactured dairy products.

(b) The department of agriculture, trade and consumer protection may make the grant under paragraph (a) only if the recipient meets all of the following requirements:

1. Is sponsored by at least 3 Wisconsin businesses or cooperatives having an interest in exporting Wisconsin-produced agricultural products, of which at least 2 are producers or wholesalers of manufactured dairy products.

2. Agrees in writing to spend at least \$50,000 or to contribute at least \$50,000 of in-kind contributions for economic and market analysis, planning and legal assistance.

3. Submits a plan and a timetable for organizing a Wisconsin-based company whose primary business is the exporting to other countries of Wisconsin-produced agricultural products.

4. Agrees in writing to develop a business plan that initially focuses on the export of manufactured dairy products and to delay the development of plans to export other products until the company has achieved success in exporting dairy products.

5. Agrees in writing to use the grant proceeds only for economic and market analysis, planning and legal assistance.

Vetoed in Part 6. Agrees in writing to submit to the department of agriculture, trade and consumer protection a report and accounting on the use of the grant proceeds when the proceeds have been expended.

(6e) **MARKETING AGENCY IN COMMON GRANT.**

Vetoed in Part (a) The department of agriculture, trade and consumer protection shall make a dairy marketing agency in common planning and technical assistance grant to one applicant in the amount of \$50,000 from the appropriation under section 20.115 (3) (d) of the statutes, as created by this act, no later than December 31, 1991. If more than one applicant applies for the grant, the department shall make the grant to the applicant who demonstrates the greatest likelihood for successful formation of a marketing agency in common.

Vetoed in Part (b) The department of agriculture, trade and consumer protection may make the grant under paragraph (a) only if the recipient meets all of the following requirements:

1. Represents at least 3 cooperatives organized under chapter 185 of the statutes or a similar law of another state.

2. Agrees in writing to spend at least \$50,000 or to contribute at least \$50,000 of in-kind contributions for economic and market analysis, planning and legal assistance.

3. Submits a plan and timetable organizing a marketing agency in common that conforms to the requirements of the Copper-Volstead Act (7 USC 291 et seq.), which is open to membership by any cooperative composed of milk producers and which has a business purpose of marketing milk and dairy products produced by its members.

4. Agrees in writing to use the grant proceeds only for economic and market analysis, planning and legal assistance.

5. Agrees in writing to submit to the department of agriculture, trade and consumer protection a report and accounting on the use of the grant proceeds when the proceeds have been expended.

SECTION 9108. Nonstatutory provisions; building commission.

(1) 1991-93 AUTHORIZED STATE BUILDING PROGRAM. For the fiscal years beginning July 1, 1991, and ending June 30, 1993, the authorized state building program is as follows:

(a) DEPARTMENT OF ADMINISTRATION

1. *Projects financed by program revenue supported borrowing:*

New state office building purchase - Madison	\$ 21,820,000
Utilities extension to serve new state office building	780,000

2. *Projects financed by program revenue:*

Computing services operational facilities and capital equipment acquisition	4,320,000
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3. *Agency totals:*

Program revenue	4,320,000
Program revenue supported borrowing	22,600,000
Total - All sources of funds	\$ 26,920,000

(b) DEPARTMENT OF CORRECTIONS

1. *Projects financed by general fund supported borrowing:*

	New cell fronts - Green Bay correctional institution	\$ 3,321,000
Vetoed in Part	Phase I conversion of Atherton Hall at the southern Wisconsin center for the developmentally disabled to include an assessment and evaluation center to provide an additional 20 maximum security beds for female inmates and 50 minimum security beds for female inmates	6,600,000
Vetoed in Part	Expansion of the Thompson community correctional center to provide 30 additional beds	900,000
Vetoed in Part	Expansion of Dodge correctional institution to include an assessment and evaluation center and central health services unit to provide 420 maximum security beds including 70 beds for the health services unit	56,700,000
Vetoed in Part	Challenge incarceration correctional institution in St. Croix county to provide 64 beds	2,600,000
Vetoed in Part	Medium security correctional institution in the town of Brockway in Jackson county to provide 750 beds	62,000,000
Vetoed in Part	Alcohol and other drug abuse correctional institution in the city of Milwaukee to provide 200 beds	11,600,000
	Taycheedah correctional institution perimeter security improvements	1,500,000
Vetoed in Part	Expansion of Kettle Moraine correctional institution to provide an additional 60 medium security beds	700,000

2. *Projects financed by existing general fund supported borrowing authority:*

	Maximum security housing unit - Taycheedah correctional institution	5,397,600
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3. *Agency totals:*

	General fund supported borrowing	145,921,000
	Existing general fund supported borrowing authority	5,397,600
	Total - All sources of funds	\$151,318,600

(c) EDUCATIONAL COMMUNICATIONS BOARD

1. *Projects financed by general fund supported borrowing:*

	Capital equipment replacement of network broadcast facilities	\$ 750,000
	(Total project all funding sources \$1,500,000)	

2. *Projects financed by gifts, grants and other receipts:*

	Capital equipment replacement of network broadcast facilities	750,000
	(Total project all funding sources \$1,500,000)	

3. *Agency totals:*

	General fund supported borrowing	750,000
	Gifts, grants and other receipts	750,000
	Total - All sources of funds	\$ 1,500,000

(d) DEPARTMENT OF HEALTH AND SOCIAL SERVICES

1. *Projects financed by general fund supported borrowing:*

	Secure housing unit at the Ethan Allen school to provide 30 beds	\$ 1,563,000
	(Total project all funding sources \$2,200,000)	

2. *Projects financed by existing general fund supported borrowing authority:*

	Air conditioning - Mendota and Winnebago mental health institutes	7,026,000
	Segregation unit upgrading - Wisconsin resource center	634,000
	Secure adult unit - Mendota mental health institute	2,000,000
	Security cottage remodeling - Ethan Allen school	636,900

Secure housing unit at the Ethan Allen school to provide 30 beds		637,000
(Total project all funding sources \$2,200,000)		
3. <i>Agency totals:</i>		
General fund supported borrowing	1,563,000	
Existing general fund supported borrowing authority	<u>10,933,900</u>	
Total - All sources of funds	\$ 12,496,900	
(e) STATE HISTORICAL SOCIETY		
1. <i>Projects financed by gifts, grants and other receipts:</i>		
Wagon shop and wardrobe building - Circus world museum	\$ 755,300	
2. <i>Agency totals:</i>		
Gifts, grants and other receipts	<u>755,300</u>	
Total - All sources of funds	\$ 755,300	
(f) DEPARTMENT OF JUSTICE		
1. <i>Projects financed by general fund supported borrowing:</i>		
Crime laboratory expansion and remodeling - Milwaukee	\$ 3,326,400	
2. <i>Agency totals:</i>		
General fund supported borrowing	<u>3,326,400</u>	
Total - All sources of funds	\$ 3,326,400	
(g) DEPARTMENT OF MILITARY AFFAIRS		
1. <i>Projects financed by general fund supported borrowing:</i>		
Armory and motor vehicle storage building - Beloit	\$ 347,500	
(Total project all funding sources \$3,652,000)		
Armory, maintenance shop, and motor vehicle storage building - Sussex	233,300	
(Total project all funding sources \$4,355,100)		
Motor vehicle storage building - Superior	11,300	
(Total project all funding sources \$544,300)		
Motor vehicle storage building - Sparta	8,900	
(Total project all funding sources \$432,400)		
2. <i>Projects financed by existing general fund supported borrowing authority:</i>		
Adjutant general's office building and armory - Madison	5,148,000	
(Total project all funding sources \$12,885,200)		
Armory expansion, remodeling, and motor vehicle storage building - Waukesha	808,300	
(Total project all funding sources \$2,277,600)		
Armory and motor vehicle storage building - Beloit	905,000	
(Total project all funding sources \$3,652,000)		
Armory, maintenance shop, and motor vehicle storage building - Sussex	921,000	
(Total project all funding sources \$4,355,100)		
3. <i>Projects financed by program revenue:</i>		
Adjutant general's office building and armory - Madison	125,000	
(Total project all funding sources \$12,885,200)		
4. <i>Projects financed by federal funds:</i>		
Adjutant general's office building and armory - Madison	7,612,200	
(Total project all funding sources \$12,885,200)		
Armory expansion, remodeling, and motor vehicle storage building - Waukesha	1,469,300	
(Total project all funding sources \$2,277,600)		
Armory and motor vehicle storage building - Beloit	2,399,500	
(Total project all funding sources \$3,652,000)		
Armory, maintenance shop, and motor vehicle storage building - Sussex	3,200,800	
(Total project all funding sources \$4,355,100)		
Motor vehicle storage building - Superior	533,000	
(Total project all funding sources \$544,300)		

	Motor vehicle storage building - Sparta	423,500	
	(Total project all funding sources \$432,400)		
5.	<i>Agency totals:</i>		
	General fund supported borrowing	601,000	
	Existing general fund supported borrowing authority	7,782,300	
	Program revenue	125,000	
	Federal funds	<u>15,638,300</u>	
	Total - All sources of funds	\$ 24,146,600	
(h)	DEPARTMENT OF NATURAL RESOURCES		
1.	<i>Projects financed by general fund supported borrowing:</i>		
	Fish hatchery renovation and expansion - Woodruff	\$ 3,175,000	
	Winding Creek fish rearing station renovation and expansion	656,300	
	(Total project all funding sources \$1,028,300)		
	Lake Winnebago comprehensive project	81,500	Vetoed
	(Total project all funding sources \$500,000)		in Part
2.	<i>Projects financed by existing general fund supported borrowing authority:</i>		
	Willow falls dam removal - Willow river state park	1,500,000	
	Winding Creek fish rearing station renovation and expansion	372,000	
	(Total project all funding sources \$1,028,300)		
	Lake Winnebago comprehensive project	418,500	
	(Total project all funding sources \$500,000)		Vetoed
3.	<i>Projects financed by existing general fund supported borrowing authority - stewardship property development funds:</i>		in Part
	Mounds pond dam repair - Willow river state park	1,502,600	
	Office and visitor station - Pike lake state park	175,700	
	(Total project all funding sources \$262,300)		
	Phase I development - Lapham peak unit - Kettle Moraine state forest	440,000	
4.	<i>Projects financed by existing general fund supported borrowing authority - stewardship trail funds:</i>		
	Chippewa river state trail initial development	495,600	
5.	<i>Projects financed by segregated fund supported borrowing:</i>		
	Tree handling and cold storage facility - Wilson state nursery	832,000	
6.	<i>Projects financed by segregated fund revenue:</i>		
	Office and visitor station - Pike lake state park	86,600	
	(Total project all funding sources \$262,300)		
	Kewaunee river anadromous fish facility	472,800	
	(Total project all funding sources \$945,600)		
7.	<i>Projects financed by gifts, grants and other receipts:</i>		
	Horicon marsh administrative and interpretive center	625,000	
8.	<i>Projects financed by federal funds:</i>		
	Kewaunee river anadromous fish facility	472,800	
	(Total project all funding sources \$945,600)		
	Harbor access improvements - Potawatomi state park	277,300	
9.	<i>Agency totals:</i>		
	General fund supported borrowing	3,912,800	
	Existing general fund supported borrowing authority	2,290,500	
	Existing general fund supported borrowing authority - stewardship property development funds	2,118,300	
	Existing general fund supported borrowing authority - stewardship trail funds	495,600	

	Segregated fund supported borrowing	832,000
	Segregated fund revenue	559,400
	Gifts, grants and other receipts	625,000
	Federal funds	<u>750,100</u>
	Total - All sources of funds	\$ 11,583,700
(i)	STATE FAIR PARK BOARD	
1.	Projects financed by program revenue:	
	Olympic ice training center	8,000,000
	(Total project all funding sources \$12,100,000)	
	Agricultural products buildings remodeling	1,031,000
	Infield electrical improvements	300,000
	Trade mart remodeling	957,000
	Central mall remodeling	1,796,500
2.	Projects financed by existing program revenue supported borrowing authority:	
	Olympic ice training center	100,000
	(Total project all funding sources \$12,100,000)	
3.	Projects financed by gifts, grants and other receipts:	
	Olympic ice training center	4,000,000
	(Total project all funding sources \$12,100,000)	
4.	Agency totals:	
	Existing program revenue supported borrowing	100,000
	Gifts, grants and other receipts	4,000,000
	Program revenue	<u>12,084,500</u>
	Total - All sources of funds	\$ 16,184,500
(j)	DEPARTMENT OF TRANSPORTATION	
1.	Projects financed by segregated fund supported revenue borrowing:	
	District 1 headquarters expansion - Madison	\$ 3,000,000
	Phase "'C'" eastside master plan development - Madison	1,151,100
	Emergency vehicle operating course construction - Fort McCoy	447,600
	District 1 state patrol headquarters land purchase - Madison area	350,000
2.	Projects financed by program revenue:	
	Additional air conditioning capacity - Hill Farms regional data processing service center - Madison	884,500
3.	Agency totals:	
	Segregated fund supported revenue borrowing	4,948,700
	Program revenue	<u>884,500</u>
	Total - All sources of funds	\$ 5,833,200
(k)	DEPARTMENT OF VETERANS AFFAIRS	
1.	Projects financed by existing general fund supported borrowing authority:	
	Skilled nursing care building - Wisconsin veterans home - King	\$ 5,437,300
	(Total project all funding sources \$15,535,000)	
	Electrical distribution system improvements - Wisconsin veterans home - King	506,000
2.	Projects financed by federal funds:	
	Skilled nursing care building - Wisconsin veterans home - King	10,097,700
	(Total project all funding sources \$15,535,000)	
3.	Agency totals:	
	Existing general fund supported borrowing authority	5,943,300
	Federal funds	<u>10,097,700</u>
	Total - All sources of funds	\$ 16,041,000

(m) UNIVERSITY OF WISCONSIN SYSTEM

1.	<i>Projects financed by general fund supported borrowing:</i>	
	River Falls - Rural development institute remodeling	\$ 548,000
2.	<i>Projects financed by existing general fund supported borrowing authority:</i>	
	Eau Claire - Library information and technology resource center	9,000,000
	La Crosse - Murphy library resource center addition and remodeling	7,600,000
	Milwaukee - School of business administration building (Total project all funding sources \$26,137,000)	22,200,000
	Oshkosh - Albee hall physical education addition	2,420,000
3.	<i>Projects financed by program revenue supported borrowing:</i>	
	Green Bay - Student union addition (Total project all funding sources \$4,609,000)	3,109,000
	La Crosse - Student life center	8,542,900
	Madison - Warehouse acquisition - 630 West Mifflin St.	1,022,200
	- Critical care and surgical services - clinical science center	583,400
	- Medical school and clinics addition - clinical science center	2,946,000
	- Lot 14 parking ramp	4,848,000
	- Central campus parking ramp	4,202,000
	Parkside - Student housing acquisition	5,400,000
	Stevens Point - Residence hall renovations	2,200,000
	Stout - Student center remodeling	1,171,000
4.	<i>Projects financed by program revenue:</i>	
	Green Bay - Student union addition (Total project all funding sources \$4,609,000)	1,500,000
5.	<i>Projects financed by existing program revenue supported borrowing authority:</i>	
	Milwaukee - School of business administration building (Total project all funding sources \$26,137,000)	3,937,000
6.	<i>Projects financed by gifts, grants and other receipts:</i>	
	Madison - Lathrop hall remodeling	700,000
	- Materials science and engineering building	2,219,000
7.	<i>Agency totals:</i>	
	General fund supported borrowing	548,000
	Existing general fund supported borrowing authority	41,220,000
	Program revenue supported borrowing	34,024,500
	Program revenue	1,500,000
	Existing program revenue supported borrowing authority	3,937,000
	Gifts, grants and other receipts	2,919,000
	Total - All sources of funds	\$ 84,148,500

(n) WISCONSIN INITIATIVE FOR STATE TECHNOLOGY AND APPLIED RESEARCH; NONMATCHING PROJECTS

1.	<i>Projects financed by general fund supported borrowing:</i>	
	University of Wisconsin-Madison - Primary electric distribution system repair-phase III	\$ 2,000,000
	University of Wisconsin-Madison - Engineering building heating, ventilating and air conditioning and fume hoods replacement-phase II	3,500,000
	University of Wisconsin-Madison - Chamberlin Hall heating, ventilating and air conditioning and fume hoods replacement-phase II	1,500,000
	University of Wisconsin-Madison - Zoology research building heating, ventilating and air conditioning and fume hoods replacement	2,600,000

Vetoed
in Part

University of Wisconsin-Madison - Birge hall-heating, ventilating and air conditioning and fume hoods replacement		4,500,000	Vetoed in Part
University of Wisconsin-Madison - Biochemistry building-heating, ventilating and air conditioning and fume hoods replacement		5,700,000	
University of Wisconsin-Madison - Veterinary science building-heating, ventilating and air conditioning and fume hoods replacement		1,100,000	
University of Wisconsin-Madison - E.B. Fred hall-heating, ventilating and air conditioning and fume hoods replacement		1,600,000	
University of Wisconsin-Madison - Sterling hall-heating, ventilating and air conditioning and fume hoods replacement		955,000	
University of Wisconsin-Madison - Brogden hall-heating, ventilating and air conditioning and fume hoods replacement		1,100,000	
University of Wisconsin-Madison - Hazardous radioactive storage facility		350,000	
University of Wisconsin-Madison - Energy management and fire alarm system replacement-phase II		2,750,000	
University of Wisconsin-Madison - Utility system improvements		1,883,000	
University of Wisconsin-Milwaukee - Electrical utility improvements		3,135,000	
University of Wisconsin-Stout - Fryklund hall remodeling (Total project all funding sources \$5,300,000)		1,900,000	
University of Wisconsin-Stevens Point - College of natural resources addition and remodeling (Total project all funding sources \$3,200,000)		2,200,000	
2. <i>Projects financed by existing general fund supported borrowing authority:</i>			
University of Wisconsin-Stout - Fryklund hall remodeling (Total project all funding sources \$5,300,000)		3,400,000	
University of Wisconsin-Stevens Point - College of natural resources addition and remodeling (Total project all funding sources \$3,200,000)		1,000,000	
3. <i>Totals:</i>			
General fund supported borrowing		36,673,000	
Existing general fund supported borrowing authority		4,400,000	
Total - All sources of funds		\$ 41,073,000	
(nm) WISCONSIN INITIATIVE FOR STATE TECHNOLOGY AND APPLIED RESEARCH; MATCHING PROJECTS			
1. <i>Projects financed by general fund supported borrowing:</i>			
University of Wisconsin-Madison biotechnology center and laboratory of genetics (Total project all funding sources \$27,700,000)		\$ 13,850,000	
University of Wisconsin-Madison chemistry building addition (Total project all funding sources \$21,600,000)		10,800,000	
University of Wisconsin-Madison school of pharmacy clinical addition (Total project all funding sources \$9,000,000)		4,500,000	
University of Wisconsin-Madison chemistry building remodeling (Total project all funding sources \$9,800,000)		4,900,000	
University of Wisconsin-Madison engineering centers building (Total project all funding sources \$48,600,000)		24,300,000	

University of Wisconsin-Madison animal biocontainment facility	14,000,000
(Total project all funding sources \$28,000,000)	
University of Wisconsin-Madison Babcock hall addition and remodeling	2,650,000
(Total project all funding sources \$5,300,000)	
2. <i>Projects financed by gifts, grants and other receipts:</i>	
University of Wisconsin-Madison biotechnology center and laboratory of genetics	\$ 13,850,000
(Total project all funding sources \$27,700,000)	
University of Wisconsin-Madison chemistry building addition	10,800,000
(Total project all funding sources \$21,600,000)	
University of Wisconsin-Madison school of pharmacy clinical addition	4,500,000
(Total project all funding sources \$9,000,000)	
University of Wisconsin-Madison chemistry building remodeling	4,900,000
(Total project all funding sources \$9,800,000)	
University of Wisconsin-Madison engineering centers building	24,300,000
(Total project all funding sources \$48,600,000)	
University of Wisconsin-Madison animal biocontainment facility	14,000,000
(Total project all funding sources \$28,000,000)	
University of Wisconsin-Madison Babcock hall addition and remodeling	2,650,000
(Total project all funding sources \$5,300,000)	
3. <i>Totals:</i>	
General fund supported borrowing	75,000,000
Gifts, grants and other receipts	75,000,000
Total - All sources of funds	\$150,000,000
(o) ALL AGENCY PROJECT FUNDING	
1. <i>Projects financed by general fund supported borrowing:</i>	
Facilities repair and renovation	39,350,000
(Total program all funding sources \$51,100,000)	
Utilities repair and renovation	15,350,000
(Total program all funding sources \$17,350,000)	
Health, safety and environmental protection	14,350,000
(Total program all funding sources \$20,100,000)	
Energy conservation	4,300,000
2. <i>Projects financed by existing general fund supported borrowing authority:</i>	
Utilities repair and renovation	2,000,000
(Total program all funding sources \$17,350,000)	
3. <i>Projects financed by program revenue supported borrowing:</i>	
Facilities repair and renovation	10,000,000
(Total program all funding sources \$51,100,000)	
4. <i>Projects financed by program revenue:</i>	
Health, safety and environmental protection	1,000,000
(Total program all funding sources \$20,100,000)	
5. <i>Projects financed by building trust funds:</i>	
Facilities repair and renovation	1,750,000
(Total program all funding sources \$51,100,000)	
Health, safety and environmental protection	3,750,000
(Total program all funding sources \$20,100,000)	
6. <i>Projects financed by segregated fund revenue:</i>	
Health, safety and environmental protection	500,000
(Total program all funding sources \$20,100,000)	

7. *Projects financed by moneys appropriated to agencies from any revenue source:*

Health, safety and environmental protection 500,000
(Total program all funding sources \$20,100,000)

(p) ALL AGENCY TOTALS

General fund supported borrowing 73,350,000
Existing general fund supported borrowing authority 2,000,000
Program revenue supported borrowing 10,000,000
Program revenue 1,000,000
Building trust funds 5,500,000
Segregated fund revenue 500,000
Moneys appropriated to agencies from any revenue source 500,000

Total - All sources of funds \$ 92,850,000

(q) SUMMARY

Total general fund supported borrowing \$341,645,200
Total existing general fund supported borrowing authority 79,967,600
Total existing general fund supported borrowing authority - stewardship 2,613,900
Total program revenue supported borrowing 66,624,500
Total existing program revenue supported borrowing authority 4,037,000
Total segregated fund supported borrowing 832,000
Total segregated fund supported revenue borrowing 4,948,700
Total building trust funds 5,500,000
Total program revenue 19,914,000
Total segregated fund revenue 1,059,400
Total moneys appropriated to agencies from any revenue source 500,000
Total gifts, grants and other receipts 84,049,300
Total federal funds 26,486,100
Total - All sources of funds \$638,177,700

(2) 1989-91 STATE BUILDING PROGRAM DELETIONS.

(a) In 1989 Wisconsin Act 31, section 3008 (1) (j) 2, under projects financed by segregated fund revenue, the 1989-91 state building program project identified as tourist information center near St. Croix Falls is deleted and the appropriate totals are decreased accordingly.

(3) PROGRAMS PREVIOUSLY AUTHORIZED. In addition to the projects and financing authority enumerated under subsection (1), the building and financing authority enumerated under previous authorized state building programs is continued in fiscal years 1991-92 and 1992-93.

(4) LOANS. During the 1991-93 fiscal biennium, the building commission may make loans from general fund supported borrowing or the building trust fund to agencies, as defined in section 20.001 (1) of the statutes, for projects which are to be utilized for programs not funded by general purpose revenue and which are authorized under subsection (1) (o).

(5) LIMITED APPROVAL OF UNENUMERATED PROJECTS.

(a) Notwithstanding section 20.924 (1) of the statutes, the building commission may, during the 1991-93 fiscal biennium, approve the construction of a project costing in excess of \$250,000 but not enumer-

ated in subsection (1) if all of the following conditions are met:

1. The project is funded from federal grants or private gifts or grants.

2. The commission determines that the construction is in the best interests of the state.

~~3. The joint committee on finance approves the project.~~

(b) This subsection does not apply to the projects specified in subsections (8), (12) and (13).

(6) USE OF CASH SOURCES. Notwithstanding section 20.866 (2) (s) to (zm) of the statutes, as affected by this act, and section 20.866 (2) (zz) of the statutes, or the state building program project enumerations in subsection (1), the building commission may substitute available cash sources of funds for borrowing under section 20.866 (2) (s) to (zm) of the statutes, as affected by this act, and section 20.866 (2) (zz) of the statutes, in fiscal years 1991-92 and 1992-93.

(8) ALLOCATION AUTHORITY. Notwithstanding section 20.924 (1) of the statutes, during the 1991-93 fiscal biennium, the building commission may allocate the financing authority under subsection (1) (a) for the purposes of facilities repair and renovation, utilities repair and renovation, health, safety and environmental protection, energy conservation or any combina-

Vetoed
in Part

Vetoed
in Part

tion of these purposes, among agencies, as defined in section 20.001 (1) of the statutes, without enumeration of projects costing in excess of \$250,000 in the authorized state building program.

(9) CAPITAL EQUIPMENT FUNDING ALLOCATION.

(a) During the 1991-93 fiscal biennium, the building commission may allocate moneys from the appropriation under section 20.866 (2) (ym) of the statutes, as affected by this act, for capital equipment acquisition in connection with any project in the authorized state building program.

(b) During the 1991-93 fiscal biennium, the building commission may allocate moneys from the appropriation under section 20.866 (2) (ym) of the statutes, as affected by this act, to acquire other priority capital equipment for agencies, as defined in section 20.001 (1) of the statutes.

(10) PROJECT CONTINGENCY FUNDING RESERVE. During the 1991-93 fiscal biennium, the building commission may allocate moneys from the appropriation under section 20.866 (2) (yg) of the statutes, as created by this act, for contingency expenses in connection with any project in the authorized state building program.

Vetoed
in Part

Vetoed
in Part

Vetoed
in Part

(12) MILITARY AFFAIRS FACILITIES. Notwithstanding section 20.924 (1) of the statutes, the building commission and the joint committee on finance may, upon request of the department of military affairs, authorize the construction of new training site and military academy facilities and a consolidated support maintenance shop at Camp Williams during the 1991-93 fiscal biennium without enumeration of the projects in the authorized state building program if the necessary federal funds to finance the construction are received by the state during the 1991-93 fiscal biennium. ~~With the approval of the joint committee on finance, the building commission may allocate moneys from the appropriation under section 20.866 (2) (zj) of the statutes, as affected by this act, as necessary to provide the required state matching moneys for these projects.~~

(13) NEVIN FISH HATCHERY RENOVATION. Notwithstanding section 20.924 (1) of the statutes, the building commission may, upon request of the department of natural resources, reallocate not more than \$372,000 of the moneys authorized under subsection (1) (h) for fish hatchery and rearing station renovations and expansions to finance renovation of the Nevin fish hatchery during the 1991-93 fiscal biennium.

(15) STATE FAIR PARK PROJECTS. Notwithstanding section 20.190 (1) (i) of the statutes, the state fair park board may not spend moneys from any gifts, grants or other receipts received from private businesses or organizations for the projects enumerated under subsection (1) (i) unless the building commission approves the expenditure of such moneys. The building commission's approval of the expenditure shall be contingent on a finding by the building commission that the expenditure is consistent with the overall

objectives of the state fair park. This subsection does not apply after June 30, 1993.

(16) WISCONSIN INITIATIVE FOR STATE TECHNOLOGY AND APPLIED RESEARCH. Notwithstanding subsection (1) (nm) and section 20.924 (1) of the statutes, the building commission may adjust the authorized cost for any project enumerated in subsection (1) (nm), but the total adjusted cost of all projects funded from general fund supported borrowing may not exceed \$75,000,000, the total adjusted cost of all projects funded from gifts, grants and other receipts may not exceed \$75,000,000 and the total adjusted cost of all projects may not exceed \$150,000,000. Before construction of any project is authorized, the building commission shall determine that there are sufficient gifts, grants and other receipts received for the project being authorized so that at least 50% of the total cost of all authorized projects enumerated in subsection (1) (nm) is funded from gifts, grants and other receipts. ~~This subsection does not apply after June 30, 1993.~~

Vetoed
in Part

(17) UNIVERSITY OF WISCONSIN-MADISON ARMORY/GYMNASIUM REMODELING. The building commission may, no later than June 30, 1993, authorize expenditure of not more than \$200,000 from the appropriation under section 20.867 (2) (r) of the statutes to prepare a structural analysis and schematic design for remodeling of the armory/gymnasium building on the university of Wisconsin-Madison campus, with the moneys to be reimbursed by the board of regents of the university of Wisconsin system to the building trust fund with gifts, grants and other receipts.

(18) UNIVERSITY OF WISCONSIN-MADISON LAW SCHOOL ADDITION AND REMODELING. The building commission may, no later than June 30, 1993, authorize expenditure of \$400,000 from the appropriation under section 20.867 (2) (r) of the statutes for planning of a law school addition and remodeling project at the University of Wisconsin-Madison if the allocation is first matched by the board of regents of the university of Wisconsin system with \$100,000 from gifts, grants or other receipts, to be utilized for the same purpose.

(19) UNIVERSITY OF WISCONSIN-MADISON PARKING RAMP. The building commission may, no later than June 30, 1993, authorize the board of regents of the university of Wisconsin system to expend moneys from the appropriation under section 20.285 (1) (gm) of the statutes for planning of a central campus parking ramp at the university of Wisconsin-Madison enumerated in subsection (1) (m) 3 after the commission has received from the board of regents a transportation plan for the university of Wisconsin-Madison campus which specifies the proposed site for the parking ramp and which includes an analysis of parking needs and locations and associated traffic studies, alternate transportation solutions, and a parking management and financial plan. The secretary of administration shall withhold approval of any contract for planning of the parking ramp under section

16.87 (3) of the statutes until the building commission authorizes expenditure of moneys for that purpose under this subsection.

(20) UNIVERSITY OF WISCONSIN-PARKSIDE STUDENT HOUSING PURCHASE. Notwithstanding section 20.924 (1) of the statutes and the enumerated amount under subsection (1) (m) 3, the building commission may approve contracting of public debt from the appropriation under section 20.866 (2) (t) of the statutes, as affected by this act, to purchase student housing at the university of Wisconsin-Parkside enumerated under subsection (1) (m) 3 only on or after November 1, 1995, and only at a cost not to exceed the average of 2 appraisals obtained and submitted to the commission by the board of regents of the university of Wisconsin system.

(21q) STATE OFFICE BUILDING EXPANSION STUDY. The building commission shall allocate not more than \$100,000 in fiscal year 1991-92 from the appropriation under section 20.867 (2) (q) of the statutes to conduct a study, in conjunction with the city of Madison, to determine how expansion of the state office building located at 1 West Wilson street in the city of Madison and the provision of parking for that building may be integrated with the city's development of the Law park area. No later than July 1, 1992, the building commission shall transmit a report containing the results of the study to the governor and to the chief clerk of each house of the legislature for distribution to the presiding officer thereof in the manner provided in section 13.172 (3) of the statutes.

Vetoed
in Part

~~(21r) SECURE HOUSING UNIT AT ETHAN ALLEN SCHOOL. The building commission shall assure that the secure housing unit to be constructed at the Ethan Allen school, as enumerated in subsection (1) (d), is designed to withstand abuse resulting from intensive usage.~~

Vetoed
in Part

~~(21z) STUDY OF WISCONSIN CONSERVATION CORPS FACILITY IN ADAMS COUNTY. The building commission shall study the feasibility of establishing a facility for the use of the Wisconsin conservation corps board in Adams county. The commission shall report its findings and recommendations to the chief clerk of each house of the legislature for distribution to the legislature in the manner provided in section 13.172 (2) of the statutes, no later than July 1, 1992.~~

(22b) OLYMPIC ICE TRAINING CENTER.

(a) The building commission shall authorize construction of an Olympic ice training center at the state fair park as enumerated in subsection (1) (i) in accordance with specifications provided by the state fair park board.

(b) The building commission shall not authorize construction of the Olympic ice training center under paragraph (a) unless:

1. The Wisconsin state agencies building corporation transfers title to the commission to any land, improvements and equipment occupied by the

Olympic ice rink that is owned in whole or in part by the corporation.

2. The state fair park board enters into an enforceable agreement with a private nonprofit corporation under section 42.11 (3) of the statutes, as created by this act, to lease, operate and maintain the center for the period of indebtedness of the state for its construction, with payments due under the lease in an amount sufficient to reimburse the state for all costs associated with its construction.

3. The plans for the center will enable qualification of the center as an official U.S. Olympic training site.

4. The state fair park board has received at least \$4,000,000 in gifts, grants and other receipts to be used for the construction.

(22g) ENVIRONMENTAL HEALTH LABORATORY AT UNIVERSITY OF WISCONSIN-SUPERIOR. Notwithstanding section 20.924 (1) of the statutes, the building commission, with the approval of the joint committee on finance, may no later than June 30, 1993, authorize construction of an environmental health laboratory at the university of Wisconsin-Superior without enumeration of the project in the authorized state building program. The board of regents of the university of Wisconsin system shall allocate \$250,000 from the appropriation under section 20.285 (1) (a) of the statutes for this project in fiscal year 1991-92. The commission shall not authorize construction unless sufficient federal and local government funds are received to finance the remainder of the cost of the project.

~~SECTION 9109. Nonstatutory provisions; child abuse and neglect prevention board.~~

~~(2w) EARLY CHILDHOOD FAMILY EDUCATION CENTER GRANTS. Notwithstanding the geographical and urban and rural distribution requirements under section 48.982 (2) (a) of the statutes, the child abuse and neglect prevention board shall allocate \$300,000 in each of fiscal years 1991-92 and 1992-93 from the appropriation under section 20.433 (1) (h) of the statutes, as affected by this act, for the awarding of grants to organizations located in Wausau, La Crosse, Manitowish and Prairie du Chien that received grants under section 48.982 (6) (a) of the statutes in fiscal year 1990-91.~~

Vetoed
in Part

SECTION 9110. Nonstatutory provisions; circuit courts.

(2q) COURT AUTOMATION SUPPORT PLAN. By October 1, 1992, the director of state courts shall submit a plan for the support and maintenance of the circuit court automation information system project to the chief clerk of each house of the legislature for distribution to the members of the legislature in the manner provided under section 13.172 (2) of the statutes.

(3d) CIRCUIT COURT BRANCH. The initial election for the circuit judge for branch 45 of the circuit court for Milwaukee county shall be at the spring election of 1992 for a term commencing August 1, 1992, and ending July 31, 1998.

(3e) CIRCUIT JUDGE POSITION. The authorized FTE positions for the circuit courts are increased by 1.0 GPR circuit judge position on August 1, 1992, to be funded from the appropriation under section 20.625 (1) (a) of the statutes, to provide an additional circuit judge for the circuit court branch created by this act.

Vetoed
in Part

(3f) COURT REPORTER POSITIONS. (a) The authorized FTE positions for the circuit courts are increased by 4.0 GPR court reporter positions on September 1, 1991, to provide one court reporter for each of the 4 court commissioners appointed under section 753.016 (6) of the statutes, as created by this act.

(b) The authorized FTE positions for the circuit courts are increased by 2.0 GPR court reporter positions beginning on September 1, 1991, to provide 2 court reporters for the reserve judge that the chief justice assigns to handle cases in Milwaukee county that are referred from the judges designated under section 753.061 (2m) of the statutes, as created by this act, to primarily handle violent crime cases. These 2 court reporter positions will, beginning on August 1, 1992, provide court reporter services to the circuit court branch created on August 1, 1992, by this act. These 2 court reporter positions are funded under section 20.625 (1) (a) of the statutes.

SECTION 9112. Nonstatutory provisions; corrections.

(1c) CHALLENGE INCARCERATION. Notwithstanding sections 13.101 (3) (a) and 20.865 (4) (a) of the statutes, the joint committee on finance may supplement, from the appropriation under section 20.865 (4) (a) of the statutes, the appropriation under section 20.410 (1) (a) of the statutes by \$320,000 in fiscal year 1991-92 and by \$320,000 in fiscal year 1992-93 upon approval by the committee of a department of corrections plan to expend the moneys in a manner that would allow participation in the challenge incarceration program, to the greatest extent practicable, of not less than 50 nor more than 75 participants at a time.

(1g) CORRECTIONAL FARM SYSTEM REPORT. The department of corrections shall report to the joint committee on finance by March 1, 1992, regarding the financial condition of the correctional farm system. The report shall include all of the following:

(a) A comparison of the cost-effectiveness of the operation of the correctional farm system to the cost-effectiveness of alternative inmate programming options.

(b) A description of alternative future plans for the correctional farm system.

(c) A description of the potential costs and effects if the correctional farm system were closed.

(d) A response to any issues raised in a correctional farm system report issued in 1991 by the legislative audit bureau.

Vetoed
in Part

(1i) INTENSIVE SANCTIONS PROGRAM REPORT. By January 1, 1992, the department of corrections shall submit a report, which may include proposed legisla-

tion, to the joint committee on finance regarding the intensive sanctions program. Vetoed
in Part

(1j) INTENSIVE SANCTIONS PROGRAM RULES.

(a) The department of corrections shall submit any proposed rules administering the intensive sanctions program under section 301.048 of the statutes, as created by this act, to the legislative council staff for review under section 227.15 (1) of the statutes during the 1991-93 fiscal biennium.

(b) Using the procedure under section 227.24 of the statutes, the department of corrections shall promulgate rules administering the intensive sanctions program under section 301.048 of the statutes, as created by this act, for the period prior to July 1, 1993. Notwithstanding section 227.24 (1) and (3) of the statutes, the department is not required to make a finding of emergency. Notwithstanding section 227.24 (1) (c) and (2) of the statutes, the rules are in effect prior to July 1, 1993.

(1k) SECURITY CLASSIFICATION OF COUNTY JAIL CELLS AND POPULATIONS. Vetoed
in Part

The department of corrections shall study county jail security classifications of county jail cell space and inmate populations. The department shall report on the results of its study by July 1, 1992, to the chief clerk of each house of the legislature for distribution in the manner provided under section 13.172 (3) of the statutes.

(1x) CORRECTIONAL OFFICER OVERTIME. The department of corrections shall report to the joint committee on finance by September 1, 1992, regarding the use of correctional officer overtime and the overtime monitoring system under section 301.287 of the statutes, as created by this act.

(2c) CORRECTIONAL OFFICER TRAINING. Vetoed
in Part

Of the amounts in the appropriation to the department of corrections under section 20.410 (1) (p) of the statutes, \$50,000 for fiscal year 1991-92 and \$50,000 for fiscal year 1992-93 may be expended only for correctional officer training in Milwaukee county and only with the approval of the department of administration. The department of corrections shall report to the joint committee on finance by July 1, 1992, regarding the number of people trained and the costs of this training in Milwaukee county.

(2d) POPULATION REESTIMATES; ADULT INSTITUTIONS. Notwithstanding sections 13.101 (3) (a) and 20.865 (4) (a) of the statutes, the joint committee on finance may supplement, from the appropriation under section 20.865 (4) (a) of the statutes, the appropriation under section 20.410 (1) (a) of the statutes by \$520,000 in fiscal year 1991-92 and by \$780,000 in fiscal year 1992-93 upon approval by the committee for costs in correctional institutions based on increases in the number of prisoners.

(2e) POPULATION REESTIMATES; FIELD SUPERVISION. Notwithstanding sections 13.101 (3) (a) and 20.865 (4) (a) of the statutes, the joint committee on finance may supplement, from the appropriation under section

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20.865 (4) (a) of the statutes, the appropriation under section 20.410 (1) (b) of the statutes by \$130,000 in fiscal year 1991-92 and by \$70,000 in fiscal year 1992-93 upon approval by the committee for costs in probation and parole based on increases in the number of probationers and parolees.

(2f) POSITION AUTHORIZATIONS; INTENSIVE SANCTIONS. The authorized FTE positions for the department of corrections are increased by 50.5 GPR positions on the effective date of this subsection and by an additional 66.5 GPR positions on July 1, 1992, for the intensive sanctions program, to be funded from the appropriation under section 20.410 (1) (ai) of the statutes.

Vetoed
in Part

~~(2g) LONG-RANGE EDUCATIONAL PLAN STUDY AND DEVELOPMENT. (a) The department of corrections shall study the corrections educational system in Wisconsin to review the present structure, and systems for delivery, of educational services to inmates of correctional institutions. The study shall include, but is not limited to, all of the following:~~

~~1. An examination of staffing levels, organizational arrangements and operational policies and procedures relating to correctional education programs.~~

~~2. Curriculum development for academic and vocational education programs, uses of educational personnel in correctional institutions for noneducational duties, the use of contracted services to provide education programs, improvements in hiring new educational personnel, use of instructional television fixed service and other similar technology at correctional institutions, incentives for correctional inmates to participate in education programs, including the wage or allowance paid for participation in educational programs, work and study release policies and programs and methods of informing inmates about educational programs.~~

~~(b) The department of corrections shall prepare a report at the conclusion of the study that contains specific recommendations for a long-range plan for providing educational services to correctional inmates and changes in organizational arrangements, operational policies and procedures, staffing levels and educational programs that will improve the delivery of educational services. The secretary of corrections shall transmit the report and recommendations to the governor and the joint committee on finance no later than June 30, 1992.~~

~~(2h) COUNCIL ON EDUCATIONAL PROGRAMS. Notwithstanding section 15.147 (1) of the statutes, as created by this act, of the initial members appointed by the governor to the council on educational programs in the department of corrections, the governor shall designate~~

~~(a) Five members to serve for terms expiring on July 1, 1992.~~

~~(b) Five members to serve for terms expiring on July 1, 1993.~~

~~(c) Five members to serve for terms expiring on July 1, 1994.~~ Vetoed
in Part

~~(2w) EXPEDITED CONSTRUCTION OF CORRECTIONAL FACILITIES. The department of corrections shall request the building commission to expedite construction of any correctional facilities enumerated in Section 9108 (1) (b) of this act that the commission determines to construct by approving the planning and design, bidding for construction and award of contracts for construction of the facilities simultaneously.~~ Vetoed
in Part

(3g) LEGISLATIVE FINDINGS; CORRECTIONAL FACILITIES.

(a) *General subject matter.* The legislature finds that the provisions regarding site selection, establishment and expansion of correctional facilities in this act reflect the state's interest in a matter of state responsibility of statewide dimension.

(b) *Specific statewide concern or interest.* The legislature finds that prison crowding is a critical problem in this state.

(c) *Direct and immediate effect.* The legislature finds that the provisions of the act will directly and immediately affect the statewide concern under paragraph (b). The effect will be direct because the act causes correctional facilities to be established and expanded. The effect will be immediate because, upon completion of the establishment and expansion of the facilities, additional spaces will be available for prisoners, thereby immediately alleviating to a degree the crowded conditions throughout the prison system.

SECTION 9113. Nonstatutory provisions; court of appeals.

(1g) STAFF ATTORNEY. The authorized FTE positions for the court of appeals is increased by 1.0 GPR staff attorney position on the effective date of this subsection, to be funded from the appropriation under section 20.660 (1) (a) of the statutes, to provide one additional staff attorney for the district IV court of appeals.

SECTION 9115. Nonstatutory provisions; development.

(1g) MINORITY NONPROFIT CORPORATION GRANT.

(a) In this subsection "nonprofit corporation" means a corporation that is all of the following:

1. Organized under chapter 181 of the statutes, as affected by this act.

2. Exempt from taxation under section 501 (c) (3) of the internal revenue code.

3. Involved in promoting economic development in a specific area.

(b) The department of development may make a grant totaling not more than \$100,000 from the appropriation under section 20.143 (1) (fm) of the statutes, as amended by this act, to a nonprofit corporation if all of the following apply:

1. The nonprofit corporation provides services primarily to minority group members, as defined in section 560.036 (1) (f) of the statutes, or minority

businesses, as defined in section 560.036 (1) (e) of the statutes.

2. The nonprofit corporation is located in a 1st class city.

3. The nonprofit corporation grant will be used to repair and rehabilitate a facility that is bounded on the north by West National avenue, on the east by South 6th street, on the south by West Walker street and on the west by South 7th street.

4. The nonprofit corporation submits a plan to the department of development detailing the project and the proposed use of the grant.

5. If the grant is part of a project that is also funded by contributions from other sources, the nonprofit corporation provides the department of development with the amount of those contributions or pledges for contributions that the nonprofit corporation received before the grant is made.

6. The secretary of development approves the plan submitted under subdivision 4 before awarding the grant.

7. The nonprofit corporation agrees not to use the proceeds of the grant for salaries or other administrative costs.

8. The nonprofit corporation agrees to try to ensure that at least 50% of the proceeds of the grant will go to contractors that are minority group businesses, as defined in section 560.036 (1) (e) of the statutes.

9. The nonprofit corporation agrees to submit to the department of development, within 90 days after spending the full amount of the grant, a report detailing the actual use of the proceeds of the grant.

(c) This subsection does not apply after June 30, 1993.

(1h) MINORITY NONPROFIT CORPORATION GRANT: BUSINESS INCUBATOR.

(a) In this subsection:

1. "Business incubator" means a facility designed to encourage the growth of new businesses, if at least 2 of the following apply:

a. Space in the facility is rented at a rate lower than the market rate in the community.

b. Shared business services are provided in the facility.

c. Management and technical assistance are available at the facility.

d. Businesses using the facility may obtain financial capital through a direct relationship with at least one financial institution.

2. "Nonprofit corporation" means a corporation that is organized under chapter 181 of the statutes, as affected by this act, and that is exempt from taxation under section 501 (c) (3) of the internal revenue code.

(b) The department of development may make a grant totaling not more than \$500,000 from the appropriation under section 20.143 (1) (fm) of the

statutes, as amended by this act, to a nonprofit corporation if all of the following apply:

1. The nonprofit corporation owns and operates a business incubator.

2. The business incubator provides services primarily to minority group members, as defined in section 560.036 (1) (f) of the statutes, or minority businesses, as defined in section 560.036 (1) (e) of the statutes.

3. The business incubator is located in a 1st class city.

4. The business incubator is bounded on the north by West Pierce street, on the east by South 8th street, on the south by West National avenue and on the west by South 9th street.

5. The nonprofit corporation submits a plan to the department of development detailing the project and the proposed use of the grant.

6. If the grant is part of a project that is also funded by contributions from other sources, the nonprofit corporation provides the department of development with the amount of those contributions or pledges for contributions that the nonprofit corporation received before the grant is made.

7. The secretary of development approves the plan submitted under subdivision 5 before awarding the grant.

8. The nonprofit corporation agrees not to use the proceeds of the grant for salaries or other administrative costs.

9. The nonprofit corporation agrees to use the grant to build or rehabilitate the premises of the business incubator.

10. The nonprofit corporation agrees to try to ensure that at least 50% of the proceeds of the grant will go to contractors that are minority group businesses, as defined in section 560.036 (1) (e) of the statutes.

11. The nonprofit corporation agrees to submit to the department of development, within 90 days after spending the full amount of the grant, a report detailing the actual use of the proceeds of the grant.

(c) This subsection does not apply after June 30, 1993.

(1i) MINORITY BUSINESS INCUBATOR GRANTS.

(a) In this subsection, "business incubator" means a person who operates a facility designed to encourage the growth of new businesses, if at least 2 of the following apply:

1. Space in the facility is rented at a rate lower than the market rate in the community.

2. Shared business services are provided in the facility.

3. Management and technical assistance are available at the facility.

4. Businesses using the facility may obtain financial capital through a direct relationship with at least one financial institution.

(b) The department of development may make a grant totaling not more than \$500,000 from the appropriation under section 20.143 (1) (fm) of the statutes, as amended by this act, to a business incubator if all of the following apply:

1. The business incubator provides services primarily to minority group members, as defined in section 560.036 (1) (f) of the statutes, or minority businesses, as defined in section 560.036 (1) (e) of the statutes.
2. The business incubator is located in a 1st class city.
3. The business incubator is bounded on the north by Locust street, on the east by North 4th street, on the south by Hadley street and on the west by North 5th street.
4. The business incubator submits a plan to the department of development detailing the proposed use of the grant.
5. If the grant is part of a project that is also funded by contributions from other sources, the business incubator provides the department of development with the amount of those contributions or pledges for contributions that the business incubator received before the grant is made.
6. The secretary of development approves the plan submitted under subdivision 4 before awarding the grant.
7. The business incubator agrees not to use the proceeds of the grant for salaries or other administrative costs.
8. If the grant will be used to build or rehabilitate the premises of the business incubator, the business incubator agrees to try to ensure that at least 50% of the proceeds of the grant will go to contractors that are minority businesses, as defined in section 560.036 (1) (e) of the statutes.
9. The business incubator agrees to submit to the department of development, within 90 days after spending the full amount of the grant, a report detailing the actual use of the proceeds of the grant.

(c) This subsection does not apply after June 30, 1993.

~~(1jn) MINORITY BUSINESS INCUBATOR GRANTS FOR LOANS.~~

(a) In this subsection, "business incubator" means a person who operates a facility designed to encourage the growth of new businesses, if at least 2 of the following apply:

1. Space in the facility is rented at a rate lower than the market rate in the community.
2. Shared business services are provided in the facility.
3. Management and technical assistance are available at the facility.
4. Businesses using the facility may obtain financial capital through a direct relationship with at least one financial institution.

~~(b) The department of development shall make a grant totaling not more than \$100,000 from the appropriation under section 20.143 (1) (fm) of the statutes, as amended by this act, to a business incubator if all of the following apply:~~

- ~~1. The business incubator provides services primarily to small businesses, many of which are owned by minority group members, as defined in section 560.036 (1) (f) of the statutes, or minority businesses, as defined in section 560.036 (1) (e) of the statutes.~~
- ~~2. The business incubator is located in a 1st class city.~~
- ~~3. The business incubator is located in the area bounded on the north by Mill road, on the east by Green Bay avenue, on the south by Capitol drive and on the west by Sherman boulevard.~~
- ~~4. The business incubator agrees to use the proceeds of the grant to establish a fund to make loans to and investments in the businesses that use the services of the incubator.~~

~~(c) This subsection does not apply after June 30, 1993.~~

~~(1k) COMMUNITY-BASED NONPROFIT CORPORATION GRANT.~~

~~(a) In this subsection "nonprofit corporation" means a corporation that is all of the following:~~

- ~~1. Organized under chapter 181 of the statutes, as affected by this act.~~
- ~~2. Exempt from taxation under section 501 (c) (3) of the internal revenue code.~~
- ~~3. Involved in promoting economic development in a specific area.~~

~~(b) The department of development may make a grant totaling not more than \$100,000 from the appropriation under section 20.143 (1) (fg) of the statutes, as amended by this act, to a nonprofit corporation if all of the following apply:~~

- ~~1. The nonprofit corporation promotes business development and commercial revitalization.~~
- ~~2. The nonprofit corporation is located in a 1st class city.~~
- ~~3. The nonprofit corporation has no paid staff.~~
- ~~4. The nonprofit corporation grant will be used to repair and rehabilitate a facility that is bounded on the north by West Carter place, on the east by North 46th street, on the south by West Burleigh street and on the west by North 47th street.~~

~~5. The nonprofit corporation submits a plan to the department of development detailing the project and the proposed use of the grant.~~

~~6. If the grant is part of a project that is also funded by contributions from other sources, the nonprofit corporation provides the department of development with the amount of those contributions or pledges for contributions that the nonprofit corporation receives before the grant is made.~~

Vetoed
in Part

Vetoed
in Part

7. The secretary of development approves the plan submitted under subdivision 5 before awarding the grant.

8. The nonprofit corporation agrees not to use the proceeds of the grant for salaries or other administrative costs.

9. The nonprofit corporation agrees to try to ensure that at least 50% of the proceeds of the grant will go to contractors that are minority group businesses, as defined in section 560.036 (1) (e) of the statutes.

10. The nonprofit corporation agrees to submit to the department of development, within 90 days after spending the full amount of the grant, a report detailing the actual use of the proceeds of the grant.

(c) This subsection does not apply after June 30, 1993.

(1m) MUNICIPAL BOUNDARY ADJUSTMENT REVIEW.

(a) *Employee transfers.* On the effective date of this paragraph, all positions associated with the department of development's review of municipal boundary adjustments, and the incumbent employees holding those positions, are transferred from the department of development to the department of administration.

(b) *Employee status.* Employees transferred under paragraph (a) to the department of administration shall have the same rights and status under subchapter V of chapter 111 and chapter 230 of the statutes, as affected by this act, in the department of administration that they enjoyed in the department of development immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee with permanent status in class who is transferred under paragraph (a) is required to serve a probationary period.

(c) *Equipment and records.* On the effective date of this paragraph, all furniture, equipment, supplies and records of the department of development relating to the department of development's review of municipal boundary adjustments are transferred to the department of administration.

Vetoed in Part (1ng) LABOR TRAINING GRANT. The department of development may make grants totaling not more than \$250,000 from the appropriation under section 20.143 (1) (c) of the statutes, as affected by this act, to persons to provide labor training in technology or industrial skills for workers affected by a business closure or employee layoff, if all of the following apply:

(a) The workers were employed by the business on January 1, 1991.

(b) The business employed more than 800 workers on January 1, 1991.

(c) The business that employed the workers is located in a 3rd class city in Eau Claire county.

(d) A person requesting the grant submits a plan to the department of development detailing the proposed use of the grant.

~~(e) The secretary of development approves the plan submitted under paragraph (d) before awarding the grant.~~

~~(f) A person requesting the grant enters into a written agreement with the department of development specifying the conditions for use of the grant proceeds, including reporting and auditing requirements.~~

~~(g) A person receiving the grant proceeds agrees to submit to the department of development, within 6 months after spending the full amount of the grant, a report detailing the use of the proceeds of the grant.~~

~~(h) No grant may be made under this subsection after June 30, 1993.~~

(2) COMMUNITY DEVELOPMENT BLOCK GRANT HOUSING PROGRAMS.

(a) On the effective date of this paragraph, the authorized FTE positions for the department of development are decreased by 2.0 FED positions relating to the administration of housing programs. On the effective date of this paragraph, the incumbents in the positions identified in this paragraph are transferred to the department of administration.

(b) On the effective date of this paragraph, the authorized FTE positions for the department of administration are increased by 2.0 PR positions. The secretary of administration shall appoint the incumbents transferred under paragraph (a) to the positions authorized in this paragraph which correspond to the positions held by the incumbents on the day before the effective date of this paragraph.

(c) Employees transferred to the department of administration under this subsection have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes, as affected by this act, in the department of administration that they enjoyed in the department of development immediately before transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class may be required to serve a probationary period.

(2d) RECYCLING PROGRAMS.

(a) No later than October 1, 1991, the department of development shall submit to the joint committee on finance a report describing in detail the status of the recycling loan program under section 560.65 of the statutes, the minority business recycling grants and loans program under section 560.835 of the statutes and the recycling rebate program under section 560.12 of the statutes. The report shall include a description of activities undertaken by the department relating to those programs, a timetable for the awarding of loans, grants and rebates under the programs and a copy of the proposed rules for the programs.

(b) No later than October 1, 1991, the department of development shall submit, in the manner provided in section 227.19 (2) of the statutes, a notice to the presiding officer of each house of the legislature that the

Vetoed in Part

proposed rules for the programs specified in paragraph (a) are in final draft form.

(2f) CHRISTOPHER COLUMBUS QUINCENTENNIAL GRANTS. From the appropriation under section 20.143 (2) (d) of the statutes, as created by this act, the department of development, after consulting with the Columbus quincentennial council, may make grants totaling no more than \$65,000 in fiscal year 1991-92 and totaling no more than \$60,000 in fiscal year 1992-93 for educational, civic, social, ceremonial and cultural programs celebrating the October 12, 1992, quincentennial of the voyages of Christopher Columbus.

(2r) ECONOMIC DEVELOPMENT CONFERENCE GRANT.

(am) The department of development shall make a grant of \$50,000 from the appropriation under section 20.143 (1) (ez) of the statutes, as created by this act, to the midwest U.S.-Japan association.

(bm) The grant proceeds may be used for no other purpose than to pay costs and expenses directly related to Wisconsin's hosting of the 23rd joint annual conference of the midwest U.S.-Japan association and the Japan-midwest U.S. association in Milwaukee on September 29, 1991, to October 1, 1991.

(cm) No grant may be made under this subsection after December 31, 1991.

(dm) No later than January 31, 1992, the midwest U.S.-Japan association shall submit a written report to the department of development itemizing how the grant proceeds were used.

Vetoed
in Part

(2w) ECONOMIC DEVELOPMENT POTENTIAL OF THE ARTS.

(a) The department of development shall enter into a contract for a study of the economic development potential of the arts in this state. The study shall include all of the following:

1. A comprehensive inventory of cultural facilities and institutions, including but not limited to theaters, museums, opera companies, art galleries and dance companies.

2. Interviews with leaders of civic and arts organizations, artists, performers and academic experts to determine additional resources and actions necessary to further promote the arts in specific areas of the state.

(b) The contractor shall provide a report detailing the results of the study and recommending ways to create relationships involving the public and private sectors and reduce costs for promoting the arts in this state. The department shall submit the report by September 1, 1992, to the governor and the joint committee on finance.

Vetoed
in Part

(2x) INITIAL TERM AND RESIDENCY OF NEW MEMBER OF COUNCIL ON TOURISM. Notwithstanding section 15.157 (2) of the statutes, as affected by this act, the

Vetoed
in Part

new member of the council on tourism shall be a resident of a 1st class city and shall be appointed for a term expiring on July 1, 1994.

Vetoed
in Part

(3m) FLORENCE COUNTY CENTER STAFF.

(a) From the appropriation under section 20.143 (2) (a) of the statutes, as amended by this act, the department of development shall make a grant of \$15,000 in each of fiscal years 1991-92 and 1992-93 to Florence county to be used exclusively for staffing at the Florence county natural resources/outdoor adventure center.

Vetoed
in Part

(b) Before receiving any funds, Florence county shall submit to the department of development an application that contains all of the following:

1. A statement acknowledging that the grants are being provided in fiscal years 1991-92 and 1992-93 only.

2. A plan for obtaining funding from other sources after fiscal year 1992-93.

(3p) KEWAUNEE TOURIST INFORMATION CENTER GRANT. From the appropriation under section 20.143 (2) (a) of the statutes, as affected by this act, the department of development shall spend \$15,000 in each of fiscal years 1991-92 and 1992-93 for general operating expenses at the tourist information center in Kewaunee.

(3r) BIG TOP CHAUTAUGUA GRANTS. From the appropriation under section 20.143 (2) (cm) of the statutes, as created by this act, the department of development shall make a grant of \$15,000 in each of fiscal years 1991-92 and 1992-93 to Bayfield county to be used exclusively for providing funding to Big Top Chautauqua for the production of concerts, plays, lectures or other cultural or educational events. No moneys may be encumbered under this subsection after June 30, 1993.

Vetoed
in Part

(3w) NORTHERN WISCONSIN JOBS RETENTION GRANTS.

(a) The department of development may make grants totaling not more than \$55,000 in fiscal year 1991-92 and totaling not more than \$55,000 in fiscal year 1992-93 from the appropriation under section 20.143 (1) (fg) of the statutes, as amended by this act, to a nonprofit corporation, as defined in section 181.02 (8) of the statutes, if all of the following apply:

1. The nonprofit corporation serves an area of the state that includes the counties of Lincoln, Langlade, Marathon, Oneida, Vilas, Forest, Florence, Marinette, Menominee, Shawano, Oconto, Price, Taylor, Iron, Ashland, Bayfield, Rusk, Barron, Polk, Douglas, Sawyer, Washburn, Burnette, St. Croix, Dunn and Chippewa.

2. The nonprofit corporation agrees in writing to use the grant proceeds solely for the purpose of assisting businesses in this state to create new jobs or retain existing jobs.

3. The nonprofit corporation submits to the department of development a plan detailing the proposed use of the grant proceeds.

4. The secretary of development first determines that the proposed expenditure of the grant proceeds is likely to impact positively on the state's economy

through the creation and retention of jobs, and subsequently approves the plan.

5. The nonprofit corporation agrees in writing that the grant will not be expended for entertainment, foreign travel, payment to persons not providing goods or services to the corporation or any other services prohibited by written agreement between the department of development and the corporation.

6. The nonprofit corporation agrees in writing to submit to the department of development a report, describing how the grant proceeds were used, within 90 days after the expenditure of all grant proceeds or within one year after the corporation first received grant proceeds, whichever is later.

(b) This subsection does not apply after June 30, 1993.

Vetoed
in Part

~~(4fn) INVESTMENT COMPANY.~~

~~(a) In this subsection:~~

~~1. "Department" means the department of development.~~

~~2. "Investment company" means a specialized small business investment company that is licensed under 15 USC 681 (c).~~

~~3. "Secretary" means the secretary of development.~~

~~(b) The department shall loan up to \$1,000,000 from the appropriation under section 20.143 (1) (c) of the statutes, as affected by this act, to an investment company if all of the following apply:~~

~~1. The investment company is located in a 1st class city.~~

~~2. The investment company is at least 51% owned and controlled by minority group members, as defined in section 560.036 (1) (f) of the statutes.~~

~~3. The investment company submits to the department a plan detailing the proposed use of the loan proceeds, and the secretary approves the plan under paragraph (c).~~

~~4. The investment company enters into a written agreement with the department specifying the term of the loan, which shall be at least 12 years and may be extended by agreement of the secretary and the investment company, and establishing the other terms of the loan, including reporting and auditing requirements.~~

~~(c) The secretary shall approve a plan submitted under paragraph (b) 3 if all of the following are satisfied:~~

~~1. The secretary determines that the proposed use of the loan proceeds is likely to stimulate and retain business investment and jobs in an area that has high unemployment and low average income.~~

~~2. The secretary believes that it is reasonably likely that the investment company will be able to repay the loan in full.~~

~~(d) An investment company that receives a loan under this subsection shall submit a report to the department, before a date agreed upon by the depart-~~

~~ment and the investment company, consisting of all of the following information:~~

~~1. A description of how the loan proceeds were used.~~

~~2. Any other information that, in negotiations on the loan, the department and investment company agree will be reported.~~

~~(e) The department shall deposit moneys received in repayment of a loan under this subsection in the appropriation under section 20.143 (1) (ie) of the statutes, as affected by this act.~~

~~(f) The department may not make a loan under this subsection after June 30, 1992.~~

~~(4g) ADVANCE BUSINESS DEVELOPMENT CENTER GRANT. The department of development shall make a grant of \$100,000 before July 1, 1993, from the appropriation under section 20.143 (1) (c) of the statutes, as affected by this act, to the advance business development center in Green Bay to establish a revolving loan fund for women-owned businesses located in its small business incubator.~~

~~(4h) WOMEN'S BUSINESS INITIATIVE CORPORATION GRANT.~~

~~(a) The department of development may make a grant of not more than \$125,000 in fiscal year 1991-92 from the appropriation under section 20.143 (1) (fg) of the statutes, as affected by this act, to the women's business initiative corporation's revolving loan fund.~~

~~(b) The department of development may make a grant of not more than \$125,000 in fiscal year 1992-93 from the appropriation under section 20.143 (1) (fg) of the statutes, as affected by this act, to the women's business initiative corporation's revolving loan fund.~~

~~The department may make the grant under this paragraph only with the approval of the joint committee on finance.~~

~~(4j) TECHNOLOGY TRANSFER PROGRAM. If the department of development determines that at least \$165,000 has been received from the federal government for the university of Wisconsin-Stout technology transfer program, the department of development shall pay \$530,000 from the appropriation under section 20.143 (1) (c) of the statutes, as affected by this act, to the board of regents of the university of Wisconsin system for the university of Wisconsin-Stout technology transfer program. This subsection does not apply after June 30, 1993.~~

~~(5c) HERITAGE TOURISM PROGRAM GRANTS.~~

~~(a) In this subsection, "local heritage tourism program" means a program to promote heritage tourism within an area of the state selected under section 560.31 (2) (d) of the statutes.~~

~~(b) From the appropriation under section 20.143 (2) (bm) of the statutes, as amended by this act, the department of development shall provide \$25,000 to each local heritage tourism program in the 1991-93 biennium. The timing of the disbursement of the~~

Vetoed
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grant proceeds shall be at the discretion of each local heritage tourism program.

(c) From the appropriations under section 20.143 (2) (b) and (bm) of the statutes, as amended by this act, in addition to the amount provided under paragraph (b), the department of development shall provide to each local heritage tourism program in the 1991-93 biennium funds that equal in amount the funds received in the 1991-93 biennium by that local heritage tourism program from all sources other than this state, up to a maximum of \$25,000 per local heritage tourism program.

(d) Of the amounts appropriated to the department of development under section 20.143 (2) (b) of the statutes, as amended by this act, up to \$36,000 shall be allocated in fiscal year 1992-93 to provide the funding under paragraph (c) to the local heritage tourism programs.

Vetoed in Part (5e) ~~AMERICAN INDIAN DEVELOPMENT FINANCING GRANTS.~~ Notwithstanding section 560.88 (1) of the statutes, as created by this act, the department of development may not release moneys appropriated under section 20.143 (1) (di) of the statutes, as created by this act, to the Great Lakes inter-tribal council until the department determines that the Great Lakes inter-tribal council has appointed a development finance board under section 560.88 (2) (a) of the statutes, as created by this act, and that the development finance board has established policies and procedures for implementation of the development finance program under section 560.88 (2) of the statutes, as created by this act.

(5f) **AMERICAN INDIAN ECONOMIC DEVELOPMENT REVIEW.** The department of development shall conduct a review of all state programs intended to promote or assist economic development to determine whether tribal governing bodies and Indian-owned businesses are eligible for the assistance offered under the programs and whether there are structural or cultural barriers in the programs that make the programs effectively unavailable to tribal governing bodies and Indian-owned businesses. The department shall recommend any legislation necessary to make the programs fully available to tribal governing bodies and Indian-owned businesses. The department shall consult with and seek the advice and recommendations of the Great Lakes inter-tribal council while conducting the review and developing the recommendations required under this subsection. The department shall submit its findings and recommendations to the chief clerk of each house of the legislature for distribution to the appropriate standing committees in the manner provided under section 13.172 (3) of the statutes and to the American Indian study committee created under section 13.83 (3) of the statutes no later than the first day of the 13th month beginning after the effective date of this subsection.

(5g) **AMERICAN INDIAN ECONOMIC DEVELOPMENT PROGRAM.** The authorized FTE positions for the department of development are increased by 1.0 GPR

project position to administer certain one-time and start-up responsibilities relating to the American Indian economic development program under subchapter VIII of chapter 560 of the statutes, as created by this act, for a 2-year period beginning not earlier than August 1, 1991, to be funded from the appropriation under section 20.143 (1) (a) of the statutes, as affected by this act.

~~(6h) INITIAL TERMS OF SEED CAPITAL PROGRAM BOARD MEMBERS.~~ Notwithstanding section 19.155 (6) (a) 3 of the statutes, as created by this act, the initial appointed members of the seed capital program board shall be appointed for the following terms:

~~(a) One appointed member for a term expiring on May 1, 1992.~~

~~(b) Two appointed members for terms expiring on May 1, 1993.~~

~~(c) Two appointed members for terms expiring on May 1, 1994.~~

~~(d) Two appointed members for terms expiring on May 1, 1995.~~

~~(6i) SEED CAPITAL PROGRAM ALLOCATION.~~ Of the amounts appropriated to the department of development under section 20.143 (1) (e) of the statutes, as affected by this act, the department may expend up to \$1,500,000 in fiscal year 1991-92 and up to \$2,000,000 in fiscal year 1992-93 for the seed capital program under section 560.195 of the statutes, as created by this act.

SECTION 9116. Nonstatutory provisions; district attorneys.

(1) **CHILD SUPPORT ENFORCEMENT.** The authorized FTE positions for the department of administration are increased by 0.35 PR position, to be funded from the appropriation under section 20.475 (1) (g) of the statutes, as affected by this act, to prosecute criminal child support offenses for the prosecutorial unit consisting of Milwaukee county.

SECTION 9117. Nonstatutory provisions; educational communications board.

(1) **VEHICLE FLEET CONSOLIDATION.**

(a) *Assets and liabilities.* On the effective date of this paragraph, all assets and liabilities of the educational communications board relating to vehicle fleet operations, as determined by the department of administration, shall become the assets and liabilities of the department of administration. The department of administration shall develop and implement a plan for the orderly transfer thereof.

(b) *Supplies and equipment.* On the effective date of this paragraph, all materials, supplies, furniture and capital equipment of the educational communications board relating to vehicle fleet operations, as determined by the department of administration, are transferred to the department of administration. The department of administration shall develop and implement a plan for the orderly transfer thereof.

(c) *Records.* On the effective date of this paragraph, all records of the educational communications

Vetoed in Part

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board relating to vehicle fleet operations, as determined by the department of administration, are transferred to the department of administration. The department of administration shall develop and implement a plan for the orderly transfer thereof.

(d) *Contracts.* All contracts entered into by the educational communications board relating to vehicle fleet operations, which are in effect on the effective date of this paragraph, remain in effect and are transferred to the department of administration. Unless modified or rescinded, the contractual obligations shall be carried out by the department of administration.

(e) *Pending matters.* Any matter pending with the educational communications board on the effective date of this paragraph relating to vehicle fleet operations is transferred to the department of administration. All materials submitted to or actions taken by the educational communications board with respect to the pending matter are deemed to have been submitted to or taken by the department of administration.

(f) *Collections.* On and after the effective date of this paragraph, the department of administration may collect any amount payable prior to the effective date of this paragraph to the educational communications board relating to vehicle fleet operations and the department of administration shall credit the amounts collected to the applicable appropriation or fund as provided by law.

(2) *INITIAL TERM.* Notwithstanding section 15.57 (7) of the statutes, as created by this act, the initial member of the educational communications board appointed by the board of vocational, technical and adult education shall serve for a term expiring on May 1, 1995.

(4p) *DISTANCE EDUCATION PROJECTS.*

(a) Upon approval of a plan submitted by the educational communications board to the joint committee on finance on the proposed uses of funds for 2 distance education projects, the joint committee on finance may, notwithstanding section 13.101 (3) (a) of the statutes, supplement the appropriation under section 20.225 (1) (a) of the statutes from the appropriation under section 20.865 (4) (a) of the statutes by \$300,000 in each fiscal year of the 1991-93 biennium for the purpose of funding 2 distance education projects.

Vetoed
in Part

(b) The projects funded by paragraph (a) shall meet all of the following requirements:

1. Serve at least one school district in which Native American students constitute at least 50% of the membership.

2. Have programming features that include foreign languages, advanced academics and staff development.

3. Are either pilot or demonstration projects containing full 2-way audio and video by means of fiber optics.

(6f) *COUNCIL ON PUBLIC TELEVISION.* Notwithstanding section 15.577 (2) of the statutes, as affected by this act, the initial appointment of a member to the council on public television under section 15.577 (2) of the statutes, as affected by this act, shall expire on July 1, 1995.

SECTION 9118. Nonstatutory provisions; elections board.

(1g) *POLLING PLACE ACCESS REPORTS.* Each municipal clerk or board of election commissioners of a municipality that anticipates utilizing a polling place on or after January 1, 1992, to which section 5.25 (4) (a) of the statutes, as affected by 1989 Wisconsin Act 192, will apply commencing on January 1, 1992, and which is not in compliance with that paragraph on November 1, 1991, shall report in writing to the elections board no later than November 1, 1991, concerning the plans of the municipality for bringing the polling place into compliance with that paragraph.

SECTION 9121. Nonstatutory provisions; employment relations department.

(2r) *CORRECTIONS STAFF RECRUITMENT.* The division of merit recruitment and selection in the department of employment relations shall, by July 1, 1992, submit to the chief clerk of each house of the legislature, for distribution to the legislature in the manner provided under section 13.172 (2) of the statutes, a report on the progress in the recruitment, hiring and promotion of underrepresented racial, ethnic or gender groups in the department of corrections.

Vetoed
in Part

~~(3c) *REPORT ON SPECIAL AGENT COMPENSATION.* By July 1, 1992, the department of employment relations shall submit a report on the compensation provided to special agents employed by the department of justice to the chief clerk of each house of the legislature for distribution to the legislature in the manner provided under section 13.172 (2) of the statutes.~~

Vetoed
in Part

~~(4g) *STUDY OF UNIVERSITY OF WISCONSIN FACULTY SALARIES.* The department of employment relations shall study the structure of faculty salaries at the university of Wisconsin system. The study shall include an analysis of the advisability of creating a salary schedule. The department shall transmit a report of the results of the study, together with its recommendations, to the chief clerk of each house of the legislature for distribution to the appropriate standing committees in the manner provided in section 13.172 (3) of the statutes, no later than July 1, 1992.~~

Vetoed
in Part

SECTION 9122. Nonstatutory provisions; ethics board.

(1g) *STUDY OF LOBBYING REGULATION ADMINISTRATIVE FINANCING.* The ethics board shall study alternative methods of administrative financing of its lobbying regulation function and shall propose a method of financing that is more progressive than the method provided under current law and that takes into account the impact of high fees upon the ability of organizations of limited means to effectively exercise

their rights to participate in the legislative process. The board shall transmit a report containing the results of its study and its recommendations to the chief clerk of each house of the legislature for distribution to the legislature in the manner provided in section 13.172 (2) of the statutes no later than January 1, 1992.

~~SECTION 9123. Nonstatutory provisions; governor.~~

Vetoed
in Part

~~(3f) TRIBAL AND COMMUNITY RELATIONS COUNCILS. Notwithstanding the terms specified in section 14.017 (3) (b) (intro.) of the statutes, as created by this act, the following initial members of each tribal and community relations council shall be appointed for terms expiring on the following dates:~~

~~(a) Two members appointed under section 14.017 (3) (b) 1 of the statutes, as created by this act, and the corresponding 2 members appointed under section 14.017 (3) (b) 2 of the statutes, as created by this act, July 1, 1992.~~

~~(b) Two members appointed under section 14.017 (3) (b) 1 of the statutes, as created by this act, and the 2 corresponding members appointed under section 14.017 (3) (b) 2 of the statutes, as created by this act, July 1, 1993.~~

~~(c) Two members appointed under section 14.017 (3) (b) 1 of the statutes, as created by this act, and the 2 corresponding members appointed under section 14.017 (3) (b) 2 of the statutes, as created by this act, July 1, 1994.~~

SECTION 9125. Nonstatutory provisions; health and social services.

(1d) WEATHERIZATION ASSISTANCE PROGRAM TRANSFER.

(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the department of health and social services associated with the weatherization assistance program shall become the assets and liabilities of the department of administration.

(b) *Employee transfers.* On the effective date of this paragraph, all positions associated with the weatherization assistance program, as determined by the secretary of administration, and the incumbent employees holding those positions are transferred from the department of health and social services to the department of administration.

(c) *Employee status.* Employees transferred under paragraph (b) to the department of administration shall have the same rights and status under subchapter V of chapter 111 and chapter 230 of the statutes, as affected by this act, in the department of administration that they enjoyed in the department of health and social services immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee with permanent status in class who is transferred under paragraph (b) is required to serve a probationary period.

(d) *Equipment and records.* On the effective date of this paragraph, all furniture, equipment, supplies and

records of the department of health and social services relating to the weatherization assistance program are transferred to the department of administration.

(e) *Contracts.* All contracts entered into by the department of health and social services relating to the weatherization assistance program in effect on the effective date of this paragraph remain in effect and are transferred to the department of administration. The department of administration shall carry out any such contractual obligations.

(f) *Rules and orders.* All rules promulgated and orders issued by the department of health and social services relating to the weatherization assistance program in effect on the effective date of this paragraph remain in effect until their specified expiration date or until modified or rescinded by the department of administration.

(g) *Pending matters.* Any matter pending with the department of health and social services on the effective date of this paragraph related to the weatherization assistance program is transferred to the department of administration, and all materials submitted to or actions taken before the effective date of this paragraph with respect to the pending matter are considered as having been submitted to or taken by the department of administration.

(1q) **LICENSE FEES.** Notwithstanding sections 48.615 (2) and 48.625 (2) (b) of the statutes, as created by this act, section 48.65 (3) (b) of the statutes, as affected by this act, and section 140.85 (2) (c) of the statutes, the department of health and social services may waive the late payment fee under those sections for 90 days after the effective date of this subsection.

~~(1r) COMMUNITY SERVICE JOBS PROGRAM. The department of health and social services shall evaluate and prepare a report on the grant recipient's community service jobs program under section 46.35 of the statutes and submit that report to the joint committee on finance no later than January 1, 1994.~~

Vetoed
in Part

(1t) TRANSFER OF HOUSING ASSISTANCE PROGRAMS.

(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the department of health and social services associated with the emergency shelter subsidy grant program, the transitional housing operating fund program and housing assistance programs funded by the Stewart B. McKinney homeless assistance act, 42 USC 11361 to 11402, shall become the assets and liabilities of the department of administration.

(b) *Employee transfers.* On the effective date of this paragraph, all positions associated with the emergency shelter subsidy grant program, the transitional housing operating fund program and housing assistance programs funded by the Stewart B. McKinney homeless assistance act, as determined by the secretary of administration, and the incumbent employees holding those positions are transferred from the department of health and social services to the department of administration.

(c) *Employee status.* Employees transferred under paragraph (b) to the department of administration shall have the same rights and status under subchapter V of chapter 111 and chapter 230 of the statutes, as affected by this act, in the department of administration that they enjoyed in the department of health and social services immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee with permanent status in class who is transferred under paragraph (b) is required to serve a probationary period.

(d) *Equipment and records.* On the effective date of this paragraph, all furniture, equipment, supplies and records of the department of health and social services relating to the emergency shelter subsidy grant program, the transitional housing operating fund program and housing assistance programs funded by the Stewart B. McKinney homeless assistance act are transferred to the department of administration.

(e) *Contracts.* All contracts entered into by the department of health and social services relating to the emergency shelter subsidy grant program, the transitional housing operating fund program and housing assistance programs funded by the Stewart B. McKinney homeless assistance act in effect on the effective date of this paragraph remain in effect and are transferred to the department of administration. The department of administration shall carry out any such contractual obligations.

(f) *Rules and orders.* All rules promulgated and orders issued by the department of health and social services relating to the emergency shelter subsidy grant program, the transitional housing operating fund program and housing assistance programs funded by the Stewart B. McKinney homeless assistance act in effect on the effective date of this paragraph remain in effect until their specified expiration date or until modified or rescinded by the department of administration.

(g) *Pending matters.* Any matter pending with the department of health and social services on the effective date of this paragraph related to the emergency shelter subsidy grant program, the transitional housing operating fund program and housing assistance programs funded by the Stewart B. McKinney homeless assistance act is transferred to the department of administration, and all materials submitted to or actions taken before the effective date of this paragraph with respect to the pending matter are considered as having been submitted to or taken by the department of administration.

(2j) ALLOCATION OF FEDERAL CHILD CARE AND DEVELOPMENT BLOCK GRANT FUNDS.

(a) *Definitions.* In this subsection:

1. "Child care provider" has the meaning given in section 46.98 (1) (a) of the statutes.

2. "Day care center" means a facility operated by a child care provider that provides care and supervision

for 4 or more children under 7 years of age for less than 24 hours a day.

3. "Day care program" has the meaning given in section 46.99 (1) (a) of the statutes.

4. "Department" means the department of health and social services.

5. "Family day care center" means a day care center that provides care and supervision for not less than 4 nor more than 8 children.

6. "Group day care center" means a day care center that provides care and supervision for 9 or more children.

7. "Parent" has the meaning given in section 46.98 (1) (c) of the statutes.

8. "Student parent" has the meaning given in section 46.99 (1) (d) of the statutes.

(b) *Allocation.* Subject to paragraph (h), the department shall allocate the federal child care and development block grant funds received under 42 USC 9858 and appropriated under section 20.435 (7) (c) of the statutes, as affected by this act, that are not allocated for child day care services under section 46.40 (4) (a) 2 of the statutes, as created by this act, as provided in paragraphs (c) to (g).

(c) *Start-up and expansion.* For start-up and expansion of child day care services, the department shall allocate \$1,590,100 in fiscal year 1991-92 and \$1,268,500 in fiscal year 1992-93. In distributing funds allocated under this paragraph, the department shall give priority to increasing the availability of child day care services for infants and to increasing the availability of child day care services in economically depressed urban and rural areas, on federally recognized American Indian reservations and in bureau of Indian affairs service areas for the Winnebago tribe. The department shall attempt to distribute the funds allocated under this paragraph equally among head start agencies designated under 42 USC 9836, employers that provide or wish to provide child day care services for the children of their employees, family day care centers, group day care centers and day care programs for the children of student parents, but may, after considering proposals from child care providers in each of those categories, distribute the funds allocated under this paragraph in unequal amounts among those categories.

(d) *Resource and referral services.* For child day care resource and referral services for parents, the department shall allocate \$834,400 in fiscal year 1991-92 and \$928,800 in fiscal year 1992-93. The department shall distribute funds allocated under this paragraph to continue funding the child care resource and referral centers that were funded under section 46.981 of the statutes during the 1989-91 state fiscal biennium and to establish new child care resource and referral centers in areas that were not served by child care resource and referral centers funded under section

46.981 of the statutes during the 1989-91 state fiscal biennium.

(e) *Quality standards.* The department shall promulgate rules establishing quality of care standards that are higher than the standards required for licensure under section 48.65 of the statutes or for certification under section 48.651 of the statutes. To assist child care providers in meeting the quality of care standards established by rules promulgated under this paragraph and to reimburse, at a rate higher than the rate established under section 46.98 (4) (d) of the statutes, as affected by this act, child care providers that meet those quality of care standards, the department shall allocate \$600,000 in fiscal year 1991-92 and \$1,200,000 in fiscal year 1992-93.

(f) *Quality improvement.* For activities to improve the quality of child day care services provided in this state and for costs incurred by the department in licensing child care providers under section 48.65 of the statutes, the department shall allocate \$730,000 in fiscal year 1991-92 and \$822,900 in fiscal year 1992-93. Quality improvement activities funded under this paragraph may include training for the employees of child care providers and projects to improve the retention of employees of child care providers. The department may expend no more than 50% of the amounts allocated under this paragraph on costs incurred in licensing child care providers under section 48.65 of the statutes.

(g) *Positions.* The department shall allocate \$107,400 in fiscal year 1991-92 and \$132,700 in fiscal year 1992-93 to increase the authorized FTE positions for the department by 3.0 FED positions for the purposes of providing technical assistance for child care providers and of administering the child care programs funded under section 20.435 (7) (b) and (c) of the statutes.

(h) *Allocations, approval.* Notwithstanding paragraph (b), the department may allocate more than the amounts specified in paragraphs (c) to (g) for the purposes specified in paragraphs (c) to (g) upon the approval of the joint committee on finance.

(2x) *INCOME MAINTENANCE ADMINISTRATION REIMBURSEMENT.* The department of health and social services shall apply the formula under section 49.52 (1) (ad) 1 of the statutes, as affected by this act, so that for 1993 no county receives less than 100% of the amount of reimbursement for income maintenance administration that it receives for 1991. The department of health and social services shall apply the formula under section 49.52 (1) (ad) 1 of the statutes, as affected by this act, so that for 1993 no county receives more than 105% of the amount of reimbursement for income maintenance administration that it receives for 1991.

Vetoed in Part (2y) *OUT-OF-HOME PLACEMENT FEE REPORT.* The department of health and social services shall study the methods being used by that department to establish, under section 46.03 (18) (a) of the statutes, as

~~affected by this act, the fees that are charged to a parent or guardian for the support of a child for whom a court assigned to exercise jurisdiction under chapter 48 of the statutes, as affected by this act, has designated an alternate placement by a disposition made under section 48.34 of the statutes, as affected by this act, or section 48.345 of the statutes, and shall submit a report by July 1, 1992, to the chief clerk of each house of the legislature for distribution to the legislature in the manner provided in section 13.172 (2) of the statutes. The report shall analyze whether the methods being used to set fees under section 46.03 (18) (a) of the statutes, as affected by this act, cause hardship on families, whether those methods interfere with permanency planning under section 48.38 of the statutes, as affected by this act, whether those methods create an incentive to use certain types of placements and the extent of the administrative burden involved in the methods being used to set fees under section 46.03 (18) (a) of the statutes, as affected by this act.~~

~~(2z) OUT-OF-HOME PLACEMENT FEE PLAN.~~

~~(a) Based on the study under subsection (2y), the department of health and social services shall develop, in consultation with representatives of families with children in out-of-home placements, county departments, as defined in section 48.02 (2g) of the statutes, and providers of residential services for children, a plan for setting fees for out-of-home placements of children that provides for all of the following:~~

~~1. Consistency between the fees charged for placement in a state-run institution and the fees charged for other out-of-home placements.~~

~~2. A uniform fee schedule that is based on ability to pay and that takes into account the cost of maintaining a home to which a child may return.~~

~~3. Equal treatment of families in which a divorce or separation has occurred and families that are intact.~~

~~4. Incentives for family reunification and for placing a child in the placement that is least restrictive of the rights of the child and of the child's parent and that is most appropriate for meeting the needs of the child and the child's family.~~

~~5. Administrative feasibility.~~

~~6. Consistency between the fees charged for out-of-home placements of children, including placement in a state-run institution, and the family's cost share under programs such as the community options program under section 46.27 of the statutes and the family support program under section 46.985 of the statutes that provide support for noninstitutional and in-home placements.~~

~~7. A procedure for a person who disputes an out-of-home placement fee, as determined under the plan provided under this subsection, to appeal that determination to the department of health and social services.~~

~~8. A procedure for county departments, as defined in section 48.02 (2g) of the statutes, to collect the out-of-home placement fees, described under subsection~~

Vetoed in Part

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~~(2y) directly from parents who do not pay those fees when due.~~

~~(b) The department of health and social services shall submit the plan developed under paragraph (a) by October 30, 1992, to the chief clerk of each house of the legislature for distribution to the legislature in the manner provided in section 13.172 (2) of the statutes.~~

(3) RULES ON HOSPICE AIDE TRAINING REQUIREMENTS.

(a) The department of health and social services shall submit any proposed rules establishing standards for the certification of instructional and competency evaluation programs for hospice aides under section 146.40 (3) of the statutes, as affected by this act, and standards for the approval of competency evaluation programs for hospice aides under section 146.40 (3m) of the statutes, as affected by this act, to the legislative council staff for review under section 227.15 (1) of the statutes no later than January 1, 1992.

(b) Using the procedure under section 227.24 of the statutes, the department of health and social services shall promulgate rules establishing standards for the certification of instructional and competency evaluation programs for hospice aides under section 146.40 (3) of the statutes, as affected by this act, and standards for the approval of competency evaluation programs for hospice aides under section 146.40 (3m) of the statutes, as affected by this act for the period prior to the effective date of the rules submitted under paragraph (a), but not to exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) and (3) of the statutes, the department is not required to make a finding of emergency.

Vetoed
in Part

(3d) **GRANTS TO CHAPTERS OF AMERICAN RED CROSS.** From the appropriation under section 20.435 (7) (bc), the department of health and social services shall allocate \$194,000 in fiscal year 1991-92 to chapters of the American Red Cross in Wisconsin to provide emergency communications services, short-term financial assistance and information, referral and advocacy services to persons who served in support of Operation Desert Shield or Operation Desert Storm, as described in section 45.34 (2) (e) of the statutes, as affected by this act, and their families. The department of health and social services shall allocate the funds under this subsection in accordance with the needs of the individual chapters, as determined by the department.

(3g) NEW HOPE PROJECT.

(a) When the department of health and social services determines that the conditions in section 46.31 (1) of the statutes, as created by this act, are satisfied, it shall request that the joint committee on finance supplement the appropriation under section 20.435 (4) (dk) of the statutes, as created by this act, from the appropriation under section 20.865 (4) (a) of the stat-

utes for the purpose of conducting the new hope project under section 46.31 of the statutes, as created by this act.

(b) Notwithstanding section 13.101 (3) (a) of the statutes, after the department of health and social services makes the request under paragraph (a), the joint committee on finance may supplement the appropriation under section 20.435 (4) (dk) of the statutes, as created by this act, from the appropriation under section 20.865 (4) (a) of the statutes by \$500,000 in fiscal year 1991-92 and \$500,000 in fiscal year 1992-93 for the purpose of conducting the new hope project under section 46.31 of the statutes, as created by this act.

Vetoed
in Part

~~(3m) **PUBLIC ASSISTANCE APPLICATION FORM.** The department of health and social services shall design a simplified application form for aid to families with dependent children under section 49.19 of the statutes, medical assistance under sections 49.45 to 49.47 of the statutes and food stamp program benefits under section 7 USC 2011 to 2029. In designing the simplified application form, the department shall consult with groups that advocate for persons who receive or are eligible for these programs. The simplified application form shall comply with section 49.13 (6) of the statutes, as created by this act, and the department shall begin the use of the form by July 1, 1993, or the date on which the department implements a pilot program for the redesign of its computer reporting network for public assistance programs, whichever is earlier.~~

Vetoed
in Part

~~(3n) **GENERAL RELIEF REIMBURSEMENT.** Notwithstanding section 49.035 (1) and (4) of the statutes, the department of health and social services shall reimburse counties for general relief costs from the appropriation under section 20.435 (4) (eb) of the statutes, as follows:~~

Vetoed
in Part

~~(a) For fiscal year 1991-92, first distribute \$22,578,900 using the method under section 49.035 of the statutes, then distribute \$3,097,500 only for the reimbursement of general relief medical costs up to the percentages specified in section 49.035 (2) of the statutes, prorating if necessary.~~

~~(b) For fiscal year 1992-93, first distribute \$22,578,900 using the method under section 49.035 of the statutes, then distribute \$4,101,900 only for the reimbursement of general relief medical costs up to the percentages specified in section 49.035 (2) of the statutes, prorating if necessary.~~

~~(3j) **FOOD STAMP OUTREACH: FEDERAL POSITIONS.** The authorized FTE positions for the department of health and social services are increased by 0.25 FTE position to be funded from the appropriation under section 20.435 (4) (n) of the statutes, as created by this act, for administration and evaluation of the food stamp outreach program.~~

Vetoed
in Part

~~(3w) **WORK FIRST PROGRAM.** In fiscal year 1992-93, the department shall allocate \$200,000 from the appropriation under section 20.435 (4) (d) of the stat-~~

Vetoed
in Part

**Vetoed
in Part**

utes, as affected by this act, and \$200,000 from the appropriation under section 20.435 (4) (ps) of the statutes, as affected by this act, to operate the work first program under section 49.50 (7d) of the statutes, as created by this act, in 2 counties in which the program does not operate before July 1, 1991.

(4) WORKSHOP FOR THE BLIND. The repeal of section 47.03 (1m) (d) of the statutes, by this act, has no effect on the validity of the lease by the department of health and social services to the nonprofit corporation, as specified in section 47.03 (1m) (d), 1989 stats.

**Vetoed
in Part**

(4f) CHILD SUPPORT COLLECTION FEES. The department of health and social services shall prepare a report on the administrative feasibility of modifying child support collection fees and other court fees and creating additional fees in order to offset increased costs that counties incur for administering the child support program. The report must contain proposals, estimates of the amount of additional revenue that could be generated by each proposal and a discussion of the policy implications of each proposal. The department shall submit the report by January 1, 1992, to the joint committee on finance and to the chief clerk of each house of the legislature for distribution in the manner provided under section 13.172 (3) of the statutes.

**Vetoed
in Part**

(4j) SEXUAL ASSAULT AND ABUSE TREATMENT. From the appropriation under section 20.435 (7) (bc) of the statutes, as affected by this act, the department of health and social services shall allocate \$25,000 in each of fiscal years 1991-92 and 1992-93 to ASTOP, inc., as a grant for a demonstration project to provide comprehensive treatment, in Fond du Lac, Green Lake and Dodge counties, for sexual assault and abuse. Section 46.03 (40) of the statutes, as created by this act, applies to the demonstration project under this subsection.

**Vetoed
in Part**

(4p) COMMUNITY ACTION PROGRAM FUNDING. From the appropriation under section 20.435 (4) (cr) of the statutes, as affected by this act, the department of health and social services shall provide \$20,000 in fiscal year 1991-92 and \$20,000 in fiscal year 1992-93 to the Wisconsin community action program association for an additional staff person.

**Vetoed
in Part**

(4q) NORTH COUNTRY INDEPENDENT LIVING OFFICE IN ASHLAND. From the appropriation under section 20.435 (7) (c) of the statutes, the department of health and social services shall allocate \$25,000 in fiscal year 1992-93 as a grant under section 46.96 of the statutes to the north country independent living program to establish a secondary office in the city of Ashland.

**Vetoed
in Part**

(4r) RUNAWAY SERVICES PROGRAM EVALUATION. The department of health and social services shall submit to the joint committee on finance no later than February 1, 1992, a report evaluating the runaway services program under section 46.263 of the statutes, as created by this act. The report shall contain the department's recommendations regarding continued

funding for the program and the sources of that continued funding.

**Vetoed
in Part**

(4v) GENERAL RELIEF ELIGIBILITY DETERMINATION STUDY. The department of health and social services shall conduct a study to determine the extent to which general relief agencies in this state deny eligibility for general relief based on a person's application for, or potential eligibility for, other public assistance programs and shall before January 1, 1992, provide written clarification to all general relief agencies that general relief may not be denied to a person based on that person's application for, or potential eligibility for, other forms of public assistance. The department shall submit the report by January 1, 1992, to the chief clerk of each house of the legislature for distribution to the legislature in the manner provided under section 13.172 (2) of the statutes.

**Vetoed
in Part**

(4w) POSTTRAUMATIC STRESS DISORDER PROJECT. From the appropriation under section 20.435 (7) (bc) of the statutes, as affected by this act, the department of health and social services shall allocate \$20,000 in state fiscal year 1991-92 to the mental health association in Brown county, inc., to provide to providers of mental health services education on awareness and treatment of posttraumatic stress disorder.

**Vetoed
in Part**

(5d) STUDY OF ADMINISTRATIVE COSTS. The department of health and social services shall by January 1, 1993, conduct a time study of each county department under sections 46.215, 46.22, 46.23, 51.42 and 51.437 of the statutes to determine the time spent by these county departments in administering programs for the client groups enumerated under section 46.40 (1) of the statutes, as repealed and recreated by this act. The department of health and social services shall use the results of the study to designate a portion of funds within each allocation under section 46.40 (1) of the statutes, as repealed and recreated by this act, that may be expended on administrative costs in the rules required to be promulgated by the department in section 46.40 (3) of the statutes, as repealed and recreated by this act.

**Vetoed
in Part**

(5n) COMMUNITY SUPPORT PROGRAM GRANTS EVALUATION. The department of health and social services shall collect and analyze information about the grant program under section 51.421 (4) of the statutes, evaluate the grant program's effectiveness and submit a report of the evaluation that includes recommendations about continued funding and funding sources to the joint committee on finance by February 1, 1992.

**Vetoed
in Part**

(5r) COMMUNITY OPTIONS PROGRAM. The department of health and social services shall, during fiscal years 1991-92 and 1992-93, consider as a factor in allocating to counties increased funds under section 46.27 (7) and (11) of the statutes, as affected by this act, the costs that are incurred by counties to improve care management services, as required under section 46.27 (5) (c), as affected by this act.

**Vetoed
in Part**

(6g) REPORT ON PILOT PROGRAM FEASIBILITY. NO later than the first day of the 4th month beginning

**Vetoed
in Part**

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Vetoed
in Part

after the effective date of this subsection, the department of health and social services shall prepare a report on the feasibility of establishing a pilot program and a proposed timetable linking university of Wisconsin system students in a directed study program with veterans who need community care and services. The department shall submit the report to the chief clerk of each house of the legislature for distribution to the standing committees dealing with veterans in the manner provided under section 13.172 (3) of the statutes.

(6p) DISPROPORTIONATE SHARE HOSPITALS. The department of health and social services shall, for fiscal years 1991-92 and 1992-93, increase the range of adjustments in reimbursement made per patient discharge, for hospitals that are considered disproportionate share hospitals under 42 USC 1396r-4 (b), from a range from 2% to 4% to a range from 3% to 5.5%.

(6t) DENTAL EDUCATION AGREEMENT. The department of health and social services may not expend up to \$1,200,000 in fiscal year 1991-92 and up to \$1,800,000 in fiscal year 1992-93 from the appropriation under section 20.435 (1) (a) of the statutes, unless the higher educational aids board has entered into the agreement that is specified under SECTION 9126 (2n) of this act.

Vetoed
in Part

(7b) AIDS PREVENTION TRAINING FOR ALCOHOL AND DRUG ABUSE WORKERS. The department of health and social services shall collect and analyze information about the program under section 146.022 (2) (b) of the statutes, as affected by this act, evaluate the program's effectiveness and submit a report of the evaluation that includes recommendations about continued funding and funding sources to the joint committee on finance by February 1, 1992.

(7d) ALCOHOL AND OTHER DRUG ABUSE TREATMENT; HEARING IMPAIRED. The department of health and social services shall submit a report of the evaluation conducted under section 46.717 of the statutes, as affected by this act, that includes recommendations about continued funding and funding sources to the joint committee on finance by February 1, 1992.

Vetoed
in Part

(8g) ADOPTION ASSISTANCE STUDY. The department of health and social services shall submit to the joint committee on finance no later than July 1, 1992, a study of the adequacy of the levels of adoption assistance payments made to the parents of adopted children under section 48.975 of the statutes. The study shall include the recommendations of the department of health and social services regarding any changes to the levels of adoption assistance payments that the department may consider necessary based on the findings of the study under this subsection.

Vetoed
in Part

(8x) FAMILY PRESERVATION FUNDING. The department of health and social services shall submit to the joint committee on finance no later than July 1, 1992, a plan for obtaining funding for the family preserva-

tion program under section 46.987 of the statutes, as created by this act, for the 1993-95 state fiscal biennium from federal foster care and adoption assistance payments under 42 USC 670 to 676.

Vetoed
in Part

(9i) REPORT ON HOME HEALTH PAYMENT STRUCTURE AND RATES. The department of health and social services shall study the payment structure and payment rates for home health services for recipients of medical assistance and shall, by December 1, 1991, report its findings to the joint committee on finance.

Vetoed
in Part

(11d) COUNSELOR CAREER DEVELOPMENT TRAINING. From the appropriation under section 20.435 (7) (md) of the statutes, as affected by this act, the department of health and social services shall allocate \$62,500 for fiscal year 1991-92 and \$75,000 for fiscal year 1992-93 as a grant to provide training for career development as alcohol and other drug abuse counselors to members of racial minority groups.

(11f) ALCOHOL AND OTHER DRUG ABUSE COUNSELOR CERTIFICATION. From the appropriation under section 20.435 (7) (md) of the statutes, as affected by this act, the department of health and social services shall allocate \$50,000 in each of fiscal years 1991-92 and 1992-93 as a grant to the Wisconsin alcoholism and drug abuse counselor certification board, inc., to provide certification of additional alcohol and other drug abuse counselors.

(11g) COUNSELOR CAREER DEVELOPMENT TRAINING IN A CERTAIN CITY. From the appropriation under section 20.435 (7) (md) of the statutes, as affected by this act, the department of health and social services shall allocate to an entity in each of fiscal years 1991-92 and 1992-93 \$8,000 to provide training for career development as alcohol and other drug abuse counselors to members of racial minority groups in a city in this state that has a racial minority population that exceeds 15% of the city's total population and that is located more than 40 miles from the city of Milwaukee.

(11j) COUNCIL ON FOOD PROTECTION PRACTICES. Notwithstanding section 15.197 (21) (intro.) of the statutes, as created by this act, the initial members of the council on food protection practices shall be appointed for the following terms:

(a) For terms that expire on July 1, 1992, the representative of the Wisconsin innkeepers association, inc.; the representative of an organization of registered sanitarians who is employed by a city with agent status; and the registered sanitarian who is employed in a regional office of a subunit of the department of health and social services.

(b) For terms that expire on July 1, 1993, the representative of the tavern league of Wisconsin, inc.; the representative of a corporate chain of restaurants doing business in this state; the representative of an organization of registered sanitarians who is employed by a county with agent status; and the rep-

representative of the Wisconsin conference of local public health officials, inc.

(c) For terms that expire on July 1, 1994, the representative of the Wisconsin restaurant association, inc.; the staff member of the state board of vocational, technical and adult education; the employee of the university of Wisconsin system; and the member who has none of the qualifications required for other members.

Vetoed in Part (12c) ~~HALFWAY HOUSE. From the appropriation under section 20.435 (7) (bc) of the statutes, as affected by this act, the department of health and social services shall allocate \$50,000 in fiscal year 1991-92 as a grant to friends of women in recovery, inc., for the purchase of a home to provide care, shelter and treatment for women with problems of alcohol and other drug abuse and their children. The grant recipient under this subsection shall, as a condition of receipt of the grant, provide matching funds in the amount of \$25,000.~~

Vetoed in Part (12j) ~~INDEPENDENT LIVING CENTER IN LA CROSSE. From the appropriation under section 20.435 (7) (c) of the statutes, the department of health and social services shall allocate \$55,000 in fiscal year 1991-92 and \$110,000 in fiscal year 1992-93 as a grant under section 26.96 of the statutes to establish an independent living center in the city of La Crosse.~~

(13f) **SIXTEENTH STREET COMMUNITY HEALTH CENTER.** From the appropriation under section 20.435 (1) (cp) of the statutes, as created by this act, the department of health and social services shall allocate \$150,000 in fiscal year 1991-92 as a grant of one-time funding to health organization for public ethics (HOPE), inc., to support costs of expanding the Sixteenth street community health center.

(13g) **BREAST CANCER SCREENING.** From the appropriation under section 20.435 (1) (cc) of the statutes, as affected by this act, the department of health and social services shall allocate \$109,800 in fiscal year 1991-92 and \$115,200 in fiscal year 1992-93 as a grant to the city of Milwaukee public health department for the performance of breast cancer screening activities with the use of a mobile mammography van.

(14e) **REPORT ON EARLY INTERVENTION SERVICES.** By February 1, 1992, the department of health and social services shall submit to the chief clerk of each house of the legislature for distribution to the appropriate standing committees of the legislature in the manner provided under section 13.172 (3) of the statutes, and shall submit to the members of the joint committee on finance, a report concerning the progress of the department of health and social services toward 4th-year program goals of the early intervention services program under section 51.44 of the statutes, as created by this act, assessing funding needs of the program and identifying funding sources and options available to the state for continued participation in the program.

(14f) **RULES ON EARLY INTERVENTION SERVICES.**

(a) The department of health and social services shall submit proposed rules required under section 51.44 (5) of the statutes, as created by this act, to the legislative council staff for review under section 227.15 (1) of the statutes no later than January 1, 1992.

(b) Using the procedure under section 227.24 of the statutes, the department of health and social services shall promulgate rules required under section 51.44 (5) of the statutes, as created by this act, for the period prior to the effective date of the rules submitted under paragraph (a), but not to exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a) and (2) (b) of the statutes, the department need not provide evidence of the necessity of preservation of the public peace, health, safety or welfare in promulgating the rules under this paragraph.

Vetoed in Part (14fn) ~~INTERAGENCY COORDINATING COUNCIL. The initial members of the interagency coordinating council under section 15.197 (13) of the statutes, as created by this act, shall include the individuals serving on the effective date of this subsection as members of the state interagency coordinating council that was created by executive order of the governor on June 26, 1987. Notwithstanding the length of terms specified in section 15.197 (13) of the statutes, as created by this act, the governor shall determine the staggered lengths of terms of all initial members of the interagency coordinating council, in conformity with the requirements of 20 USC 1482 (b).~~

~~(15d) HEALTH CARE DEVICE SAFETY GRANTS.~~

~~(a) In this subsection:~~

- ~~1. "HIV" has the meaning given under section 146.025 (1) (b) of the statutes.~~
- ~~2. "HIV infection" has the meaning given under section 146.025 (1) (c) of the statutes.~~
- ~~3. "Hospital" has the meaning given under section 50.33 (2) of the statutes.~~
- ~~4. "Nursing home" has the meaning given under section 50.01 (3) of the statutes.~~
- ~~5. "Occupational puncture injury" means a puncture, cut or other wound that results to a provider of health care or a health worker from a device, instrument or other object in a health care setting.~~

Vetoed in Part ~~(b) From the appropriation under section 20.435 (1) (c) of the statutes, as created by this act, the department of health and social services shall allocate, under criteria and procedures established by the department, up to \$50,000 in fiscal year 1991-92 and up to \$100,000 in fiscal year 1992-93 to provide not less than 2 and not more than 5 grants to applying hospitals or nursing homes that have significant numbers of patients with HIV infections, for projects to test the practicality and effectiveness of using, in health care settings, devices that are designed to prevent occupational puncture injuries. Funds may be used for the purchase, at reasonable cost, of hypodermic syringes, needles and related devices that are so designed.~~

Vetoed
in Part

~~(c) A hospital or nursing home that receives a grant under paragraph (b) shall have established a staff committee that includes representatives of labor and of management of the hospital or nursing home to implement the grant.~~

~~(d) The department of health and social services shall evaluate the program established under this subsection and shall submit its findings and recommendations, by January 1, 1993, to the chief clerk of each house of the legislature for distribution to the legislature in the manner provided under section 13.172 (2) of the statutes. The department shall examine, among other issues relating to the effectiveness of the program, all of the following:~~

~~1. The impact of the use of devices that are designed to prevent occupational puncture injury on the transmission of infectious disease and the occurrence of occupational puncture injuries.~~

~~2. The availability and the cost, relative to other devices, of devices that are designed to prevent occupational puncture injury.~~

~~3. The costs incurred and the savings realized by health care providers by the use in health care settings of devices designed to prevent occupational puncture injury.~~

~~4. The practicality of using devices that are designed to prevent occupational puncture injury, including the willingness of health care personnel to use them.~~

~~5. The benefit, if any, of continued use of devices that are designed to prevent occupational puncture injury.~~

~~(15f) ASSESSMENTS TO FACILITIES.~~

~~(a) In this subsection:~~

~~1. "Facility" has the meaning given in section 49.45 (6m) (a) 3 of the statutes.~~

~~2. "State share" means that portion of the medical assistance costs payable to a facility under section 49.45 (6m) of the statutes for the provision of authorized services that is not reimbursed by federal funds, unless no federal financial participation is available for these services. If no federal financial participation is available for a service which is payable under section 49.45 (6m) of the statutes, "state share" means that portion of the costs that would be the state share if federal financial participation were available.~~

~~(b) The department of health and social services shall develop and enter into a memorandum of understanding with representatives of the nursing home industry that states all of the following:~~

~~1. It is the intent of the state to fund, from assessments performed under section 49.45 (6r) of the statutes, as created by this act, the state share of the payment for facility care provided medical assistance recipients that is equal to the difference between the 2.5% increase during fiscal year 1991-92 over that allocated in fiscal year 1990-91 and during fiscal year 1992-93 over that allocated in fiscal year 1991-92~~

under section 49.45 (6m) (ag) 8 of the statutes, as affected by this act, and no more than a 6.75% increase during fiscal year 1991-92 over that allocated in fiscal year 1990-91 and during fiscal year 1992-93 over that allocated in fiscal year 1991-92. Except for the rates specified in section 49.45 (6m) (ag) 8 and (av) 4 of the statutes, as affected by this act, the funding under this subdivision shall be made for each facility in accordance with the criteria specified in section 49.45 (6m) of the statutes.

2. If the federal department of health and human services limits or does not permit the state's use of facility assessments under section 49.45 (6r) of the statutes, as created by this act, as a funding source for the state share of the payment for facility care provided medical assistance recipients, the state does not intend to fund, with general purpose revenues, the difference between a 3.5% increase during fiscal year 1991-92 over that allocated in fiscal year 1990-91 and during fiscal year 1992-93 over that allocated in fiscal year 1991-92 under section 49.45 (6m) (ag) 8 of the statutes, as affected by this act, and no more than a 6.75% increase during fiscal year 1991-92 over that allocated in fiscal year 1990-91 and during fiscal year 1992-93 over that allocated in fiscal year 1991-92.

(c) If the assessment is imposed under section 49.45 (6r) of the statutes, as created by this act, and permitted and not limited by the federal department of health and human services, payment for care provided in a facility after June 30, 1991, under section 49.45 (6m) of the statutes that is made from the appropriations under section 20.435 (1) (b) and (o) of the statutes shall be made under the requirements of section 49.45 (6m) of the statutes, except for all of the following:

1. Notwithstanding section 49.45 (6m) (ag) 8 of the statutes, as affected by this act, calculation of total payments and supplementary payments to facilities that permits an increase in funds allocated under section 20.435 (1) (b) of the statutes, as affected by this act, and section 20.435 (1) (o) of the statutes for facility care provided medical assistance recipients over that paid for services provided in state fiscal year 1990-91 of no more than 4.25% during fiscal year 1991-92 and over that paid for services provided in fiscal year 1991-92 of no more than 4.25% during state fiscal year 1992-93, excluding increases in total payments attributable to increases in recipient utilization of facility care, payments for the provision of active treatment to facility residents with developmental disability or chronic mental illness and payments for preadmission screening of facility applicants and annual reviews of facility residents required under 42 USC 1396f (e).

2. Notwithstanding section 49.45 (6m) (av) 4 of the statutes, as affected by this act, if the facility's payment rate under section 49.45 (6m) (av) 1 of the statutes is a decrease from its average payment rate from the previous year under section 49.45 (6m) (av) 2 of

the statutes, or if the facility's payment rate under section 49.45 (6m) (av) 1 of the statutes is, for the 1991 fiscal year of the facility, less than a 4.25% increase over its average payment rate under section 49.45 (6m) (av) 2 of the statutes or is, for the 1992 fiscal year of the facility, less than a 4.25% increase over its average payment rate under section 49.45 (6m) (av) 2 of the statutes, and if the figure calculated under section 49.45 (6m) (av) 3 of the statutes exceeds the payment rate for the facility under section 49.45 (6m) (av) 1 of the statutes, the following shall apply:

a. The facility's average payment rate shall be the greater of its average payment rate under section 49.45 (6m) (av) 2 of the statutes increased by the amount determined under subdivision 2. b. or its rate under section 49.45 (6m) (av) 1 of the statutes.

b. The department of health and social services may increase the rate under section 49.45 (6m) (av) 2 of the statutes by an amount not to exceed, for state fiscal year 1991-92, 4.25% of the facility's average payment rate under section 49.45 (6m) (av) 2 of the statutes, or, for state fiscal year 1992-93, 4.25% of the facility's average payment rate under section 49.45 (6m) (av) 2 of the statutes, based on an analysis which may be conducted by the department which compares the facility's average payment rate under section 49.45 (6m) (av) 2 of the statutes with the costs under section 49.45 (6m) (av) 3 of the statutes of similar facilities.

(d) If paragraph (c) applies, section 150.27 of the statutes does not apply to any increase in funds that are allocated as specified in paragraph (c).

(e) The department of health and social services shall, by August 31, 1991, request from the joint committee on finance approval for release, from the appropriation under section 20.865 (4) (a) of the statutes, of \$558,300 in fiscal year 1991-92 and of \$562,300 in fiscal year 1992-93 for performance, by the department, of assessments to facilities under section 49.45 (6r) of the statutes, as created by this act.

(15p) VOLUNTEER HEALTH CARE PROVIDER. From the appropriation under section 20.435 (1) (cp) of the statutes, as affected by this act, the department of health and social services shall allocate \$30,000 in fiscal year 1991-92 to a volunteer health care provider in Racine county for which an application is approved under section 146.89 of the statutes, as a grant for a demonstration project. The grant recipient under this subsection shall, as a condition of receipt of the grant, provide a match to the grant from money or equipment. Section 46.03 (40) of the statutes, as created by this act, applies to the demonstration project under this subsection.

Vetoed
in Part

(16f) STUDY OF FOSTER CARE CASE LOADS. The department of health and social services shall conduct a study of the number of children in foster care per foster care caseworker in each of the 72 counties in this state to determine which counties, if any, may require additional funding to bring the foster care case load per foster care caseworker in that county into

conformity with the standard of not less than 20 nor more than 30 foster care cases per foster care caseworker set by the child welfare league of America. The department of health and social services shall, by October 31, 1991, submit the results of this study to the chief clerk of each house of the legislature for distribution to the appropriate standing committees in the manner provided in section 13.172 (3) of the statutes.

Vetoed
in Part

(16j) MEDICAL ASSISTANCE OUTLIER REIMBURSEMENT STUDY. The department of health and social services shall conduct a study of the increased reimbursement that is made under the medical assistance program to health care providers under the inpatient hospital outlier reimbursement methodology. The study shall examine ways of improving the program under which the increased reimbursement is made. By February 1, 1992, the department of health and social services shall submit a report of the study results to the chief clerk of each house of the legislature for distribution in the manner provided under section 13.172 (2) of the statutes.

Vetoed
in Part

(16k) INTEGRATED SERVICES PROGRAMS FOR CHILDREN WITH SEVERE DISABILITIES.

Vetoed
in Part

(a) Of the amounts appropriated under section 20.435 (7) (co) of the statutes, the department of health and social services may allocate not more than \$30,000 in each of fiscal years 1991-92 and 1992-93 for the evaluation under section 46.56 (14) (c) of the statutes, as affected by this act, and for training for providers of services under section 46.56 of the statutes, as affected by this act.

(b) Of the amounts appropriated under section 20.435 (7) (co) of the statutes, the department of health and social services shall allocate \$24,000 in the first 6 months of 1993 to increase funding for county boards of supervisors that received funds under section 46.56 (15) of the statutes before July 1, 1991, and \$80,000 in the first 6 months of 1993 to provide funding under section 46.56 (15) of the statutes for 2 county boards of supervisors that did not receive funds under section 46.56 (15) of the statutes before July 1, 1993.

(16m) CHILD AND ADOLESCENT SERVICE PLAN. The department of health and social services shall develop a plan for providing a child and adolescent service benefit under the medical assistance program for children with severe emotional disturbance or mental illness. Under the plan, the benefit shall include a wide range of mental health services, including case management, psychotherapy, in-home treatment, day treatment, crisis intervention and inpatient psychiatric care. The department shall submit the plan to the joint committee on finance no later than January 1, 1992.

Vetoed
in Part

(16w) REPORT ON HOMELESS HEALTH CARE. By June 30, 1993, the department shall submit a report to the chief clerk of each house of the legislature for distribution to the legislature in the manner provided under section 13.172 (2) of the statutes. The report shall pro-

Vetoed
in Part

Vetoed
in Part

~~vide an evaluation of the program under section 46.972 (2) of the statutes, as affected by this act, including the number of persons who received services from the program during the period of the grant award, information on the health and residential status of the persons served, if available, and a recommendation regarding continuation of the grant program.~~

Vetoed
in Part

~~(17v) EMERGENCY MEDICAL SERVICES COUNCIL; INITIAL APPOINTMENTS. Notwithstanding the length of terms specified in section 15.197 (23) of the statutes, as created by this act, of the initial members of the emergency medical services council, the following shall be appointed for the following terms:~~

~~(a) Four members, for terms that expire on July 1, 1993.~~

~~(b) Four members, for terms that expire on July 1, 1994.~~

~~(c) Three members, for terms that expire on July 1, 1995.~~

~~(17w) MEDICAL CARE COUNCIL; INITIAL APPOINTMENTS. Notwithstanding the length of terms specified in section 15.197 (24) (intro.) of the statutes, as created by this act, of the initial members of the medical care council, the following shall be appointed for the following terms:~~

~~(a) Two regional medical directors and the licensed physician whose specialty of practice is general surgery, for terms that expire on July 1, 1993.~~

~~(b) Two regional medical directors and the member described in section 15.197 (24) (d) of the statutes, as created by this act, for terms that expire on July 1, 1994.~~

~~(c) Two regional medical directors and the licensed physician whose specialty of practice is family practice, for terms that expire on July 1, 1995.~~

~~(18j) RESIDENTIAL TREATMENT FACILITY FOR DELINQUENT GIRLS.~~

Vetoed
in Part

~~(a) Request-for-proposals for the provision of a secured correctional facility for delinquent girls. By October 15, 1991, the department of health and social services shall submit to the joint committee on finance a proposed request-for-proposals for the provision of a secured correctional facility, as defined in section 48.02 (15m) of the statutes, as affected by this act, in the Milwaukee federal standard metropolitan statistical area, or in Racine or Kenosha counties, for the care and treatment of not less than 30 nor more than~~

Vetoed
in Part

~~40 girls who have been adjudicated delinquent. The proposed request-for-proposals may also request proposals for the provision of a secured correctional facility, as defined in section 48.02 (15m) of the statutes, as affected by this act, outside of the Milwaukee federal standard metropolitan statistical area, and outside of Racine and Kenosha counties, for the care and treatment of not more than 20 girls who have been adjudicated delinquent. The department of health and social services, or, if that department bids on the request-for-~~

Vetoed
in Part

proposals as provided under subdivision 2, the department of administration, shall choose an organization to provide that secured correctional facility, as defined in section 48.02 (15m) of the statutes, as affected by this act. The request-for-proposals under this paragraph shall contain all of the following conditions:

Vetoed
in Part

~~1. That all organizations that bid on the request-for-proposals must have experience in providing residential services for girls who have been adjudicated delinquent and must be prepared for the placement of girls who are relocated from the Lincoln Hills school by no later than July 1, 1993, unless the joint committee on finance extends that date.~~

~~2. That the department of health and social services may bid on the request-for-proposals and that, if the department of health and social services bids on the request-for-proposals, the department of administration shall review and approve or disapprove all proposals submitted in response to the request-for-proposals.~~

~~3. That all organizations that bid on the request-for-proposals must agree to abide by the decisions of the division of youth services in the department of health and social services regarding placement in and release from the secured correctional facility, as defined in section 48.02 (15m) of the statutes, as affected by this act, provided under this paragraph.~~

~~4. That the organization chosen to provide the secured correctional facility, as defined in section 48.02 (15m) of the statutes, as affected by this act, may provide nonsecure residential programs for girls who are on aftercare status, as authorized by the department of health and social services.~~

~~5. That any organization that bids on the request-for-proposals must describe in its proposal the training and services that it proposes to provide for the girls who are placed under its care, including educational services, medical care and services, independent-living skills training, survival skills training and aftercare services.~~

~~(b) Relocation of girls from Lincoln Hills school. By July 1, 1993, unless the joint committee on finance extends that date, the department of health and social services shall relocate all girls who are placed at the Lincoln Hills school to the secured correctional facility for girls contracted for under paragraph (a). After June 30, 1993, unless the joint committee on finance extends that date, the department of health and social services may not place at the Lincoln Hills school or the Ethan Allen school any girl who has been adjudged delinquent.~~

Vetoed
in Part

Vetoed
in Part

~~(c) Short-term programming for boys. 1. In this paragraph, "short-term programming" means intensive treatment that lasts not less than 60 days nor more than 90 days and that is followed by aftercare.~~

~~2. If any cottage at Lincoln Hills school or at Ethan Allen school is vacated as a result of the placement of girls in the secured correctional facility contracted for~~

Vetoed
in Part

~~under paragraph (a), the department of health and social services shall use that vacated cottage for short-term programming for boys. No more than 40 boys may receive short-term programming under this paragraph.~~

Vetoed
in Part

(d) *Duties of the department of health and social services.* The department of health and social services shall submit to the joint committee on finance no later than January 21, 1992, unless that committee extends that date, all of the following:

Vetoed
in Part

1. An estimate of all costs associated with contracting for the provision of a secured correctional facility for girls under paragraph (a), relocating all girls who are placed at Lincoln Hills school to that secured correctional facility and providing short-term programming for boys in any cottage at Lincoln Hills school or at Ethan Allen school that is vacated as a result of that relocation. The estimate under this subdivision shall include the amount, if any, by which community youth and family aids funding to counties must be increased under section 46.26 (4) (b) 2 of the statutes to cover the cost increases, if any, that result from the activities specified in this subdivision.

2. Proposed legislation to adjust the per person daily cost assessment to counties under section 46.26 (4) (d) 2 to 4 of the statutes, as affected by this act, for care in a juvenile correctional institution so that the department of health and social services may recover the additional costs, if any, that result from the activities specified in subdivision 1.

Vetoed
in Part

3. A plan that indicates how the department of health and social services intends to minimize the impact of the activities specified in subdivision 1 on employees of that department. The department shall attempt to reassign employees who are displaced by the relocation under paragraph (b) of girls from the Lincoln Hills school to vacant positions with the department and to positions involved with the short-term programming for boys under paragraph (c).

(e) *Joint committee on finance approval.* Upon approval of the information provided under paragraph (d), the joint committee on finance may, notwithstanding section 13.101 (3) (a) of the statutes, supplement the appropriation under section 20.435 (3) (a) of the statutes from the appropriation under section 20.865 (4) (a) of the statutes by \$250,000 in fiscal year 1992-93 for the purpose of funding start-up costs for the secured correctional facility, as defined in section 48.02 (15m) of the statutes, as affected by this act, for girls contracted for under paragraph (a).

Vetoed
in Part

(19g) *ALLOCATION OF FEDERAL FUNDS FOR CAPACITY BUILDING FOR TREATMENT PROGRAMS.* From the appropriation under section 20.435 (7) (ma) of the statutes, the department of health and social services shall allocate \$649,700 in fiscal year 1991-92 and \$649,700 in fiscal year 1992-93 for capacity building for treatment programs under section 46.86 of the statutes, as affected by this act.

Vetoed
in Part

~~(19b) *STATE HEALTH INSURANCE PROGRAM.* On or before January 1, 1993, the department of health and social services shall prepare and submit an evaluation of the combined Portage county pilot project under section 146.90 of the statutes, as affected by this act, to the chief clerk of each house of the legislature for distribution to the members of the legislature in the manner provided under section 13.172 (2) of the statutes.~~

Vetoed
in Part

~~(19c) *COUNCIL ON ALCOHOL AND OTHER DRUG ABUSE TREATMENT.* Notwithstanding the length of terms specified for members of the council on alcohol and other drug abuse treatment in section 15.197 (25) of the statutes, as created by this act, of the initial members of the council under that section the following shall be appointed:~~

~~(a) One individual who is recovering from addiction to alcohol or other drugs, one representative of the county department under section 46.21 of the statutes, and one member of the board of the planning council for health and human services, inc., for terms that expire on July 1, 1993.~~

~~(b) One individual who is recovering from addiction to alcohol or other drugs, and one member of the board of the Milwaukee innercity congregation allied for hope, inc., for terms that expire on July 1, 1994.~~

~~(c) One member of the board of the planning council for health and human services, inc., one member of the board of the Milwaukee innercity congregations allied for hope, inc., and one member of the combined community services board of Milwaukee county, for terms that expire on July 1, 1995.~~

Vetoed
in Part

~~(19w) *STUDY OF ELDERLY PARENTS AND DEVELOPMENTALLY DISABLED INDIVIDUALS.* The council on developmental disabilities, in conjunction with the subunit of the department of health and social services that is concerned with aging, shall study the problems of elderly parents of developmentally disabled adult children and of elderly developmentally disabled individuals and shall develop a proposed pilot program of services to address these problems. The council on developmental disabilities and the department of health and social services subunit shall, by September 1, 1992, submit a report of the study and the proposed pilot program to the secretary of health and social services and to the chief clerk of each house of the legislature for distribution to the appropriate standing committees in the manner provided in section 13.172 (3) of the statutes.~~

Vetoed
in Part

~~(19e) *HOUSING PROGRAM FOR ELDERLY.* From the appropriation under section 20.435 (7) (bc) of the statutes, as affected by this act, the department of health and social services shall allocate \$40,000 in each of fiscal years 1991-92 and 1992-93, beginning September 1, 1991, as a grant to Lutheran social services of Wisconsin and upper Michigan, inc., to expand, in Marathon and Portage counties, a program that matches an elderly person who needs help in maintaining his or her house with an individual who will live with the~~

Vetoed in Part ~~elderly person and provide maintenance services in exchange for reduced rent.~~

(20g) COMMUNITY ALCOHOL AND OTHER DRUG ABUSE EDUCATION. From the appropriation under section 20.435 (7) (ma) of the statutes, the department of health and social services shall allocate to the inner city council on alcoholism \$125,000 in each of fiscal years 1991-92 and 1992-93 for the provision of community alcohol and other drug abuse education in the city of Milwaukee.

(20j) COUNCIL ON DEVELOPMENTAL DISABILITIES. The authorized FTE positions for the department of health and social services are increased by 1.0 FED position on July 1, 1991, to be funded from the appropriation under section 20.435 (6) (m) of the statutes, for the purpose of providing program analysis to the council on developmental disabilities.

Vetoed in Part ~~(20w) JUVENILE CORRECTIONAL INSTITUTION PLACEMENT REPORT. The department of health and social services shall conduct a study of children who are adjudicated delinquent under section 48.34 of the statutes, as affected by this act, and shall, by January 1, 1992, submit the results of this study to the chief clerk of each house of the legislature for distribution to the appropriate standing committees in the manner provided in section 13.172 (3) of the statutes. The report shall focus on, and contain recommendations regarding, the types of children for whom placement in a secured correctional facility, as defined in section 48.02 (15m) of the statutes, as affected by this act, is appropriate.~~

Vetoed in Part ~~(20x) OUT-OF-HOME PLACEMENT COST REPORT. The department of health and social services shall conduct a study of the costs that counties incur due to out-of-home placements of children ordered under section 48.34 of the statutes, as affected by this act, and shall, by January 1, 1992, submit the results of this study to the chief clerk of each house of the legislature for distribution to the appropriate standing committees in the manner provided in section 13.172 (3) of the statutes.~~

(20z) TRANSFER OF MOBILE HOME PARK REGULATION.

(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the department of health and social services associated with mobile home park regulation shall become the assets and liabilities of the department of administration.

(b) *Equipment and records.* On the effective date of this paragraph, all furniture, equipment, supplies and records of the department of health and social services relating to mobile home park regulation are transferred to the department of administration.

(c) *Contracts.* All contracts entered into by the department of health and social services relating to mobile home park regulation in effect on the effective date of this paragraph remain in effect and are transferred to the department of administration. The

department of administration shall carry out any such contractual obligations.

(d) *Rules and orders.* All rules promulgated and orders issued by the department of health and social services relating to mobile home park regulation in effect on the effective date of this paragraph remain in effect until their specified expiration date or until modified or rescinded by the department of administration.

(e) *Pending matters.* Any matter pending with the department of health and social services on the effective date of this paragraph related to mobile home park regulation is transferred to the department of administration, and all materials submitted to or actions taken before the effective date of this paragraph with respect to the pending matter are considered as having been submitted to or taken by the department of administration.

~~(21g) COMMUNITY OPTIONS PROGRAM FUNDING. Of the funding from section 20.435 (7) (bd) of the statutes for services provided to eligible persons under section 46.27 (7) (b) of the statutes in fiscal year 1992-93, the department of health and social services shall allocate funding to counties in Wisconsin that have comparatively high populations of individuals with HIV infection, as defined in section 146.025 (1) (c) of the statutes, or with acquired immunodeficiency syndrome, for services to at least 50 persons in those counties.~~

Vetoed in Part

(21h) COMMUNITY OPTIONS PROGRAM QUALITY ASSURANCE. From the appropriation under section 20.435 (6) (a) of the statutes, the department of health and social services shall allocate \$32,100 in fiscal year 1991-92 and \$9,500 in fiscal year 1992-93 to conduct quality assurance activities under section 46.27 (11) of the statutes.

~~(21p) FAMILY WORKSHOPS. From the appropriation under section 20.435 (7) (bc) of the statutes, as affected by this act, the department of health and social services shall allocate \$200,000 in each of fiscal years 1991-92 and 1992-93 as grants for community programs to fund workshops for parents and children in voluntarily participating families on issues related to sexuality and other risk behaviors.~~

Vetoed in Part

(21q) FAMILY PLANNING SERVICES. From the appropriation under section 20.435 (1) (f) of the statutes, as affected by this act, the department of health and social services shall allocate all of the following funds, for the following purposes, for distribution under section 146.80 of the statutes:

(a) For funding of fees for low-income women for the performance of Papanicolaou's test for the detection of cancer, \$200,000 in each of fiscal years 1991-92 and 1992-93.

(b) For the training of nurse practitioners, as defined in section 632.895 (8) (a) 3 of the statutes, in obstetrical and gynecological medicine, to serve rural

communities in Wisconsin, \$48,000 in each of fiscal years 1991-92 and 1992-93.

Vetoed in Part (c) For pilot programs to reduce the incidence of chlamydia and other sexually transmitted diseases, operating in ~~8~~ counties with a high incidence of the diseases, to expand testing and treatment and include testing and treatment of low-income males, \$186,000 in each of fiscal years 1991-92 and 1992-93.

Vetoed in Part (21N) MINORITY LONG-TERM CARE OUTREACH PROGRAM.

Vetoed in Part (a) In this subsection:

1. "Aging unit" has the meaning given in section 46.81 (1) (a) of the statutes.

2. "Nonprofit corporation" has the meaning given in section 46.93 (1m) (c) of the statutes.

3. "Public agency" has the meaning given in section 46.93 (1m) (e) of the statutes.

(b) From the appropriation under section 20.435 (7) (bc) of the statutes, as affected by this act, the department of health and social services shall allocate \$150,000, beginning January 1, 1993, as grants to aging units in counties in which at least 1% of the population is minority individuals aged 60 or older, for distribution, among the counties, proportionate to each eligible county's percentage of the statewide population of minority individuals aged 60 or older. The grants allocated under this subsection shall be for outreach services to minority individuals aged 60 or older, to enable them to qualify for and receive public benefits and enroll in publicly funded programs and shall be targeted toward individuals with high-risk health conditions, substandard housing conditions or minimal or no informal support arrangements. The outreach services shall be provided by bilingual or bicultural persons or by persons who are residents of the neighborhoods of the individuals targeted to receive the services.

(c) The department of health and social services may carry forward funds allocated under this subsection, but not encumbered by December 31, for allocation for the purpose under this subsection in the following calendar year. The department of health and social services shall allocate funds so carried over as grants to applying private nonprofit corporations or to public agencies on a request-for-proposal basis.

SECTION 9126. Nonstatutory provisions; higher educational aids board.

(1) **HEALTH CARE PROVIDERS LOAN ASSISTANCE PROGRAM.** The higher educational aids board shall study the need for the health care providers loan assistance program under section 39.43 of the statutes, as affected by this act, and examine the desirability and feasibility of changing the eligibility requirements of the program to provide loan assistance to additional health care providers not currently listed under section 39.43 (1) (a) of the statutes, as affected by this act. The board shall report its findings and recommendations by January 31, 1992, to the governor and to the chief clerk of each house of the legislature for distribu-

tion to the appropriate standing committees in the manner provided under section 13.172 (3) of the statutes.

(2n) **DENTAL EDUCATION AGREEMENT.** The higher educational aids board shall enter into an agreement with the contracting institution under section 39.46 (2) of the statutes in which the dental school of the contracting institution agrees to accept new dental classes in the 1991-92 and 1992-93 academic years and to maintain operation of the dental school until at least June 30, 1996. From the appropriation under section 20.235 (1) (d) of the statutes, as affected by this act, \$300,300 in fiscal year 1991-92 and \$774,800 in fiscal year 1992-93 may not be expended without such agreement.

SECTION 9127. Nonstatutory provisions; historical society.

(1) VEHICLE FLEET CONSOLIDATION.

(a) *Assets and liabilities.* On the effective date of this paragraph, all assets and liabilities of the historical society relating to vehicle fleet operations, as determined by the department of administration, shall become the assets and liabilities of the department of administration. The department of administration shall develop and implement a plan for the orderly transfer thereof.

(b) *Supplies and equipment.* On the effective date of this paragraph, all materials, supplies, furniture and capital equipment of the historical society relating to vehicle fleet operations, as determined by the department of administration, are transferred to the department of administration. The department of administration shall develop and implement a plan for the orderly transfer thereof.

(c) *Records.* On the effective date of this paragraph, all records of the historical society relating to vehicle fleet operations, as determined by the department of administration, are transferred to the department of administration. The department of administration shall develop and implement a plan for the orderly transfer thereof.

(d) *Contracts.* All contracts entered into by the historical society relating to vehicle fleet operations, which are in effect on the effective date of this paragraph, remain in effect and are transferred to the department of administration. Unless modified or rescinded, the contractual obligations shall be carried out by the department of administration.

(e) *Pending matters.* Any matter pending with the historical society on the effective date of this paragraph relating to vehicle fleet operations is transferred to the department of administration. All materials submitted to or actions taken by the historical society with respect to the pending matter are deemed to have been submitted to or taken by the department of administration.

(f) *Collections.* On and after the effective date of this paragraph, the department of administration may collect any amount payable prior to the effective date

of this paragraph to the historical society relating to vehicle fleet operations and the department of administration shall credit the amounts collected to the applicable appropriation or fund as provided by law.

Vetoed
in Part

~~(2g) Southport Lighthouse. From the appropriation under section 20.245 (4) (a) of the statutes, the historical society shall allocate to the Kenosha county historical society \$25,000 in fiscal year 1991-92 for the restoration of the Southport lighthouse for the purpose of promoting tourism.~~

Vetoed
in Part

~~(2q) SUBMERGED CULTURAL RESOURCES COUNCIL. Notwithstanding section 15.707 (2) (b) of the statutes, as created by this act, the terms of the initial members of the submerged cultural resources council appointed under section 15.707 (2) (a) 6 and 7 of the statutes, as created by this act, shall expire as follows:~~

~~(a) On July 1, 1993, for 2 of the members appointed under section 15.707 (2) (a) 7 of the statutes, as created by this act, as designated by the governor.~~

~~(b) On July 1, 1994, for 2 of the members appointed under section 15.707 (2) (a) 7 of the statutes, as created by this act, as designated by the governor.~~

~~(c) On July 1, 1995, for 2 of the members appointed under section 15.707 (2) (a) 7 of the statutes, as created by this act, as designated by the governor, and for the member appointed under section 15.707 (2) (a) 6 of the statutes, as created by this act.~~

Vetoed
in Part

~~(2s) HISTORICAL MARKERS PROGRAM. The authorized FTE positions for the historical society are increased by 1.0 GPR position on July 1, 1992, to be funded from the appropriation under section 20.245 (3) (b) of the statutes, as created by this act, for the purpose of performing the staff responsibilities of the historical society under section 44.02 (27) of the statutes, as created by this act.~~

SECTION 9128. Nonstatutory provisions; housing and economic development authority.

(1t) TRANSFER OF HOUSING ASSISTANCE PROGRAMS.

Vetoed
in Part

~~(a) Assets and liabilities. On the effective date of this paragraph, the assets and liabilities of the Wisconsin housing and economic development authority associated with housing assistance programs funded by the Stewart B. McKinney homeless assistance act, 42 USC 11361 to 11402, shall become the assets and liabilities of the department of administration.~~

Vetoed
in Part

~~(d) Records. On the effective date of this paragraph, all records of the Wisconsin housing and economic development authority relating to housing assistance programs funded by the Stewart B. McKinney homeless assistance act are transferred to the department of administration.~~

Vetoed
in Part

~~(e) Contracts. All contracts entered into by the Wisconsin housing and economic development authority relating to housing assistance programs funded by the Stewart B. McKinney homeless assistance act in effect on the effective date of this paragraph remain in effect and are transferred to the department of administration. The department of~~

~~administration shall carry out any such contractual obligations.~~ Vetoed
in Part

~~(f) Orders. All orders issued by the Wisconsin housing and economic development authority relating to housing assistance programs funded by the Stewart B. McKinney homeless assistance act in effect on the effective date of this paragraph remain in effect until their specified expiration date or until modified or rescinded by the department of administration.~~

~~(g) Pending matters. Any matter pending with the Wisconsin housing and economic development authority on the effective date of this paragraph related to housing assistance programs funded by the Stewart B. McKinney homeless assistance act is transferred to the department of administration, and all materials submitted to or actions taken before the effective date of this paragraph with respect to the pending matter are considered as having been submitted to or taken by the department of administration.~~

~~(2g) CENTER FOR INTEGRATED LIVING GRANTS. From the authority surplus fund under section 234.165 of the statutes, as affected by this act, the Wisconsin housing and economic development authority shall award a grant of \$140,000 in fiscal year 1991-92 and of \$140,000 in fiscal year 1992-93 to the center for integrated living, operated by the metropolitan Milwaukee fair housing council, for the operation of a housing counseling and recruitment center.~~ Vetoed
in Part

SECTION 9129. Nonstatutory provisions; industry, labor and human relations.

(1g) PETROLEUM STORAGE REMEDIAL ACTION.

(a) The department of industry, labor and human relations and the department of natural resources shall jointly study the petroleum storage remedial action program under section 101.143 of the statutes and shall, no later than September 1, 1991, report their findings and recommendations to the joint committee on finance and to the chief clerk of each house of the legislature for distribution to the legislature in the manner provided in section 13.172 (2) of the statutes. In conducting the study, the departments shall do all of the following:

1. Examine the feasibility of establishing a system for setting payment priorities by ranking sites that require remedial action, in order to control program costs.

2. Evaluate the standards used by the department of natural resources in determining whether remedial action is necessary and the degree of environmental restoration required.

3. Review, and recommend ways to improve, the cost-effectiveness of the program.

4. Provide estimates of the funding necessary to pay future claims and the amount of the petroleum inspection fee necessary to pay those claims.

5. Evaluate the roles and resources of the 2 departments in relation to ensuring effective program coordination and management.

6. Evaluate program costs in relation to public health and environmental benefits of the program.

7. Include any proposed changes to the statutes or rules that are needed to accomplish the recommendations.

(b) Notwithstanding section 101.143 (2) (a) of the statutes, the department of industry, labor and human relations may set the additional oil inspection fee under section 168.12 (1m) of the statutes at a level sufficient to generate more than \$25,000,000 but not more than \$57,000,000 in fiscal year 1991-92 with the approval of the joint committee on finance. In its request to the joint committee on finance, the department of industry, labor and human relations shall indicate the amount of the additional revenue it proposes to generate and the increase in the oil inspection fee that it proposes to make in order to generate the additional revenue. The joint committee on finance may not approve a request under this paragraph before it receives the study required under paragraph (a).

Vetoed
in Part

~~(4d) CENTER FOR INTEGRATED LIVING STUDY. The department of industry, labor and human relations shall evaluate the effectiveness of the center for integrated living, operated by the metropolitan Milwaukee fair housing council, in promoting and facilitating racial integration in neighborhoods in the Milwaukee metropolitan area. The department shall report its findings to the joint committee on finance no later than January 1, 1993.~~

(4f) DISLOCATED UNIROYAL WORKERS. From the appropriation under section 20.445 (1) (bc) of the statutes, the department of industry, labor and human relations shall allocate \$250,000 in fiscal year 1992-93 for grants under section 101.27 (3) of the statutes to the city of Eau Claire, to a labor organization representing employees of the Uniroyal Goodrich tire company plant in Eau Claire or to the west central private industry council under the job training partnership act, 29 USC 1501 to 1798, or to any combination of those entities, to provide job training and related employment services for persons who are affected by the closing of the Uniroyal Goodrich tire company plant in Eau Claire that is planned by that company to take place in 1992.

(5r) YOUTH APPRENTICESHIP COUNCIL. Notwithstanding the terms specified in section 15.227 (22) of the statutes, as created by this act, the following initial members of the youth apprenticeship council shall be appointed for terms expiring on the following dates:

(a) One member appointed under section 15.227 (22) (a) of the statutes, as created by this act, one member appointed under section 15.227 (22) (b) of the statutes, as created by this act, one member appointed under section 15.227 (22) (c) of the statutes, as created by this act, and one member appointed under section 15.227 (22) (d) of the statutes, as created by this act, on July 1, 1992.

(b) One member appointed under section 15.227 (22) (a) of the statutes, as created by this act, one member appointed under section 15.227 (22) (b) of the statutes, as created by this act, one member appointed under section 15.227 (22) (c) of the statutes, as created by this act, and one member appointed under section 15.227 (22) (d) of the statutes, as created by this act, on July 1, 1993.

(5s) YOUTH APPRENTICESHIP PROGRAM POSITIONS. The authorized FTE positions for the department of industry, labor and human relations are increased by 2.0 GPR positions for the youth apprenticeship program under section 101.265 of the statutes, as created by this act, to be funded from the appropriation under section 20.445 (1) (em) of the statutes, as created by this act.

(5t) YOUTH APPRENTICESHIP REPORT. By October 1, 1992, the department of industry, labor and human relations shall submit to the governor, and to the chief clerk of each house of the legislature for distribution to the appropriate standing committees in the manner provided under section 13.172 (3) of the statutes, a report describing the actions necessary to establish the youth apprenticeship program under section 101.265 of the statutes, as created by this act, including budget and staffing needs.

~~(7d) TRANSFER OF REGULATION OF MANUFACTURERS OF MANUFACTURED HOMES AND MOBILE HOMES.~~

Vetoed
in Part

~~(a) Definition. In this subsection, "program" means the regulation of manufacturers of manufactured homes and mobile homes.~~

~~(am) Assets and liabilities. On the effective date of this paragraph, the assets and liabilities of the department of industry, labor and human relations associated with the program shall become the assets and liabilities of the department of administration.~~

~~(b) Position transfers. On the effective date of this paragraph, all positions associated with the program, as determined by the secretary of administration, are transferred from the department of industry, labor and human relations to the department of administration.~~

~~(d) Equipment and records. On the effective date of this paragraph, all furniture, equipment, supplies and records of the department of industry, labor and human relations relating to the program are transferred to the department of administration.~~

~~(e) Contracts. All contracts entered into by the department of industry, labor and human relations relating to the program in effect on the effective date of this paragraph remain in effect and are transferred to the department of administration. The department of administration shall carry out any such contractual obligations.~~

~~(f) Rules and orders. All rules promulgated and orders issued by the department of industry, labor and human relations relating to the program in effect on the effective date of this paragraph remain in effect~~

Vetoed in Part until their specified expiration date or until modified or rescinded by the department of administration.

(g) *Pending matters.* Any matter pending with the department of industry, labor and human relations on the effective date of this paragraph related to the program is transferred to the department of administration, and all materials submitted to or actions taken before the effective date of this paragraph with respect to the pending matter are considered as having been submitted to or taken by the department of administration.

SECTION 9131. Nonstatutory provisions; investment board.

(1a) **BONUS COMPENSATION DISTRIBUTION FOR 1991-92 FISCAL YEAR.** No later than June 1, 1992, and prior to awarding bonus compensation under section 25.156 (6) of the statutes, as affected by this act, for the 1991-92 fiscal year, the investment board shall submit in writing its initial proposed bonus compensation plan adopted under that subsection to the cochairpersons of the joint committee on finance. If, within 14 working days after the date of submittal of the proposed plan, the cochairpersons do not notify the board that the committee has scheduled a meeting for the purpose of reviewing the proposed plan, the board may implement the plan for fiscal year 1991-92. If, within 14 working days after the date of submittal of the proposed plan, the cochairpersons notify the board that the committee has scheduled a meeting for the purpose of reviewing the proposed plan, the board may implement the proposed plan and may award bonus compensation under section 25.156 (6) of the statutes, as affected by this act, for the 1991-92 fiscal year only upon approval of the proposed plan by the committee.

SECTION 9135. Nonstatutory provisions; justice.

(1) **ATTORNEYS HANDLING PRISONER COMPLAINTS.** The 4.0 GPR FTE project positions for attorneys handling prisoner complaints for the department of justice that were created at the December 1988 meeting of the joint committee on finance, funded from the appropriation under section 20.455 (1) (a) of the statutes and continued through the 1989-91 biennium by 1989 Wisconsin Act 31 shall end on June 30, 1993, notwithstanding section 230.27 (1) of the statutes.

(2) **CRIME LABORATORY IN THE CITY OF MILWAUKEE.** Employees transferred under this act to the department of administration for support operations at the William J. McCauley crime laboratory in the city of Milwaukee have all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes, as affected by this act, in the department of administration that they enjoyed in the department of justice immediately prior to the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class is required to serve a probationary period.

(2L) **ANTI-DRUG LAW ENFORCEMENT FUNDS.** In the 1991-93 fiscal biennium, the department of justice shall do all of the following in regard to administering federal anti-drug abuse funding for the drug abatement program, the victim and witness assistance program and grants for local drug enforcement officers:

Vetoed in Part

(a) Consult with the office of justice assistance in the department of administration regarding federal compliance requirements.

(b) Submit a plan on meeting federal compliance requirements to the office of justice assistance for comment.

(c) Develop and use grant and reporting criteria that are consistent with federal compliance requirements and state statutory requirements and coordinated with the grant and reporting systems of the office of justice assistance.

(2n) **DRUG ANALYSTS AT CRIME LABORATORIES.** The department of justice shall report to the joint committee on finance by September 1, 1991, or the effective date of this subsection, whichever is later, regarding whether cases can be reallocated from the drug analysis caseload for the crime laboratories in the cities of Madison and Milwaukee to the crime laboratory in the city of Wausau to fully utilize the drug analyst positions at the crime laboratory in the city of Wausau.

Vetoed in Part

(3g) **HANDGUN PURCHASER RECORD CHECK.** The authorized FTE positions for the department of justice are increased by 5.0 PR positions and 4.0 PR project positions for the performance of handgun purchaser record checks, to be funded from the appropriation under section 20.455 (2) (gr) of the statutes.

SECTION 9136. Nonstatutory provisions; legislature.

(4d) **STUDY OF THE OFFICE OF THE COMMISSIONER OF TRANSPORTATION.** The legislative council is requested to study and make recommendations on the current statutory responsibilities assigned to the office of the commissioner of transportation, including a recommendation on whether any of these responsibilities should be eliminated. If the legislative council conducts the study, it shall examine whether any or all of these responsibilities should be transferred to another state agency. If the legislative council conducts the study and recommends transfer to another state agency of any of the hearing or appeal responsibilities currently assigned to the office of the commissioner of transportation, the study shall include recommendations on the implementation of a hearing and appeal process that accommodates the concerns of all affected parties. The legislative council is requested to report its findings, conclusions and recommendations, including recommended statutory changes, on or before January 1, 1992, to the chief clerk of each house of the legislature for distribution to the members of the legislature in the manner provided under section 13.172 (2) of the statutes.

Vetoed in Part

(1e) **AUDIT OF BILINGUAL-BICULTURAL EDUCATION PROGRAMS.** The legislative audit bureau is requested to perform a financial and performance evaluation audit of bilingual-bicultural education programs under subchapter VII of chapter 115 of the statutes. The audit shall examine the variation among school districts in program costs per pupil and in the number of staff members and the length of time that limited-English speaking pupils spend in bilingual-bicultural education programs and how many pupils complete such programs each year. The legislative audit bureau shall file its report as described under section 13.94 (1) (b) of the statutes.

Vetoed
in Part

(1g) **LEGISLATIVE COUNCIL TOURISM STUDY.** The legislative council is requested to study the effects of discontinuing the car ferry between Ludington, Michigan, and Keweenaw on tourism and agribusiness in this state and the resulting economic impact on this state, and is requested to report the results of its study and its recommendations to the chief clerk of each house of the legislature for distribution to the legislature in the manner provided under section 13.172 (2) of the statutes no later than the last day of the 12th month beginning after the effective date of this subsection.

Vetoed
in Part

(1i) **RELOCATION ASSISTANCE PROGRAM STUDY.** The legislative council is requested to study the relocation assistance program and report to the chief clerk of each house of the legislature for distribution to the appropriate standing committees in the manner provided under section 13.172 (3) of the statutes by December 1, 1992, any statutory changes necessary or desirable from the standpoint of both the sponsors of public projects and the persons displaced by such projects.

Vetoed
in Part

(1n) **HUNGER STUDY.** The legislative council is requested to study the problem of hunger in this state and to report its findings, conclusions and recommendations on or before January 1, 1993, to the chief clerk of each house of the legislature for distribution to the legislature in the manner provided under section 13.172 (2) of the statutes.

(2g) **LEGISLATIVE AUDIT BUREAU FEE AUDIT.** The legislative audit bureau is requested to conduct an examination of the methodology used by the department of regulation and licensing in establishing the initial and renewal fees for credentials, as defined in section 440.01 (2) (a) of the statutes, as created by this act, issued by the department of regulation and licensing, to determine whether each occupation is assessed the approximate amount of the administrative and enforcement costs that are incurred by the department of regulation and licensing in the regulation of that occupation and to submit a report of the results of its examination and determinations under this subsection on or before August 1, 1992, to the entities specified under section 13.94 (1) (b) of the statutes.

Vetoed
in Part

(2c) **AUDIT OF MILWAUKEE COUNTY ADOPTION AND FOSTER CARE PROGRAMS.** The legislative audit bureau is requested to conduct a performance evaluation audit

of the adoption and foster care programs under section 48.57 (1) (c) and (e) of the statutes operated by a county department of social services under section 46.215 of the statutes as affected by this act, including those programs operated for children for whom a permanency plan under section 48.38 of the statutes, as affected by this act, is required. The bureau is requested to submit a report summarizing the results of that audit to the entities specified under section 13.94 (1) (b) of the statutes no later than July 1, 1992.

Vetoed
in Part

(2x) **AUDIT OF DEVELOPMENT FUND APPLICATIONS.**

(a) The legislative audit bureau is requested to conduct a performance evaluation audit of the application process for grants and loans under subchapter V of chapter 560 of the statutes, as affected by this act, to determine if identification of the portions of the applications that contain trade secrets, as required under section 560.68 (7) of the statutes, as created by this act, has increased public access to the application contents not qualifying as trade secrets and has protected the trade secrets of the applicants.

Vetoed
in Part

(b) The legislative audit bureau is requested to submit a report of its audit under this subsection on or before January 1, 1993, to the entities specified under section 13.94 (1) (b) of the statutes.

(3d) **LEGISLATIVE AUDIT BUREAU, AUDIT OF MEAT INSPECTION PROGRAM.** The legislative audit bureau is requested to conduct a performance evaluation audit of the meat inspection program of the department of agriculture, trade and consumer protection. The legislative audit bureau is requested specifically to address in this audit the possibility of the state converting from state to federal meat inspection, the impact of converting to federal inspection on this state's consumers and meat processing industry and the amounts of fees that are permitted under federal law to offset costs of the state meat inspection program. The bureau shall transmit a copy of any such audit report to each of the distributees specified in section 13.94 (1) (b) of the statutes.

Vetoed
in Part

(3g) **AUDIT OF WISCONSIN DEVELOPMENT RESERVE FUND.** The legislative audit bureau is requested to conduct a financial audit and a performance evaluation audit of the Wisconsin development reserve fund under section 234.93 of the statutes, as created by this act, to determine whether the fund consolidation provides more financial security for the programs guaranteed by the fund by spreading the risk of default among all of the programs guaranteed by the fund, and to submit a report of its audits under this subsection on or before January 1, 1992, to the entities specified under section 13.94 (1) (b) of the statutes.

Vetoed
in Part

(3w) **AUDIT OF THE MADISON PLAN.** The legislative audit bureau is requested to perform a performance evaluation audit of the Madison plan, the university of Wisconsin-Madison's program to encourage campus diversity for both students and faculty, and file a report as described under section 13.94 (1) (b) of the statutes.

(3x) STUDY OF DENTAL NEEDS.

(a) The legislative council is requested to study the issue of dental needs in this state, including the current and future dental manpower needs, statewide and by region of the state, and to evaluate the role of the state in providing dental education and training for its residents. If the legislative council conducts the study, the study shall:

1. Examine the type of dental services that different segments of the state's population will require in the future and the likely effect of changes in dental technology on such services.

2. Determine methods to increase dental services to underserved areas of the state, including the feasibility of providing dental care through state-supported clinics.

3. Assess the current condition of the Marquette university school of dentistry and consider whether increased state oversight and involvement in the operation of the dental school is necessary and appropriate.

4. Examine other alternative approaches to ensuring access to dental education, such as state-funded scholarships, dental education agreements with other states and loan forgiveness programs.

5. Analyze the fiscal impacts of subdivisions 1 to 4.

(b) The legislative council shall include in its study committee members representing the departments of administration and health and social services, the higher educational aids board, Marquette university school of dentistry, the American and Wisconsin dental associations, the university of Wisconsin system, the medical college of Wisconsin, inc., and the general public.

(c) The legislative council is requested to report its findings, conclusions and recommendations on or before January 1, 1993, to the chief clerk of each house of the legislature for distribution to the members of the legislature in the manner provided under section 13.172 (2) of the statutes.

(4d) AUDIT OF MILWAUKEE AREA TECHNICAL COLLEGE. The legislative audit bureau is requested to perform a financial and performance evaluation audit of the administration and management of the Milwaukee area technical college and file a report as described under section 13.94 (1) (b) of the statutes.

(4ex) AUDIT OF MILWAUKEE RETIREMENT SYSTEMS. The legislative audit bureau is requested to perform a performance evaluation audit of the management of and the economic returns on investments of the retirement funds of the retirement systems established by chapter 589, laws of 1921, chapter 423, laws of 1923, chapter 201, laws of 1937, and chapter 396, laws of 1937, and to file a report as described in section 13.94 (1) (b) of the statutes.

(4j) LEGISLATIVE REFERENCE BUREAU RESEARCH ANALYST POSITION. The authorized FTE positions for the legislative reference bureau are decreased by 0.5 GPR

research analyst project position and increased by 0.5 GPR research analyst permanent position, to be funded from the appropriation under section 20.765 (3) (b) of the statutes.

~~(5) STUDY OF EFFICIENCY AND ECONOMY IN THE PUBLIC SECTOR. The legislative council is requested to appoint a special committee to study methods of achieving economies of scale and promoting efficiency in the provision of public services. The council is requested to include on the committee a representative of the department of administration, the Wisconsin alliance of cities, the league of Wisconsin municipalities, the Wisconsin towns association, the Wisconsin counties association, the Wisconsin association of school boards, the Wisconsin education association council, the American federation of state, county and municipal employees and the Wisconsin state employees union. The council is requested to report its findings, conclusions and recommendations, on or before January 15, 1993, to the chief clerk of each house of the legislature for distribution to the members of the legislature in the manner provided in section 13.172 (2) of the statutes.~~

Vetoed
in Part

(5w) PROPERTY TAX CREDIT ADMINISTRATION. The amounts added to the appropriation under section 20.865 (4) (a) of the statutes by this act for the purpose of funding state and local costs associated with the administration of the state property tax credits may not be expended until the joint committee on finance approves a plan for their expenditure submitted by the department of revenue.

(5y) PUBLIC PARTICIPATION IN REDISTRICTING PROCESS. The joint committee on legislative organization shall provide, from the appropriation under section 20.765 (1) (e) of the statutes, as created by this act, for appropriate facilities and equipment to permit public participation in the congressional and legislative redistricting process in this state in response to the 1990 federal decennial census. The facilities and equipment shall include 2 computer stations located at a public library in the city of Milwaukee and software required to prepare redistricting plans at that location and at public libraries located at other suitable sites throughout the state. The committee shall assure that access to the facilities and equipment is provided to all interested citizens without charge. The committee shall provide training to assist potential users with the facilities and equipment provided. The committee may publicly announce the services provided under this subsection by appropriate means and may publish information designed to facilitate use of the services. This subsection does not apply after December 31, 1992.

Vetoed
in Part

Vetoed
in Part

Vetoed
in Part

~~(5z) POSITION AUTHORIZATION. The authorized FTE positions for the legislature are increased by 2.0 GPR project positions for the period ending on June 30, 1992, to be funded from the appropriation under section 20.765 (1) (e) of the statutes, as created by this act.~~

Vetoed
in Part

Vetoed
in Part

(6g) AUDIT OF MEDICAL ASSISTANCE INITIATIVE CONCERNING HEALTH MAINTENANCE ORGANIZATIONS.

(a) The legislative audit bureau is requested to perform a financial and performance audit of the use under the medical assistance program of health maintenance organizations as providers of health care services to medical assistance recipients. The legislative audit bureau is requested to include in its audit analyses of rates of payment made under the medical assistance program to the health maintenance organizations and to their participating physicians, the quality of care received by medical assistance recipients from the health maintenance organizations, the access by medical assistance recipients to health care services of the health maintenance organizations generally and, specifically, with respect to alcohol and other drug abuse services, and the access to and quality of health care provided by health maintenance organizations to recipients of medical assistance as compared to that provided to recipients of medical assistance who are not enrollees of health maintenance organizations.

(b) The legislative audit bureau is requested to submit a report of its audit under paragraph (a) by September 1, 1992, to the entities specified under section 13.94 (1) (b) of the statutes.

Vetoed
in Part

(6p) STUDY OF TRANSIT ALTERNATIVES IN SOUTHEASTERN WISCONSIN. The legislative council is requested to create a special committee to study transit alternatives that would ensure compliance of the southeastern region of the state with the requirements of the federal clean air act, 42 USC 7401 et seq., and any regulations issued by the federal environmental protection agency under that act. The council is requested to report its findings, conclusions and recommendations on or before January 1, 1993, to the chief clerk of each house of the legislature for distribution to the members of the legislature in the manner provided in section 13.172 (2) of the statutes.

Vetoed
in Part

SECTION 9137. Nonstatutory provisions; lieutenant governor.

(1g) **CLEARINGHOUSE ON WORKPLACE CHILD CARE OPTIONS.** From the appropriation under section 20.540 (1) (a) of the statutes, the office of the lieutenant governor shall allocate \$59,300 in fiscal year 1991-92 and \$61,600 in fiscal year 1992-93 for 1.0 GPR project position authorized for the period ending on the last day of the 2-year period beginning on the effective date of this subsection under budget determinations in connection with this act to operate a clearinghouse on workplace child care options, and for supporting expenses for this position and program.

SECTION 9138. Nonstatutory provisions; lottery board.

(2q) **RETAILER BONUS COMPENSATION STUDY.** The lottery board shall conduct a study on potential systems for paying bonus compensation to lottery retailers and shall submit a report on the study to the joint

committee on finance on or before November 15, 1991.

SECTION 9140. Nonstatutory provisions; medical college of Wisconsin.

\$1,000,000

(1g) **FAMILY PRACTICE RESIDENCY PROGRAM.** From the appropriation under section 20.250 (1) (b) of the statutes, the medical college of Wisconsin inc., shall expend ~~\$1,300,000~~ in fiscal year 1991-92 and \$1,700,000 in fiscal year 1992-93 for the purpose of maintaining and expanding the current residency sites, supporting community medicine activities and expanding the residency program. **Vetoed in Part**

SECTION 9141. Nonstatutory provisions; military affairs.

(1) USE OF FEDERAL ARMORY FUNDING.

(a) The department of military affairs shall allocate up to \$6,900 in fiscal year 1991-92 of any unrestricted federal funds received under section 20.465 (1) (m) of the statutes for the operation of state armories to pay for special assessments under section 66.64 of the statutes, for hazardous materials inventory form fees under section 166.20 (7) (a) 2 of the statutes and for leasing of facilities under section 21.025 (3) of the statutes in fiscal year 1991-92 if the federal funds are received after September 30, 1990, and before October 1, 1991. The department of military affairs shall apply up to \$76,700 of any unrestricted federal funds received under section 20.465 (1) (m) of the statutes for the the operation of state armories to pay for the special assessments under section 66.64 of the statutes, hazardous chemical inventory form fees under section 166.20 (7) (a) 2 of the statutes and facility leasing under section 21.025 (3) of the statutes in fiscal year 1992-93 if the federal funds are received after September 30, 1991, and before October 1, 1992.

(b) Of the moneys appropriated to the department of military affairs under section 20.465 (1) (a) of the statutes for general program operations, an amount not to exceed \$6,900 in fiscal year 1991-92 and an amount not to exceed \$76,700 in fiscal year 1992-93 may not be expended unless the expenditure is authorized by the department of administration in the 4th quarter of fiscal year 1991-92 or fiscal year 1992-93, respectively. Any such expenditure is limited to the amount by which the unrestricted federal funds received for fiscal year 1991-92 is less than \$6,900 or for fiscal year 1992-93 is less than \$76,700.

(2t) **DISASTER RELIEF.** From the appropriation under section 20.465 (3) (a) of the statutes, the division of emergency government shall allocate \$75,000 to pay municipalities in Barron, Chippewa, Rusk and Taylor counties for a portion of the costs that they incurred to repair the damage done by the windstorm of May 28 and 29, 1991. The division of emergency government shall pay each municipality a proportionate share of the \$75,000 based on the municipality's proportion of the total costs incurred to repair the damage in those counties caused by the windstorm. **Vetoed in Part**

SECTION 9142. Nonstatutory provisions; natural resources.

(2) LAKE WINNEBAGO COMPREHENSIVE PROJECT.

(a) The legislature finds that the navigable waters of the state are held in trust by the state under article IX, section 1, of the constitution for the benefit of and for use by the public.

(b) The legislature finds that the state's role as trustee of these navigable waters is a matter of statewide dimension and that the state is responsible for the protection of all of the state's navigable waters regardless of their location.

(c) The legislature finds that the Winnebago pool consisting of lakes Winnebago, Butte des Morts, Winneconne and Poygan is one of the most valuable natural resources in the state and that it receives heavy recreational and industrial use.

(d) The legislature finds that the Winnebago pool has been damaged by the construction of dams in its waters, which has resulted in a loss of wetland habitat, and by poor land use management which has resulted in increased sediments and nutrients in these waters. The legislature finds that this loss of wetland habitat and this increase in sediments and nutrients have adversely affected water quality, navigation, and wildlife and fish habitat. The legislature finds that this damage to one of the most valuable resources in the state is a matter of statewide concern.

(e) The legislature finds that in order to prevent further damage and to restore the water quality in the Winnebago pool a comprehensive resource management project is necessary to place structures and fill in these waters to improve navigation and to provide navigation aids, to restore and protect wetland habitat and water quality, to create, restore and protect fish and wildlife habitat and to enhance the natural aesthetic value and improve the recreational use of these waters.

(f) The state finds that this comprehensive resource management project for the Winnebago pool will directly and immediately affect the statewide concern described under paragraph (d). The effect will be direct and immediate because under the project structures and fill will be placed in the Winnebago pool to specifically prevent further damage and restore water quality.

(g) The legislature finds that previous efforts to prevent this damage and to restore water quality in the Winnebago pool have been hampered by the conflicting interests and the limited scope of the natural resource management activities of the parties that are interested in protecting and improving the waters of the Winnebago pool.

(h) The legislature finds that the department of natural resources has led the effort to bring all parties interested in protecting and improving the waters of the Winnebago pool together to develop a comprehensive resource management project for these waters

and that the department has encouraged extensive public involvement in the development of the project.

(i) The legislature therefore finds that, in order for the state to further its role as trustee under article IX, section 1, of the constitution, and in order to restore the opportunities that were historically available to the public to use the waters of the Winnebago pool for navigation, and recreational and conservation purposes, enactment of legislation is necessary to authorize the department of natural resources to implement a comprehensive resource management project for the Winnebago pool.

(2d) ENVIRONMENTAL FEE RULES. The department of natural resources shall promulgate the rule required under section 144.96 (3) (am) 3 of the statutes, as created by this act, in time to use the rule to assess the fiscal year 1992-93 wastewater discharge environmental fee.

(2f) PHOSPHOROUS DISCHARGE RULES. The department of natural resources shall submit the proposed rules required under section 147.035 (3) (am) of the statutes, as created by this act, to the legislative council staff under section 227.15 (1) of the statutes no later than the first day of the 12th month beginning after the effective date of this subsection.

(2w) REIMBURSEMENT FOR APPROVED LANDFILL OWNED BY A POLITICAL SUBDIVISION.

~~(a) From the appropriation under section 20.370 (2) (dd) of the statutes, as affected by this act, the~~ **Vetoed in Part**
department of natural resources shall provide a grant of up to \$15,000 to a county, city, village or town that owns a landfill if all of the following apply:

1. The landfill was initially licensed between May 21, 1975, and May 21, 1978.

2. The owner successfully applied to the department of natural resources for a determination by the department that the landfill's design and plan of operation complied substantially with the requirements for plan approval under section 144.44 (3) of the statutes.

3. The total amount of solid waste received by the landfill in 1988 was less than 10,000 tons.

(b) The department of natural resources shall provide a grant under this subsection as partial reimbursement for the cost of any of the following:

1. Monitoring to identify contaminants from the landfill.

2. Investigations to determine the extent of contamination caused by the landfill.

3. The collection of information necessary to select or design action to remedy contamination caused by the landfill.

4. Monitoring to determine the effect of action to remedy contamination caused by the landfill.

(c) This subsection does not apply after June 30, 1992.

(3) SPEARFISHING LAW ENFORCEMENT AID.

(a) Notwithstanding section 29.599 (2) (c) of the statutes, the department of natural resources may

reimburse from the appropriation under section 20.370 (4) (ga) of the statutes, a county or a municipality that has filed an application for aid under section 29.599 of the statutes before the effective date of this paragraph for the 1989 or 1990 spring spearfishing seasons if the only basis for not making the reimbursement is that the department has determined that the filing of the application did not meet the applicable time deadline under section 29.599 (2) (c) of the statutes.

(b) Notwithstanding section 29.599 (2) (c) of the statutes, the department of natural resources may reimburse from the appropriation under section 20.370 (4) (ga) of the statutes a county or a municipality that has filed an application for aid under section 29.599 of the statutes before the effective date of this paragraph for the 1989 fall spearfishing season if the only basis for not making the reimbursement is that the department has determined that the filing of the application could not meet the applicable time deadline under section 29.599 (2) (c) of the statutes.

(c) Notwithstanding section 29.599 (4) (a) of the statutes, the department of natural resources shall make the reimbursements under paragraphs (a) and (b) within 4 weeks after the effective date of this paragraph.

(3g) PRIVATE SEWAGE SYSTEM REPLACEMENT OR REHABILITATION PROGRAM TRANSFER.

(a) *Rules and orders.* All rules and orders issued by the department of natural resources relating to the private sewage system replacement or rehabilitation program that are in effect on the effective date of this paragraph shall remain in effect until their specified expiration date or until modified or rescinded by the department of industry, labor and human relations.

(b) *Employee status.* Any employee transferred to the department of industry, labor and human relations for the administration of the private sewage system replacement or rehabilitation program has all the rights and the same status under subchapter V of chapter 111 and chapter 230 of the statutes in the department of industry, labor and human relations that the employee enjoyed in the department of natural resources immediately prior to the transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class may be required to serve a probationary period.

Vetoed
in Part

(3h) CLEAN WATER FUND INTEREST RATE FOR UNSEWERED COMMUNITIES.

(a) Notwithstanding section 144.241 (12) (a) 2 and (c) 2 of the statutes, the department of natural resources shall provide loans at tier 1 interest rates established under section 144.241 (12) (c) 2 of the statutes for projects on the funding list under section 144.241 (10) (c) of the statutes for fiscal years 1991-92 and 1992-93 that satisfy all of the requirements of sections 144.241 and 144.2415 of the statutes, as affected by this act, in the following unsewered communities:

1. Hatfield sanitary district #1, Jackson county.

2. The village of Boaz.
3. The village of Hixton.
4. Calumet sanitary district #1, Fond du Lac county.
5. Gordon sanitary district #1, Douglas county.
6. Chelsea sanitary district, Taylor county.
7. The city of River Falls.
8. The village of Biron.
9. The town of Washington, Door county.
10. The village of Eastman.
11. The town of Grand Chute, Outagamie county.
12. Herman sanitary district #1, Sheboygan county.
13. Silver Lake sanitary district, Washington county.
14. Bohner's Lake sanitary district, town of Burlington, Racine county.
15. Fish Creek sanitary district #1, Door county.
16. Pine Creek sanitary district #1, Trempealeau county.
17. Green Lake sanitary district, Green Lake county.
18. Okauchee Lake area, town of Oconomowoc, Waukesha county.
19. Morrison sanitary district, Brown county.
20. The village of Ironton.
21. Little Cedar Lake sanitary district, Washington county.
22. The village of Kennan.
23. Seneca sanitary district, Crawford county.
24. Oakfield sanitary district, Fond du Lac county.
25. Germantown sanitary district, Sauk county.
26. The town of Summit, Waukesha county.

(b) This subsection does not apply after June 30, 1993.

(4) RECREATIONAL BOATING FACILITIES; BELOIT RIVER PROJECT. Of the amounts appropriated under section 20.370 (4) (bu) of the statutes, as affected by this act, the department of natural resources shall expend \$100,000 in fiscal year 1991-92 and \$100,000 in fiscal year 1992-93 for a project in the city of Beloit to develop park land adjacent to the Rock river and to increase public and recreational boating access to the Rock river. Notwithstanding section 30.92 (4) (b) 2 of the statutes, the city of Beloit need not contribute any moneys for the project funded under this subsection. Notwithstanding section 30.92 (1) (c) of the statutes, the project specified in this subsection is a recreational boating facility for the purpose of expending moneys under this subsection. Any amount expended under this subsection shall be considered an expenditure for an inland waters project as provided in section 30.92 (4) (b) 6 of the statutes. An application for aid under section 30.92 of the statutes for an amount in addition to the amounts expended under this subsection for the 1991-93 fiscal biennium for this project shall be considered for approval by the department of natural

Vetoed
in Part

resources and the Wisconsin waterways commission as if this subsection had not been enacted.

(6) **RECREATIONAL BOATING FACILITIES; SHEBOYGAN MARINA.** Of the amounts appropriated under section 20.370 (4) (bu) of the statutes, as affected by this act, the department of natural resources may not expend \$800,000 in fiscal year 1991-92 and \$800,000 in fiscal year 1992-93 except for the construction of a marina on Lake Michigan in the city of Sheboygan. Notwithstanding section 30.92 (1) (c) of the statutes, the Sheboygan marina specified in this subsection is a recreational boating facility for the purpose of expending moneys under this subsection. Any amount expended under this subsection shall be considered an expenditure for a Great Lakes project as provided in section 30.92 (4) (b) 6 of the statutes. This marina project need not be placed on the priority list under section 30.92 (3) (a) of the statutes.

(6g) **MUNICIPAL MONITORING REIMBURSEMENT RULES.** The department of natural resources shall submit the notice under section 227.19 (2) of the statutes that the rules required under section 144.44 (4) (f) 6 of the statutes, as created by this act, are in final draft form to the presiding officer of each house of the legislature no later than April 1, 1992.

(6x) **SNOWMOBILE TRAIL GROOMING COSTS.** The department of natural resources in fiscal year 1991-92 from the appropriation under section 20.370 (4) (bt) of the statutes, as affected by this act, shall expend not more than \$95,000 for the payment of actual grooming costs under section 350.12 (4) (b) 1m, 1989 stats., incurred in fiscal year 1989-90.

Vetoed in Part (7p) **LINCOLN CREEK FLOOD CONTROL PROJECT.** In the 1991-93 fiscal biennium, the department of natural resources shall designate the Lincoln creek flood control project in the Milwaukee river watershed as first priority under section NR 120.11 (1) (a), Wisconsin administrative code, for funding in the nonpoint source water pollution abatement program under section 144.25 of the statutes.

(7qn) **PACKAGING RESTRICTIONS.** It is the intent of the legislature not to impose, or authorize a county or municipality that receives a grant under section 159.23 of the statutes to impose, after the effective date of this subsection any additional restriction, tax or fee on the sale or distribution of packaging for a purpose related to its disposal.

(8) **EFFECTIVE PERIODS FOR FISH AND GAME APPROVALS.**

(a) **Hunting approvals and combination licenses.** Notwithstanding section 29.093 (2) (a), (cr) 2, (e) and (f) and (4) of the statutes, as affected by this act, a Class B permit issued under section 29.09 (9) (c) 2 or 3 of the statutes, a waterfowl hunting stamp, a certificate of accomplishment, a sports license, a conservation patron license or any hunting license, except a nonresident 5-day small game hunting license, issued during the period beginning on the effective date of

this paragraph and ending on March 31, 1993, is valid from the date of issuance until March 31, 1993.

(b) **Fishing approvals.** Notwithstanding section 29.093 (3) (a) and (g) of the statutes, as affected by this act, a resident annual fishing license, a resident annual husband and wife fishing license, a nonresident annual fishing license, a sturgeon spearing license, an inland waters trout stamp or a Great Lakes trout and salmon stamp issued during the period beginning on the effective date of this paragraph and ending on March 31, 1993, is valid from the date of issuance until March 31, 1993.

(c) **Trapping licenses.** Notwithstanding section 29.093 (6) (a) of the statutes, as affected by this act, a trapping license issued during the period beginning on the effective date of this paragraph and ending on April 30, 1993, is valid from the date of issuance until April 30, 1993.

(cm) **Pheasant hunting stamps.** Notwithstanding section 29.093 (2) (dm) of the statutes, as created by this act, a pheasant hunting stamp issued during the period beginning on the effective date of this paragraph and ending on March 31, 1993, is valid from the date of issuance until March 31, 1993.

(d) **Fees.** The fees under section 29.092 of the statutes, as affected by this act, apply to approvals issued during the transitional effective periods under paragraphs (a) to (cm) except that the fee for a sports license issued during the transitional effective period under paragraph (a) is \$31.25.

(10) **ISSUING FEES FOR FISHING LICENSES.** Notwithstanding SECTION 9342 (1d) of this act, the department of natural resources and county clerks issuing licenses under chapter 29 of the statutes, as affected by this act, may not increase the issuing fee from 60 cents to 75 cents for a license issued under section 29.14 (2), (3), (4), (5), (6) or (7) (a), 29.145 (2) or (3) (a), 29.146 or 29.148 of the statutes until January 1, 1992.

(10d) **DAM REPAIR.**

~~(a) The department of natural resources shall provide financial assistance under section 31.385 of the statutes, as affected by this act, of \$90,000 in fiscal year 1991-92 from the appropriation under section 20.370 (3) (ma) of the statutes to repair the Lake of the Falls dam in Iron county.~~

Vetoed in Part

~~(b) The department of natural resources shall provide financial assistance under section 31.385 of the statutes, as affected by this act, of \$100,000 or an amount equal to 50% of the cost of repairs, whichever is less, in the 1991-93 fiscal biennium from the appropriation under section 20.866 (2) (ix) of the statutes, as affected by this act, to repair the Killarney dam in the town of Little Rice in Oneida county.~~

Vetoed in Part

~~(c) The department of natural resources shall provide financial assistance to Price county under section 31.385 of the statutes, as affected by this act, of \$50,000 or an amount equal to 50% of the cost of repairs, whichever is less, in fiscal year 1991-92 from~~

Vetoed in Part the appropriation under section 20.866 (2) (tx) of the statutes, as affected by this act, to repair the Wenner and Musser dams in Price county.

(10f) COUNTY SHORELAND ZONING ORDINANCES. The treatment of section 59.971 (1r) of the statutes first applies to provisions under a county shoreland zoning ordinance on the effective date of this subsection regardless of when the county shoreland zoning ordinance was enacted.

Vetoed in Part (11g) NORTHERN GREAT LAKES REGIONAL VISITORS CENTER. The department of natural resources shall provide \$325,000 from the appropriation under section 20.370 (4) (Lr) of the statutes, as created by this act, in fiscal biennium 1991-93 to Ashland county to be used for planning and design costs for the construction of the northern Great Lakes regional visitors center.

Vetoed in Part (11j) PURPLE LOOSESTRIFE GRANT. From the moneys appropriated under section 20.370 (1) (ma) of the statutes, the department of natural resources shall provide a grant of \$12,500 in fiscal year 1991-92 and of \$12,500 in fiscal year 1992-93 to the Great Lakes Indian fish and wildlife commission for the research and control of purple loosestrife.

Vetoed in Part (11p) REMOVAL OF DAM ON MILWAUKEE RIVER. Notwithstanding any rules promulgated under section 23.185 (3) of the statutes, as created by this act, of the moneys authorized for expenditure under section 23.185 (4) of the statutes, as created by this act, for fiscal years 1991-92 and 1992-93, the department of natural resources may not make expenditures except to the city of Milwaukee and except for costs associated with the removal of the North avenue dam in the city of Milwaukee from the Milwaukee river.

(11q) HORICON MARSH INTERPRETATIVE CENTER. Of the moneys appropriated under section 20.866 (2) (tz) of the statutes, as affected by this act, the department of natural resources shall allocate \$250,000 in fiscal biennium 1991-93 for a project to develop a vacant building to be used as an interpretative and administrative center for the Horicon marsh area. Expenditures under this subsection shall be made in a manner that, for every \$3 received by the department of natural resources from private gifts, grants or bequests for the project, \$2 will be expended from the moneys allocated under this subsection. The department of administration shall release the moneys allocated in amounts and at intervals that the secretary of administration considers appropriate or necessary. For purposes of section 23.0915 (1) of the statutes, as affected by this act, the moneys expended under this subsection shall be treated as moneys expended for general property development.

Vetoed in Part (11r) FACILITIES AT COPPER FALLS STATE PARK. Of the moneys appropriated under section 20.866 (2) (tz) of the statutes, as affected by this act, the department of natural resources shall expend in fiscal year 1991-92 the amount necessary to install shower facilities at Copper Falls state park, but the amount expended

may not exceed \$150,000. For purposes of section 23.0915 (1) of the statutes, as affected by this act, the moneys expended under this subsection shall be treated as moneys expended for general property development.

Vetoed in Part (11w) WOLF RIVER BRIDGE. From the appropriation under section 20.370 (4) (bs) of the statutes, as affected by this act, the department of natural resources shall provide in fiscal year 1991-92 not more than \$24,000 to Forest county for the construction of a bridge across the Wolf river near USH 8 at the city of Grandon for the use of snowmobiles.

(12f) MILWAUKEE RIVER REVITALIZATION COUNCIL MEMBERSHIP. Notwithstanding section 15.347 (15) (a) 4 of the statutes, as created by this act, the members of the Milwaukee revitalization council may continue for the rest of their unexpired terms and until their successors are appointed and qualify. When vacancies occur on the council, the governor shall appoint members as required under section 15.347 (15) (a) 3 of the statutes in such a manner as to comply with the geographic requirement under section 15.347 (15) (a) 4 of the statutes, as created by this act, to the greatest extent possible and shall continue to make such appointments until the geographic requirement is met.

(12g) STUDY FOR DAM ON MILWAUKEE RIVER. Of the amounts appropriated under section 20.370 (4) (bu) of the statutes, as affected by this act, the department of natural resources shall expend up to \$295,000 in fiscal year 1991-92 and up to \$295,000 in fiscal year 1992-93 for the engineering and environmental study under section 31.307 of the statutes, as created by this act. The amounts expended under this subsection shall be considered under section 30.92 (4) (b) 6 of the statutes as amounts expended for projects deemed necessary by the Wisconsin waterways commission without regard to location.

Vetoed in Part (12i) COMPOSTING PILOT PROJECT. The department of natural resources shall grant \$416,000, before July 1, 1992, to an applicant for a composting pilot project in Rusk county if the applicant specifies that it will not request additional funding for this project and indicates how activities funded by the grant will be phased out or what other funding sources will be available to support the project after the grant is spent. The recipient of the grant shall establish a facility for composting materials from solid waste generated in Rusk county and other counties.

Vetoed in Part (12j) ENVIRONMENTAL EDUCATION CENTER. From the appropriation under section 20.866 (2) (tz) of the statutes, as affected by this act, the department of natural resources shall provide up to \$25,000 in fiscal year 1991-92 and up to \$25,000 in fiscal year 1992-93 to the city of Beloit for the construction of the Dr. Carl Welty environmental education center in Big Hill park in the city of Beloit. The moneys provided in each fiscal year by the department shall equal the moneys contributed by other sources for the construction in that fiscal year or \$25,000, whichever is less. For purposes of section 23.0915 (1) of the statutes, as

Vetoed in Part affected by this act, and of section 23.09 (20) (d) of the statutes, as affected by this act, the moneys provided under this subsection shall be treated as moneys expended for local park aids.

(13j) AID PAYMENTS IN LIEU OF TAXES; MERCER SCHOOL DISTRICT. From the appropriation under section 20.370 (4) (ea) of the statutes, as amended by this act, the department of natural resources shall pay to the Mercer school district \$87,100 on or before November 1, 1991.

(13p) FLOODPLAIN VARIANCE. Notwithstanding the requirements of section 87.30 of the statutes and of implementing administrative rules and conforming county or municipal ordinances, the governing body responsible for administration of floodplain zoning ordinances in the city of Beloit shall grant the variances or special exceptions that are necessary to allow the business at 448 Broad street in the city of Beloit to build structures on one lot that is located next to the business.

Vetoed in Part (13c) PLANTING ALONG STATE HIGHWAYS.

(a) The department of natural resources shall provide \$10,000 in fiscal year 1992-93 from the appropriation under section 20.370 (4) (av) of the statutes, as created by this act, to the department of transportation for the planting of trees in the median of STH 100 and STH 181.

(b) The department of natural resources shall provide \$10,000 in fiscal year 1992-93 from the appropriation under section 20.370 (4) (av) of the statutes, as created by this act, to the department of transportation for the planting along STH 41 of native vegetation, including trees, shrubs, prairie grasses and wildflowers.

(13zn) TRANSFER OF STATE PROPERTY. On July 1, 1993, the department of natural resources shall convey to the state historical society title to the following property:

Vetoed in Part (a) The house, outbuildings and immediate grounds at Nelson Dewey state park in the town of Cassville, Grant county.

(b) First Capitol state park in the town of Belmont, Lafayette county.

Vetoed in Part (c) Aztalan state park in Jefferson county.

Vetoed in Part (13zo) REPORT. The department of natural resources and the state historical society shall prepare a joint report containing a plan for the transfer of property as provided under subsection (13zn), a plan for the management, maintenance and development of the property after it is transferred to the state historical society, an estimate of the funding needs for the properties and an identification of potential sources of funding for the properties. On or before July 1, 1992, the department of natural resources and the historical society shall submit the report to the governor and to the chief clerk of each house of the legislature for distribution to the appropriate standing committees in

the manner provided under section 13.172 (3) of the statutes.

Vetoed in Part (14c) REINTRODUCTION OF ELK. From the appropriation under section 20.370 (1) (fr) of the statutes, as created by this act, the department of natural resources shall expend up to \$59,100 in fiscal biennium 1991-93 to reintroduce elk to the state. The amount expended from the appropriation shall equal the amount of matching funds to be expended by other sources for the reintroduction of elk to the state or \$59,100, whichever is less. This paragraph does not apply after June 30, 1993.

Vetoed in Part SECTION 9143. Nonstatutory provisions; personnel commission.

(1g) REPORT ON WAIVING INVESTIGATIONS AND PROBABLE CAUSE DETERMINATIONS. The personnel commission shall, by January 1, 1993, submit a report to the governor and to the joint committee on finance regarding the personnel commission's experience under the procedure described in section 230.45 (1m) of the statutes, as created by this act, and containing the personnel commission's recommendation, if any, concerning extending the applicability of that procedure to complaints that are filed under section 230.45 (1) of the statutes or under section 103.10 (12) (b) of the statutes, as affected by this act, on or after January 1, 1994.

SECTION 9145. Nonstatutory provisions; public instruction.

(2g) POSITION DECREASE. The authorized FTE positions for the department of public instruction, funded from the appropriation under section 20.255 (1) (Ls) of the statutes, are decreased by 3.0 PR positions.

(4) TRANSFER OF THE CHILDREN WITH PHYSICAL NEEDS PROGRAM.

(a) *Assets and liabilities.* On the effective date of this paragraph, assets and liabilities of the department of public instruction relating to the administration of the children with physical needs program, as determined jointly by the department of public instruction and the department of health and social services, shall become the assets and liabilities of the department of health and social services. In case of disagreement, the department of administration shall resolve the dispute and shall develop a plan for the orderly transfer thereof.

(b) *Supplies and equipment.* On the effective date of this paragraph, all materials, supplies, furniture and capital equipment of the department of public instruction that are used primarily for the administration of the children with physical needs program, as determined jointly by the department of public instruction and the department of health and social services, are transferred to the department of health and social services. In case of disagreement, the department of administration shall resolve the dispute and shall develop a plan for the orderly transfer thereof.

(c) *Records.* On the effective date of this paragraph, all records, including pupil health records, pertaining to the children with physical needs program maintained by the department of public instruction, as determined jointly by the department of public instruction and the department of health and social services, are transferred to the department of health and social services. In case of disagreement, the department of administration shall resolve the dispute and shall develop a plan for the orderly transfer thereof.

(d) *Contracts.* All contracts entered into by the department of public instruction relating to the administration of the children with physical needs program that are in effect on the effective date of this paragraph remain in effect and are transferred on the effective date of this paragraph to the department of health and social services. Unless modified or rescinded, the contractual obligations shall be carried out by the department of health and social services.

(e) *Positions and employees.*

1. On the effective date of this subdivision, the authorized FTE positions for the department of public instruction are decreased by 24.0 PR positions in the bureau of children with physical needs funded under section 20.255 (1) (ke) of the statutes by moneys received for state maternal and child health block grant activities. On the effective date of this subdivision, the incumbents in the positions identified in this subdivision are transferred to the department of health and social services.

2. On the effective date of this subdivision, the authorized FTE positions for the department of health and social services are increased by 24.0 FED positions, to be funded from the appropriation under section 20.435 (1) (mc) of the statutes. The secretary of health and social services shall appoint the incumbents transferred under subdivision 1 to the positions authorized in this subdivision which correspond to the positions held by the incumbents on the day prior to the effective date of this subdivision.

3. Employees transferred to the department of health and social services under this paragraph have all the rights and the same status under subchapter V of chapter 111 and chapters 40 and 230 of the statutes, as affected by this act, in the department of social services that they enjoyed in the department of public instruction immediately prior to transfer. Notwithstanding section 230.28 (4) of the statutes, no employee so transferred who has attained permanent status in class may be required to serve a probationary period.

(f) *Pending matters.* Any matter pending with the bureau of children with physical needs in the department of public instruction on the effective date of this paragraph is transferred to the department of health and social services. All materials submitted to or actions taken before the effective date of this paragraph with respect to the pending matter are consid-

ered as having been submitted to or taken by the department of health and social services.

(g) *Rules and orders.* All rules and orders issued by the department of public instruction relating to the administration of the bureau of children with physical needs which are in effect on the effective date of this paragraph shall remain in effect until their specified expiration date or until amended or repealed by the department of health and social services.

(5) VEHICLE FLEET CONSOLIDATION.

(a) *Assets and liabilities.* On the effective date of this paragraph, all assets and liabilities of the department of public instruction relating to vehicle fleet operations, as determined by the department of administration, shall become the assets and liabilities of the department of administration. The department of administration shall develop and implement a plan for the orderly transfer thereof.

(b) *Supplies and equipment.* On the effective date of this paragraph, all materials, supplies, furniture and capital equipment of the department of public instruction relating to vehicle fleet operations, as determined by the department of administration, are transferred to the department of administration. The department of administration shall develop and implement a plan for the orderly transfer thereof.

(d) *Records.* On the effective date of this paragraph, all records of the department of public instruction relating to vehicle fleet operations, as determined by the department of administration, are transferred to the department of administration. The department of administration shall develop and implement a plan for the orderly transfer thereof.

(e) *Contracts.* All contracts entered into by the department of public instruction relating to vehicle fleet operations, which are in effect on the effective date of this paragraph, remain in effect and are transferred to the department of administration. Unless modified or rescinded, the contractual obligations shall be carried out by the department of administration.

(f) *Pending matters.* Any matter pending with the department of public instruction on the effective date of this paragraph relating to vehicle fleet operations is transferred to the department of administration. All materials submitted to or actions taken by the department of public instruction with respect to the pending matter are deemed to have been submitted to or taken by the department of administration.

(g) *Collections.* On and after the effective date of this paragraph, the department of administration may collect any amount payable prior to the effective date of this paragraph to the department of public instruction relating to vehicle fleet operations and the department of administration shall credit the amounts collected to the applicable appropriation or fund as provided by law.

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Vetoed
in Part

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in Part

~~(a) In the 1991-92 school year, a school board may apply to the state superintendent of public instruction for a grant to reimburse the school board for the cost of transporting a pupil to public school if all of the following apply:~~

~~1. The pupil is enrolled in any grade from kindergarten to 8.~~

~~2. The pupil moved from the attendance area of one elementary school to the attendance area of another elementary school in the same school district after the 3rd Friday in September. In this paragraph, "attendance area" has the meaning given in section 121.845 (1) of the statutes.~~

~~3. After the move, the pupil continues to attend the school he or she was originally attending.~~

~~4. The cost of transporting the pupil is not paid under section 115.45 (9) (b) of the statutes.~~

~~5. In the 1990-91 school year, the percentage of pupils who moved into or out of the attendance area of the school the pupil is attending, after the 3rd Friday in September, was at least 30%.~~

~~(b) Of the amount in the appropriation under section 20.255 (1) (a) of the statutes, the state superintendent of public instruction shall allocate \$200,000 in the 1991-92 fiscal year for the purpose of paragraph (a). If the amount is insufficient to reimburse all of the eligible costs, the state superintendent shall prorate the amount among the eligible school districts.~~

~~(7f) COMPULSORY SCHOOL ATTENDANCE; STUDY. The state superintendent of public instruction and the state director of vocational, technical and adult education shall jointly analyze and evaluate the educational and fiscal effects of the changes made to the compulsory school attendance law under section 118.15 of the statutes by this act, and shall report their findings and recommendations to the chief clerk of each house of the legislature, for distribution in the manner provided under section 13.172 (2) of the statutes, by January 1, 1994.~~

~~(7z) POSTSECONDARY ENROLLMENT OPTIONS PROGRAM.~~

~~(a) Rules. The state superintendent of public instruction shall submit in proposed form the rules required under section 118.37 (9) of the statutes, as created by this act, to the legislative council staff for review under section 227.15 (1) of the statutes by January 1, 1992.~~

~~(b) Evaluation and report. By January 1, 1994, the state superintendent of public instruction shall evaluate the educational and fiscal effects of the post-secondary enrollment options program under section 118.37 of the statutes, as created by this act, and report his or her findings and recommendations to the presiding officer of each house of the legislature in the manner provided under section 13.172 (3) of the statutes.~~

Vetoed
in Part

~~(8a) SCHOOL AID HOLD HARMLESS.~~

~~(a) The state superintendent of public instruction shall calculate the amount of school aid that each school district would have received under section 121.08 of the statutes in the 1990-91 school year if 1989 Wisconsin Act 336, sections 233, 234 and 3144 (3) had not become law.~~

~~(b) If any school district receives, in the 1990-91 school year, an amount of school aid under section 121.08 of the statutes that is at least 20% less than the amount calculated under paragraph (a), the state superintendent shall pay to the school district in the 1991-92 school year an amount equal to the difference. Aid under this paragraph shall be paid from the appropriation under section 20.255 (2) (ah) of the statutes, as created by this act.~~

~~(8j) GRANTS FOR FAMILIES AND SCHOOLS TOGETHER PROGRAMS.~~

~~(a) In the 1991-92 school year, the state superintendent of public instruction shall give first priority in awarding grants under section 115.361 (3) of the statutes to those school districts that satisfy all of the following:~~

~~1. The school district received a grant under section 115.361 (3) of the statutes in the 1990-91 school year.~~

~~2. As part of the program, at least 5 families completed a minimum of an 8-week course.~~

~~3. The school district has an ongoing, year-round support and aftercare program for at least 2 years after completion of the 8-week course.~~

~~4. The school district's program has met the objectives for the program specified in the original grant application, based on the evaluation mechanism specified in the original grant application.~~

~~(b) In the 1991-92 school year, the state superintendent of public instruction shall give 2nd priority in awarding grants under section 115.361 (3) of the statutes to those school districts that did not receive a grant under that section in the 1990-91 school year.~~

~~(c) The amount of a grant under paragraph (a) shall be the amount required to operate the school district's program for a full school year, based on the school district's experience in the 1990-91 school year, subject to the limits specified in section 115.361 (3) (b) of the statutes. If the amount allocated for grants under section 115.361 (3) of the statutes is insufficient to fully fund all eligible school districts under paragraph (a), the state superintendent shall select school districts for funding based on the quality of the program.~~

~~(8k) ALTERNATIVE COMPLIANCE WITH SCHOOL DISTRICT STANDARDS. By July 1, 1992, the state superintendent of public instruction shall submit to the joint committee on finance, and to the chief clerk of each house of the legislature for distribution to the appropriate standing committees in the manner provided under section 13.172 (3) of the statutes, all of the following:~~

~~(a) Recommendations for legislation or modifications to rules to permit school boards to comply in an~~

Vetoed
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in Part

alternative manner with all of the school district standards under section 121.02 (1) of the statutes ~~except section 121.02 (1) (a) of the statutes.~~

Vetoed
in Part

(b) A list and description of alternative methods of complying with the school district standards cited under paragraph (a) that have been proposed by school boards.

(9j) MULTITYPE LIBRARY SYSTEMS.

(a) In this subsection:

1. "Division" has the meaning given in section 43.01 (2) of the statutes.

2. "Public library system" has the meaning given in section 43.01 (5) of the statutes.

Vetoed
in Part

(b) 1. ~~Notwithstanding section 43.25 (2) and (4) of the statutes, as created by this act, the department of public instruction shall provide state aid in fiscal year 1991-92 in the amount determined under section 43.25 (5) (a) and (b) of the statutes, as created by this act, to each public library system that before March 1, 1991, submitted to the division a resolution of intent to be designated as a multitype library system and that participated in fiscal year 1990-91 in a multitype library demonstration project administered by the division using federal funding received under 20 USC 355e to 355e-3.~~

Vetoed
in Part

2. ~~Notwithstanding section 43.25 (2) and (4) of the statutes, as created by this act, the department of public instruction shall provide state aid in fiscal year 1992-93 in the amount determined under section 43.25 (5) (a) and (b) of the statutes, as created by this act, to each public library system that before March 1, 1991, submitted to the division a resolution of intent to be designated as multitype library system regardless of whether the public library system participated in the demonstration project described under subdivision 1.~~

Vetoed
in Part

SECTION 9146. **Nonstatutory provisions; public service commission.**

(1j) STRAY VOLTAGE PROJECT POSITIONS. Notwithstanding section 230.27 of the statutes, a project position to administer the stray voltage program under section 196.857 of the statutes, as affected by this act, may have a probable date of termination of August 31, 1993.

SECTION 9147. **Nonstatutory provisions; racing board.**

(2h) ALLOCATIONS FOR SPECIAL PROGRAMS. Notwithstanding section 20.192 (1) (g) of the statutes, as affected by this act, and section 20.192 (2) (hm) of the statutes, as created by this act, on the earliest date during the period beginning on July 1, 1992, and ending on June 30, 1993, on which the racing board determines that the unencumbered balance in the appropriation under section 20.192 (1) (g) of the statutes, as affected by this act, will be sufficient to make the transfers for that fiscal year under section 20.192 (1) (g) 1 and 1r of the statutes, as affected by this act, the first \$200,000 of the unencumbered balance in the appropriation under section 20.192 (1) (g) of the statutes, as affected by this act, that the racing board

determines would otherwise be transferred for that fiscal year under section 20.192 (1) (g) 2 of the statutes, as affected by this act, shall be transferred to the appropriation under section 20.192 (2) (hm) of the statutes, as created by this act, for distribution.

SECTION 9149. **Nonstatutory provisions; revenue.**

(2) ~~INITIAL CERTIFICATION. Notwithstanding section 73.03 (39) of the statutes, as created by this act, the department of revenue shall make its initial certification under that subsection no later than the 7th day after the effective date of this subsection.~~

Vetoed
in Part

(2g) FEES ON DELINQUENT ACCOUNTS. Notwithstanding section 73.03 (33m) of the statutes, as created by this act, fees on each account that is delinquent on June 30, 1992, are the greater of \$25 or 4.5% of the taxes, fees, interest and penalties due on that day.

(5) TAXATION OF RAILROADS. Using the procedure under section 227.24 of the statutes, the department of revenue shall promulgate rules before January 1, 1992, for implementing the apportionment of the net business income of railroads, sleeping car companies and car line companies under sections 71.04 (8) (c) and 71.25 (10) (c) of the statutes, as affected by this act. Notwithstanding section 227.24 (1) and (3) of the statutes, the department is not required to make a finding of emergency.

(6) TRANSITIONAL PROVISIONS; TELEPHONE COMPANIES. Notwithstanding sections 76.13 (2a) and 76.38 (3a) of the statutes, as affected by this act, on May 10, 1997, telephone companies, as defined in section 76.02 (9u) of the statutes, shall pay or be credited the difference between their payments of the tax under section 76.38 of the statutes, as affected by this act, during 1996 and the assessment under section 76.38 (3) of the statutes, as affected by this act, in 1997. If there is a credit due, the telephone company shall subtract it from the payment due on May 10, 1997, under section 76.13 of the statutes, as affected by this act. If there is a payment due, the telephone company shall add it to the payment due on May 10, 1997, under section 76.13 of the statutes, as affected by this act. Notwithstanding section 76.13 (2a) of the statutes, the telephone companies' May 10, 1997, payment under section 76.13 (2a) of the statutes shall be at least 40% of the tax assessed under section 76.13 (2a) of the statutes for 1997 or at least 50% of the tax under section 76.38 of the statutes, as affected by this act, for 1997.

(7) LEGISLATIVE INTENT; TELEPHONE COMPANIES. The legislature intends that the tax reduction created by the treatment of chapter 76 of the statutes by this act in regard to telephone companies, when fully and completely implemented in 1997, constitutes the refund of taxes that could be claimed pursuant to GTE Sprint Communications Corporation, n.k.a. U.S. Sprint Communications Company vs. Wisconsin Bell, Inc., and the State of Wisconsin, (No. 89-0272, May 15, 1990).

(8p) ~~RELAY SERVICE FUNDING. The secretary of revenue shall establish a committee composed of~~

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in Part

bers of the telecommunications industry, the speech-impaired community, the hearing-impaired community and the public to study and review potential funding sources for the state telecommunications relay service. That committee shall report its findings and its recommendations to the governor on or before January 1, 1992.

(9g) ADOPTION OF FEDERAL INCOME TAX CHANGES. Changes to the federal internal revenue code made by P.L. 101-508 apply to definitions of "internal revenue code" in chapter 71 of the statutes for taxable year 1986 and previous taxable years at the time that those changes apply for federal income tax purposes.

(9h) RECYCLING SURCHARGE RECALCULATION. If an entity pays the recycling surcharge under sections 77.93 and 77.94, 1989 stats., the department of revenue shall recalculate the recycling surcharge under sections 77.93 and 77.94 of the statutes, as affected by this act. The department shall refund any overpayment and collect any underpayment determined under the recalculation. Notwithstanding section 77.95 of the statutes, as affected by this act, the department may not impose interest and penalties on an underpayment if the underpayment is caused solely by the recalculation.

(10f) CORRECTION OF STATE PROPERTY TAX CREDIT PAYMENTS. Notwithstanding section 79.10 (6m), 1989 stats., any correction of the amount distributed to any municipality under section 79.10 (4) or (5), 1989 stats., in 1991 shall be made by adjusting the amount distributed under section 79.10 (4) of the statutes, as affected by this act, to that municipality in 1992.

(10g) SHARED REVENUE POPULATION ADJUSTMENT.

(a) Notwithstanding section 79.005 (2) of the statutes, the population used for purposes of determining 1991 shared revenue entitlements under section 79.03 of the statutes, as affected by this act, shall be the population determined by the department of administration under section 16.96 of the statutes for the statements provided to municipalities and counties in 1990 under section 79.015 of the statutes. Any corrections made to 1991 shared revenue payments under section 79.08 of the statutes, as affected by this act, shall be made by using the population as defined under section 79.005 (2) of the statutes.

Vetoed
in Part

(b) Notwithstanding section 79.08 of the statutes, as affected by this act, any corrections made to 1990 shared revenue payments under section 79.08 of the statutes, as affected by this act, shall be made by increasing or decreasing, as appropriate, shared revenue payments in 1992.

Vetoed
in Part

(c) Notwithstanding section 79.015 of the statutes, the department of revenue shall include in its statements of estimated payments provided on or before September 1991 under section 79.015 of the statutes an estimate of the corrections of 1990 and 1991 payments, as affected by paragraphs (a) and (b), under section 79.08 of the statutes, as affected by this act.

(10x) SHARED REVENUE ADJUSTMENT.

(a) Notwithstanding section 79.03 (1) of the statutes, as affected by this act, if the department of revenue's estimate made under section 79.015 of the statutes on or before September 15, 1990, resulted in a determination that a municipality that fulfilled the requirements under section 79.05 (2) (a) and (b) of the statutes was not eligible to receive a 1991 payment under section 79.05 of the statutes because the municipality did not fulfill the requirement under section 79.05 (2) (c) of the statutes, as affected by this act, and if the department of revenue, notwithstanding section 79.015 of the statutes, redetermines on or before November 1, 1991, that the municipality did fulfill the requirement under section 79.05 (2) (c) of the statutes, as affected by this act, the municipality's 1991 entitlement under section 79.03 (1) of the statutes, as affected by this act, shall be increased by an amount equal to the amount that the department of revenue redetermined that the municipality is eligible to receive under section 79.05 (3) of the statutes, as affected by this act, in 1991.

(b) The department of revenue shall recalculate the amount of each eligible municipality's 1991 payment under section 79.05 of the statutes, as affected by this act, on the basis of any redetermination under paragraph (a). If the recalculated amount is less than the department of revenue's original estimate under section 79.015 of the statutes, the municipality's 1991 entitlement under section 79.03 (1) of the statutes, as affected by this act, shall be reduced by an amount equal to the amount by which the municipality's 1991 payment under section 79.05 of the statutes, as affected by this act, exceeds the recalculated amount. Minimum aid payments under section 79.06 (1) of the statutes shall not be made with respect to any amounts that a municipality's entitlement is reduced under this paragraph.

(c) Any adjustment made to a municipality's shared revenue entitlement under this subsection shall be made to the municipality's November 1991 payment.

SECTION 9154. Nonstatutory provisions; supreme court.

(2v) CIRCUIT COURT AUTOMATION SYSTEM REIMBURSEMENT. From the appropriation under section 20.680 (2) (j) of the statutes, as affected by this act, the director of state courts shall provide reimbursement no later than June 30, 1993, to those counties that elect to receive reimbursement under the circuit court automated information system under section 758.19 (4) of the statutes.

SECTION 9155. Nonstatutory provisions; transportation.

(1q) VEHICLE AND OPERATOR'S LICENSE RECORDS. The department of transportation shall study the implementation of sections 341.08 (1m), 341.17 (9), 343.14 (2) (j), 343.235 and 343.24 (4) of the statutes, as created by this act. The department shall submit a

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report providing summary data on the designations and requests for department information made under these sections and any findings and recommendations for improving the administration of the sections to the governor and the chief clerk of each house of the legislature for distribution in the manner provided under section 13.172 (2) of the statutes on or before June 30, 1993.

(2r) PORT OF KENOSHA REPAIRS. The department of transportation may not enforce section 7.2 of the harbor assistance program grant agreement, identification number 0495-00-15, between the department of transportation and the city of Kenosha, to require repayment of funds for conversion of all or part of the port of Kenosha to noncommercial transportation use.

(2z) METRO 2020 STUDY. The secretary of transportation shall establish a task force to study the implementation of the metro 2020 policy board recommendations for improving land use and urban design. The task force shall report its findings, conclusions and recommendations by October 1, 1992, to the governor and to the chief clerk of each house of the legislature for distribution to the appropriate standing committees in the manner provided under section 13.172 (3) of the statutes.

(3g) KENOSHA RAILROAD REHABILITATION. The department of transportation may not exercise or enforce its option to require repayment of funds for failure to provide rail service or for failure to use rail service under section 3.2 (b) of the advance capital agreement for railroad rehabilitation, identification number 0491-70-99, between the department of transportation and the city of Kenosha.

(3r) DOCUMENT IMAGING SYSTEM. Notwithstanding section 13.101 (3) (a) of the statutes, the joint committee on finance may supplement, from the appropriation under section 20.865 (4) (u) of the statutes, by an amount not to exceed \$386,900 in fiscal year 1991-92 and by an amount not to exceed \$654,400 in fiscal year 1992-93 the appropriation under section 20.395 (5) (cq) of the statutes, for the purpose of funding implementation of a document imaging system after review by the joint committee on finance of a report submitted by the department of transportation to the joint committee on finance no later than November 15, 1991, on a 6-month pilot project concerning a document imaging system for the driver licensing program.

(3t) LIGHT RAIL TRANSIT FUNDING. Notwithstanding section 13.101 (3) (a) of the statutes, the joint committee on finance may supplement, from the appropriation under section 20.865 (4) (u) of the statutes, by a total of up to \$1,000,000 in fiscal year 1992-93 the appropriation under section 20.395 (1) (bt) of the statutes, for the purpose of funding property acquisition for an urban rail transit system under section 85.063 of the statutes, as affected by this act.

(3ug) LIGHT RAIL PLANNING AND LOCATION STUDIES.

(a) Subject to paragraph (b) and notwithstanding section 13.101 (3) (a) of the statutes, the joint committee on finance may supplement, from the appropriation under section 20.865 (4) (u) of the statutes, by a total of up to \$3,000,000 in fiscal year 1991-92, the appropriation under section 20.395 (2) (hq) of the statutes, as affected by this act, for the purpose of funding planning and location studies of a light rail transit system in Milwaukee county and southeastern Wisconsin.

(b) ~~Within 90 days after the effective date of this paragraph, the department of transportation shall submit to the joint committee on finance a detailed, written report that identifies the specific uses and plans for spending the funds authorized under paragraph (a). The report shall include the information required under paragraph (c).~~ The department may not commence with the planning activity outlined in its report until the report is approved and the funds are released by the joint committee on finance under section 13.10 of the statutes. **Vetoed in Part**

~~(c) The report required under paragraph (b) shall include an analysis of the labor force issues, the potential for customized labor training and the economic and other benefits to the state that result from the utilization of underemployed and unemployed persons residing in southeastern Wisconsin and of disadvantaged businesses located in southeastern Wisconsin for the construction, operation and maintenance of a light rail transit system in Milwaukee county and southeastern Wisconsin.~~ **Vetoed in Part**

~~(d) A planning and location study to be paid for with funds released under paragraph (a) shall include recommendations about how the state and local governmental units to be served by a light rail transit system can increase opportunities for underemployed and unemployed persons and disadvantaged businesses through training and employment opportunities in connection with a light rail transit system in Milwaukee county and southeastern Wisconsin.~~

~~(4h) SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION STUDY. From the appropriation under section 20.395 (4) (aq) of the statutes, as affected by this act, the department of transportation shall allocate to the southeastern Wisconsin regional planning commission \$70,000 in fiscal year 1991-92 for the commission to conduct a study to identify actions necessary for the implementation of a regional land use plan adopted by the commission.~~ **Vetoed in Part**

(4j) TIMMERMAN FIELD INSTRUMENT LANDING SYSTEM. Before December 31, 1991, Milwaukee county shall apply for state and federal funds to develop plans for a runway extension and for the installation of an instrument landing system at the Lawrence J. Timmerman airport. The department of transportation shall consider this application before it proceeds with other new airport development projects in fiscal year 1992-93. **Vetoed in Part**

Vetoed in Part (5f) ~~NOISE BARRIERS.~~ In addition to any other amounts the department of transportation may expend from the appropriations under section 20.395 (3) of the statutes, as affected by this act, in the 1991-93 fiscal biennium for the construction of noise barriers, the department of transportation shall expend in the 1991-93 fiscal biennium from the appropriations under section 20.395 (3) (c) to (e) of the statutes, as affected by this act, for the construction of noise barriers an amount equal to the difference between \$4,000,000 and any amounts expended in the 1989-91 fiscal biennium from the appropriations under section 20.395 (3) of the statutes for the construction of noise barriers.

Vetoed in Part (5g) ~~RHINELANDER-ONEIDA COUNTY AIRPORT EXPANSION.~~

(a) From the appropriation under section 20.395 (2) (d) of the statutes, as amended by this act, the department of transportation shall allocate \$50,000 in fiscal year 1991-92 to fund a feasibility study under paragraph (b).

(b) The department of transportation and the department of development shall jointly study the feasibility of expanding the Rhinelander-Oneida county airport to accommodate international flights. The department of transportation shall study the feasibility and engineering aspects of expanding the runways at the Rhinelander-Oneida county airport. The department of development shall study the tourism, business development and marketing aspects of the airport expansion.

Vetoed in Part (6g) ~~USH 14 TRAFFIC CONTROL SIGNALS.~~

(a) If the village board of Cross Plains adopts a resolution requesting installation of electrically operated traffic control signals by the department of transportation at the intersection of USH 14 and CTH "P" in the village of Cross Plains and submits a copy of the resolution to the department of transportation in the 1991-92 fiscal year, the department of transportation shall install the signals, to be funded from the appropriation under section 20.395 (3) (e) of the statutes, as affected by this act.

(b) If the village board of Black Earth adopts a resolution requesting installation of electrically operated traffic control signals by the department of transportation at the intersection of USH 14 and STH 78 in the village of Black Earth and submits a copy of the resolution to the department of transportation in the 1991-92 fiscal year, the department of transportation shall install the signals, to be funded from the appropriation under section 20.395 (3) (e) of the statutes, as affected by this act.

(c) If the village board of Mazomanie adopts a resolution requesting installation of electrically operated traffic control signals by the department of transportation at the intersection of USH 14 and Broadhead street in the village of Mazomanie and submits a copy of the resolution to the department of transportation

in the 1991-92 fiscal year, the department of transportation shall install the signals, to be funded from the appropriation under section 20.395 (3) (e) of the statutes, as affected by this act.

(7f) ~~GRANT FOR TOWN OF SANBORN.~~ The department of transportation shall provide from the appropriation under section 20.395 (1) (a) of the statutes, as created by this act, a grant of \$170,000 in fiscal year 1991-92 to the town of Sanborn in Ashland county for an improvement project on Reykdal road.

(7j) ~~MILWAUKEE REGIONAL AIRPORT AUTHORITY STUDY.~~ The department of transportation shall study the establishment of a Milwaukee regional airport authority, including: jurisdictional boundaries; organizational structure, including if it could function as part of a regional transportation authority; powers and duties; and authority to levy taxes and to issue commercial instruments to finance capital improvements. The department shall complete the study before July 1, 1992. The department may expend funds from the appropriation under section 20.395 (2) (d) of the statutes, as amended by this act, for the purpose of conducting this study.

(7w) ~~STH 145.~~

(a) From the appropriations under section 20.395 (3) (e) to (e) of the statutes, as affected by this act, the department of transportation shall begin construction of additional lanes on STH 145 between North 19th street and North 35th street in Milwaukee county on or before December 31, 1991, if all of the following conditions are met:

1. If the department of transportation acquires any commercial property of 6 acres or more which is owned by a minority business, as defined in section 66.905 (1) (a) of the statutes, as affected by this act, and which is needed for construction of the additional lanes, the department of transportation shall, notwithstanding section 84.09 of the statutes, as affected by this act, provide compensation for the commercial property to the minority business in the form of adjacent commercial property of equal or greater value to the commercial property acquired by the department of transportation from the minority business.

2. The joint committee on finance approves the proposed final plan for the construction of the additional lanes, including repairs to the Locust street overpass, and any compensation provided to minority businesses under subdivision 1.

(b) The date specified in paragraph (a) for the beginning of the construction of the additional lanes may be modified by the joint committee on finance.

(9g) ~~MILWAUKEE BREWERS STADIUM PROJECT.~~

(a) There is established in the transportation fund a reserve account consisting of \$14,948,900 for the purpose of funding state highway rehabilitation associated with the construction of a new stadium to be used by the Milwaukee brewers, a professional baseball team located in Milwaukee county.

Vetoed in Part

Vetoed in Part

Vetoed in Part

(b) Notwithstanding section 13.101 (3) (a) of the statutes, the joint committee on finance may supplement, from the appropriation under section 20.865 (4) (u) of the statutes, by an amount not to exceed \$14,948,900 during the 1991-93 fiscal biennium the appropriation under section 20.395 (3) (cq) of the statutes, as affected by this act, for the purpose of funding state highway rehabilitation associated with the construction of a new stadium to be used by the Milwaukee brewers, a professional baseball team located in Milwaukee county. The reserve account under paragraph (a) shall be reduced by the amount of any supplemental appropriation made under this paragraph.

(c) This subsection does not apply after June 30, 1993.

~~(10h) FEASIBILITY STUDY OF EASTERN BYPASS OF WAUSAU.~~

Vetoed
in Part

~~(a) Notwithstanding section 85.022 of the statutes, as affected by this act, \$200,000 from the appropriation under section 20.395 (2) (hq) of the statutes, as affected by this act, shall be used by the department of transportation for a feasibility study of an eastern bypass of Wausau connecting SH 29 and USH 51 north of north central technical college in Wausau. The department shall submit the study on or before July 1, 1994, to the chief clerk of each house of the legislature for distribution to the members of the legislature in the manner provided under section 13.172 (2) of the statutes.~~

~~(b) Paragraph (a) does not apply unless there is a matching contribution from the local area to be served by the proposed bypass. Private funds and in-kind contributions may be applied to meet the requirement of this paragraph.~~

~~(13p) TRANSFER OF REGULATION OF MOBILE HOME DEALERS AND SALESPERSONS.~~

~~(a) Definition. In this subsection, "program" means the regulation and licensing of mobile home dealers and salespersons.~~

~~(am) Assets and liabilities. On the effective date of this paragraph, the assets and liabilities of the department of transportation associated with the program shall become the assets and liabilities of the department of administration.~~

~~(b) Position transfers. On the effective date of this paragraph, all positions associated with the program, as determined by the secretary of administration, are transferred from the department of transportation to the department of administration.~~

~~(d) Equipment and records. On the effective date of this paragraph, all furniture, equipment, supplies and records of the department of transportation relations relating to the program are transferred to the department of administration.~~

~~(e) Contracts. All contracts entered into by the department of transportation relating to the program in effect on the effective date of this paragraph remain in effect and are transferred to the department of~~

administration. The department of administration shall carry out any such contractual obligations.

(f) *Rules and orders.* All rules promulgated and orders issued by the department of transportation or the department of industry, labor and human relations relating to the program in effect on the effective date of this paragraph remain in effect until their specified expiration date or until modified or rescinded by the department of administration.

(g) *Pending matters.* Any matter pending with the department of transportation on the effective date of this paragraph related to the program is transferred to the department of administration, and all materials submitted to or actions taken before the effective date of this paragraph with respect to the pending matter are considered as having been submitted to or taken by the department of administration.

SECTION 9157. Nonstatutory provisions; university of Wisconsin system.

(1) MINORITY AND DISADVANTAGED PROGRAMS. In the 1991-92 and 1992-93 fiscal years, the board of regents of the university of Wisconsin system shall allocate an amount equal to at least 1% of the amount appropriated under section 20.285 (4) (a) of the statutes to fund proposals submitted by faculty and academic staff to encourage minority pupils in grades 5 to 8 to attend college. If the board of regents determines that the amount allocated is greater than the amount necessary to fund such proposals, the board of regents may use the balance as provided under section 36.25 (14m) of the statutes, as affected by this act.

(1a) SPECIAL SUPPLEMENTAL SALARY INCREASES FOR SELECTED ACADEMIC STAFF AND FACULTY.

(a) In this subsection:

1. "Academic staff" has the meaning given in section 36.05 (1) of the statutes.

2. "Faculty" has the meaning given in section 36.05 (8) of the statutes.

3. "Primary research" means research performed by an academic staff member that is originated by the individual by whom it is performed and that is comparable to research performed by members of the faculty.

(b) Notwithstanding sections 20.285 and 36.09 (1) (e) of the statutes, as affected by this act, and section 36.09 (1) (j) of the statutes, the board of regents of the university of Wisconsin system may allocate \$2,028,600 from the appropriation under section 20.285 (1) (im) of the statutes, \$153,300 from any other appropriation of program revenues to the board, \$194,400 from any appropriation of federal revenues to the board and \$4,200 from any appropriation of segregated fund revenues to the board for the 1992-93 fiscal year to fund increases in the salaries of selected members of the academic staff who are engaged in instruction or primary research and selected members of the faculty whose positions are funded from those revenues during that fiscal year or to fund instructional supporting costs for those posi-

tions during that fiscal year. In apportioning salary increases to individual members of the academic staff or faculty under this paragraph, the board shall utilize the funding allocated under this paragraph to meet the highest priority demands created by the competitive marketplace at each institution, as defined in section 36.05 (9) of the statutes, as documented by the chancellor of the institution.

(c) The secretary of administration shall not waive submission of expenditure estimates under section 16.50 (1) of the statutes and shall withhold approval of expenditure estimates under section 16.50 (2) of the statutes for all expenditures authorized under paragraph (b) until the board of regents of the university of Wisconsin system submits a report to the joint committee on finance indicating the specific criteria the board proposes to use to make the expenditures authorized under paragraph (b) and the amounts and types of support to be provided, and the committee approves the report.

Vetoed
in Part

~~(1g) HOMICIDE STUDY. The urban studies program and the geography department of the university of Wisconsin-Milwaukee shall jointly study homicide and methods of reducing homicide rates. The study shall identify at-risk characteristics and patterns of behavior of homicide offenders and victims and identify diversion programs to reduce the risks. The urban studies program and the geography department shall report the findings and recommendations from the study to the chief clerk of each house of the legislature for distribution to the legislature in the manner provided under section 13.172 (2) of the statutes by March 1, 1993.~~

(2d) SINGLE-PARENT SELF-SUFFICIENCY PROGRAM. Of the amounts in the appropriation under section 20.285 (1) (a) of the statutes, the board of regents of the university of Wisconsin system may not spend any funds appropriated in fiscal year 1991-92 or fiscal year 1992-93 for the single-parent self-sufficiency program at the university of Wisconsin-La Crosse unless an equal amount is contributed for the program by local businesses.

(2f) COMPUTER ACCESS AND LABORATORY MODERNIZATION. Notwithstanding section 20.285 (1) (im) of the statutes, the board of regents of the university of Wisconsin system may allocate up to \$200,000 from that appropriation in the 1991-92 fiscal year to the university of Wisconsin-Madison for computer access and laboratory modernization programs.

Vetoed
in Part

~~(2g) NURSE-MIDWIFERY EDUCATION STUDY.~~
~~(a) There is created a study committee on nurse-midwifery education consisting of one representative of each of the following nursing programs, appointed by the dean of nursing at each school:~~

- ~~1. Marquette university school of nursing.~~
- ~~2. The university of Wisconsin-Eau Claire school of nursing.~~

~~3. The university of Wisconsin-Madison school of nursing.~~

~~4. The university of Wisconsin-Milwaukee school of nursing.~~

~~5. The university of Wisconsin-Oshkosh school of nursing.~~

~~(b) The board of regents of the university of Wisconsin system shall provide staff assistance and shall pay for committee expenses, up to a maximum of \$37,300 in the 1991-92 fiscal year and \$37,200 in the 1992-93 fiscal year, from the appropriation under section 20.285 (1) (a) of the statutes.~~

~~(c) The committee shall study the development of a master's degree program in nurse-midwifery. The committee shall consider collaborative arrangements with other states. By January 5, 1993, the committee shall submit the results of its study and its recommendations to the governor and to the chief clerk of each house of the legislature for distribution to the appropriate standing committees in the manner provided under section 13.172 (3) of the statutes.~~

~~(d) The committee is abolished upon submission of its report under paragraph (c).~~

~~(3j) ADVANCED OPPORTUNITY PROGRAM.~~

~~(a) The board of regents of the university of Wisconsin system shall submit a report to the joint committee on finance on the distribution of awards for the advanced opportunity program. The report shall include all of the following:~~

- ~~1. The criteria used to determine awards.~~
- ~~2. The number of residents and nonresidents by ethnic group who are receiving awards and the average amount of an award.~~
- ~~3. The number of residents and nonresidents by ethnic group who were denied awards and the reasons for the denials.~~

~~(b) Of the amount appropriated to the board of regents of the university of Wisconsin system under section 20.285 (4) (b) of the statutes for the advanced opportunity program, the board may not spend \$425,100 in the 1992-93 fiscal year without the approval by the joint committee on finance of the report under paragraph (a).~~

~~(4j) SERVICES FOR DISABLED STUDENTS.~~

~~(a) The board of regents of the university of Wisconsin system shall submit a report to the joint committee on finance, and to the chief clerk of each house of the legislature for distribution to the appropriate standing committees in the manner provided under section 13.172 (3) of the statutes, on services to disabled students. The report shall include all of the following:~~

- ~~1. The current level of resource allocation for disabled student services at each center and institution.~~
- ~~2. The planned allocation of new resources at each center and institution, and how the plan relates to current funding levels and the need for new resources at the center or institution.~~

Vetoed
in Part

Vetoed
in Part

3. The current efforts by the university of Wisconsin system to provide for the needs of disabled students.

(b) Of the amounts appropriated to the board of regents of the university of Wisconsin system under the following appropriations for services to disabled students, the board may not spend the amounts indicated without the approval by the joint committee on finance of the report and plan under paragraph (a):

1. Section 20.285 (1) (a) of the statutes: \$126,800 in the 1991-92 fiscal year and \$221,000 in the 1992-93 fiscal year.

2. Section 20.285 (1) (im) of the statutes: \$68,200 in the 1991-92 fiscal year and \$119,000 in the 1992-93 fiscal year.

(5h) **BASE RESOURCES REPORT.** Notwithstanding section 36.47 (intro.) of the statutes, as created by this act, the board of regents of the university of Wisconsin system shall submit the base resources report for the 1991-92 and 1992-93 fiscal years to the joint committee on finance by March 1, 1992. The 1991-92 report shall specify the base reallocations budgeted for the 1991-92 fiscal year.

(5i) **ENGINEERING AND TECHNOLOGY.** The board of regents of the university of Wisconsin system shall submit a plan for the allocation of funds in the appropriation under section 20.285 (1) (im) of the statutes for improvements in engineering and technology to the joint committee on finance. ~~Of the amounts appropriated to the board of regents under section 20.285 (1) (im) of the statutes for improvements in engineering and technology, the board of regents may not spend \$2,480,600 in the 1991-92 fiscal year and may not spend \$3,929,300 in the 1992-93 fiscal year without the approval by the joint committee on finance of the plan.~~

(8h) **AREA HEALTH EDUCATION CENTERS.** Of the amounts in the appropriation under section 20.285 (1) (a) of the statutes, the board of regents of the university of Wisconsin system shall allocate \$100,000 in the 1991-92 fiscal year and \$150,000 in the 1992-93 fiscal year, for the university of Wisconsin-Madison medical school to implement jointly with the medical college of Wisconsin area health education centers and projects.

(10i) **INTENSIVE SANCTIONS PROGRAM; PUBLIC EDUCATION.** During the 1991-93 fiscal biennium, the board of regents of the university of Wisconsin system shall assist the department of corrections, upon the department's request, in educating the public regarding the intensive sanctions program.

SECTION 9158. Nonstatutory provisions; veterans affairs.

~~(3w) **COUNCIL ON VETERANS PROGRAMS.** The term of the initial representative of the AFL-CIO Veterans Committee and of the Wisconsin Vietnam Veterans, Inc., on the council on veterans programs shall expire on July 1, 1993.~~

(4g) **SALE OF VETERANS HOUSING LOANS.** The appropriations authorized by section 20.485 (3) (b) and (q)

of the statutes and the obligation of the department of veterans affairs relative to coverage of deficiencies in veterans housing loans shall survive retirement of the bonds sold under section 234.40 of the statutes and any subsequent sale of the veterans housing loans by the Wisconsin housing and economic development authority.

~~(5p) **ADDITIONAL VETERANS HOME.** The department of veterans affairs shall conduct a study of the need for a 2nd veterans home in the state, or of the need for a satellite veterans home in King, and shall report the results of that study to the governor and the joint committee on finance by July 1, 1992.~~

SECTION 9159. Nonstatutory provisions; vocational, technical and adult education.

(2f) **NICOLET COLLEGE TRANSFER PROGRAM.** By November 1, 1992, the state board of vocational, technical and adult education and the Nicolet technical college district board shall jointly report to the joint committee on finance on the college transfer program at Nicolet technical college and on methods to reduce the costs of the program to an appropriate level.

(3g) **MINORITY STUDENT PARTICIPATION AND RETENTION GRANT PROGRAM.** By December 1, 1991, the state board of vocational, technical and adult education shall submit a report to the joint committee on finance on the minority student participation and retention grant program under section 38.26 of the statutes, as created by this act. The report shall do all of the following:

(a) Specify the criteria used to determine grant recipients, award amounts and matching requirements.

(b) Describe the methods by which district board performance will be evaluated and audited.

(c) Indicate how the state board and the district boards intend to inform school districts of the opportunities available for minority students in the vocational, technical and adult education system.

~~(4w) **EMERGENCY RETRAINING GRANTS.**~~

~~(a) The educational approval board may make grants totaling not more than \$150,000 from the appropriation under section 20.292 (2) (c) of the statutes, as created by this act, to persons to provide emergency retraining for students affected by the closure of a computer technology training institute if all of the following conditions are met:~~

~~1. The students were enrolled in the institute on February 15, 1991.~~

~~2. The institute declared bankruptcy on or about February 15, 1991.~~

~~3. The institute was located in a 1st class city.~~

~~4. A person requesting a grant submits a plan to the educational approval board detailing the proposed use of the grant.~~

~~5. The executive secretary of the educational approval board approves the plan submitted under subdivision 4 before awarding the grant.~~

Vetoed
in Part

Vetoed
in Part

Vetoed
in Part

Vetoed
in Part

Vetoed
in Part

6. A person requesting the grant enters into a written agreement with the educational approval board specifying the conditions for use of the grant proceeds, including reporting and auditing requirements.
7. A person receiving a grant agrees to submit to the educational approval board, within 6 months after spending the full amount of the grant, a report detailing the use of the proceeds of the grant, if requested by the board.
8. No grant may be made under this subsection after June 30, 1993.

(5g) WORKPLACE LITERACY RESOURCE CENTER. The authorized FTE positions for the board of vocational, technical and adult education are increased by 0.5 GPR project position to staff a workplace literacy resource center for a one-year period beginning on July 1, 1992, and ending on June 30, 1993, to be funded from the appropriation under section 20.292 (1) (bm) of the statutes, as created by this act.

SECTION 9160. Nonstatutory provisions; other.

(1xg) LAPSES AND EXPENDITURE REESTIMATES AFFECTING CERTAIN APPROPRIATIONS.

(a) In this subsection:

1. "State agency" has the meaning given in section 20.001 (1) of the statutes.
2. "State operations" means all purposes except aids to or for the benefit of local governmental units, individuals and organizations.

(b) The secretary of administration shall not permit encumbrance of the following amounts from the following appropriations to state agencies in each fiscal year indicated and shall lapse the amounts to the general fund prior to the end of each fiscal year:

State Agency	Appropriation	Amount of Lapse	
		1991-92 Fiscal Year	1992-93 Fiscal Year
Board on aging and long-term care	20.432 (1) (a)	\$ 6,400	\$ 3,200
Employment relations commission	20.425 (1) (a)	33,800	16,900
Ethics board	20.521 (1) (a)	5,700	2,900
Judicial council	20.645 (1) (a)	2,700	1,400
Lower Wisconsin state riverway board	20.360 (1) (a)	3,100	1,600
Personnel commission	20.547 (1) (a)	8,400	4,200
Office of the secretary of state	20.575 (1) (a)	5,000	2,600

Vetoed
in Part

(c) Each of the following state agencies shall report in writing to the secretary of administration no later than October 1, 1991, for the 1991-92 fiscal year, unless another date is specified by the secretary, and no later than October 1, 1992, for the 1992-93 fiscal year, unless another date is specified by the secretary, concerning its preference for allocation of appropriation reductions between sum certain appropriations made to the state agency from general purpose revenue for state operations or allocation of expenditure reestimates between sum sufficient appropriations made to the state agency from general purpose revenue for state operations, or a combination of both, totaling the following amounts in each fiscal year indicated:

State Agency	Amount of Reduction or Reestimate	
	1991-92 Fiscal Year	1992-93 Fiscal Year
Department of agriculture, trade and consumer protection	\$ 360,800	\$ 180,400
Arts board	6,800	3,400
Circuit courts	24,000	24,000
Department of corrections	1,057,800	1,057,800
Court of appeals	35,000	35,000
Department of development	980,800	490,400
Educational communications board	360,400	180,200
Department of employment relations	116,400	58,200
Office of the governor	22,600	22,600
Department of health and social services	2,515,000	1,257,500
Historical society	136,000	68,000

Department of industry, labor and human relations	96,900	48,400
Judicial commission	6,400	3,200
Department of justice	489,900	244,900
Legislature	324,800	324,800
Office of the lieutenant governor	5,700	5,700
Department of military affairs	210,800	105,400
Department of natural resources	1,189,000	594,500
Public defender board	320,900	160,400
Department of public instruction	440,700	220,500
Department of revenue	940,300	470,200
Supreme court	83,200	83,200
Office of the state treasurer	7,000	3,500
Board of regents of the university of Wisconsin system	3,248,200	3,248,200
Board of vocational, technical and adult education	45,300	22,700
Wisconsin conservation corps board	28,200	14,100

(d) The supreme court shall file the report required under paragraph (c) for the supreme court, the court of appeals and the circuit courts. The joint committee on legislative organization shall file the report required under paragraph (c) for all appropriations under section 20.765 of the statutes made from general purpose revenue for state operations.

(e) The secretary of administration shall, no later than the end of each fiscal year specified in paragraph (c), lapse to the general fund from the sum certain appropriations made to each state agency specified in paragraph (c) from general purpose revenue for state operations, or shall reestimate from the sum sufficient appropriations made to each state agency specified in paragraph (c) from general purpose revenue for state operations, or a combination of both, the specified amounts for each state agency allocated between such appropriations in the manner determined by the secretary.

(f) The secretary of administration shall, no later than the end of each fiscal year specified in paragraph (c), lapse to the general fund from the sum certain appropriations made to the department of administration from general purpose revenue for state operations or reestimate from the sum sufficient appropriations made to the department of administration from general purpose revenue for state operations, or a combination of both, a total of \$341,500 in the 1991-92 fiscal year and \$170,800 in the 1992-93 fiscal year, allocated between such appropriations in a manner determined by the secretary.

(g) Any reduction under this subsection of the moneys appropriated under section 20.255 (1) (a) of the statutes may not apply to the funding for the following 4 providers of specialized statewide library services:

1. Cooperative children's book center.
2. Milwaukee public library.
3. Wisconsin interlibrary loan services.
4. Wisconsin regional library for the blind and physically handicapped.

(2) MISSISSIPPI RIVER PARKWAY COMMISSION.

(a) Notwithstanding section 14.85 (2), 1989 stats., the term of any member of the Mississippi river parkway commission selected by a county board shall expire upon appointment of a member to the commission by the governor from a list of nominees submitted by the county board under section 14.85 (3) of the statutes, as created by this act. **Vetoed in Part**

(b) Notwithstanding section 14.85 (3) of the statutes, as created by this act, each county board shall submit a list of nominees for membership in the commission no later than the first day of the 3rd month beginning after publication of this act and the governor shall appoint the members to the commission from the lists of nominees submitted by the county boards no later than the first day of the 6th month beginning after publication of this act. The list submitted by a county board shall include any current member of the commission under section 14.85 (2), 1989 stats., representing that county unless the member informs the county board that he or she does not want to be considered for appointment to the commission. **Vetoed in Part**

(c) Notwithstanding section 14.85 (3) of the statutes, as created by this act, the terms of the members of the Mississippi river parkway commission under section 14.85 (1) (a) of the statutes, as created by this act, appointed by the governor shall expire as follows. **Vetoed in Part**

1. On January 1, 1994, for the members representing the counties of Buffalo, Crawford, Pepin and Trempealeau.
2. On January 1, 1996, for the members representing the counties of Grant, La Crosse, Pierce and Vernon.

(3) TAX APPEALS COMMISSION. On July 1, 1992, the terms of the members of the tax appeals commission who on June 30, 1992, are serving part time end.

(3z) INITIAL TERMS OF WORLD DAIRY CENTER AUTHORITY MEMBERS. Notwithstanding the length of term specified in section 235.02 (2) (h) (intro.) and (i) of the statutes, as created by this act, the following ini-

tial members of the world dairy center authority appointed under section 235.02 (2) (h) and (i) of the statutes, as created by this act, shall be appointed for terms expiring on the following dates:

(a) Two members appointed under section 235.02 (2) (h) 2 of the statutes, as created by this act, and one member appointed under section 235.02 (2) (i) of the statutes, as created by this act, June 30, 1992.

(b) Three members appointed under section 235.02 (2) (h) 2 of the statutes, as created by this act, June 30, 1993.

(c) Three members appointed under section 235.02 (2) (h) 2 of the statutes, as created by this act, and one member appointed under section 235.02 (2) (i) of the statutes, as created by this act, June 30, 1994.

(d) One member appointed under section 235.02 (2) (h) 1 of the statutes, as created by this act, and 3 members appointed under section 235.02 (2) (h) 2 of the statutes, as created by this act, June 30, 1995.

Vetoed in Part
~~(4b) STUDY OF COMPENSATION AND BENEFITS OF STATE OFFICIALS. There is created a special committee to study the salaries, fringe benefits, expense reimbursement procedures and other aspects of compensation for state constitutional officers, members of the legislature, justices of the supreme court, court of appeals judges and circuit judges. The chief clerks of the senate and assembly shall serve as cos chairpersons of the committee. Each chief clerk shall appoint 3 additional members no later than September 1, 1991, or the effective date of this subsection, whichever is later. The committee shall elect its other officers from among its members. The committee shall complete its study by December 31, 1991, and shall report the results of its study, together with its recommendations, to the governor and the joint committee on employment relations no later than January 31, 1992.~~

Vetoed in Part
~~(5f) HEALTH CARE ACCESS BOARD, INITIAL APPOINTMENTS. Notwithstanding section 15.07 (1) (c) of the statutes, of the initial members of the health care access board under section 15.64 of the statutes, as created by this act, the following shall be appointed for the following terms:~~

~~(a) Seven members selected by the governor, for terms that expire on May 1, 1993.~~

~~(b) Two members designated by the speaker of the assembly, for terms that expire on May 1, 1994.~~

~~(c) Two members designated by the president of the senate, for terms that expire on May 1, 1995.~~

~~(5g) REGIONAL COUNCILS ON HEALTH CARE, INITIAL APPOINTMENTS. Notwithstanding the length of terms specified in section 15.647 (1) of the statutes, as created by this act, of the initial members of the 6 regional councils on health care, the following shall be appointed for the following terms:~~

~~(a) Three members of each council, for terms that expire on July 1, 1993.~~

~~(b) Three members of each council, for terms that expire on July 1, 1995.~~

~~(c) Three members of each council, for terms that expire on July 1, 1997.~~ **Vetoed in Part**

(5gg) FOX-WINNEBAGO REGIONAL MANAGEMENT COMMISSION, INITIAL APPOINTMENTS. Notwithstanding section 30.94 (3) (c) of the statutes, as created by this act, the initial terms of the members of the Fox-Winnabago regional management commission appointed under section 30.94 (3) (a) of the statutes, as created by this act, shall begin on the date on which the member is appointed and qualified and shall expire as follows:

(a) For one member appointed from each specified county under section 30.94 (3) (a) 2 of the statutes, as created by this act, 3 years after the date on which the member is appointed and qualified.

(b) For one member who is appointed from each specified county under section 30.94 (3) (a) 2 of the statutes, as created by this act, and to whom subsection (1) does not apply, 2 years after the date on which the member is appointed and qualified.

(c) For 2 members appointed under section 30.94 (3) (a) 1 of the statutes, as created by this act, 3 years after the date on which the members are respectively appointed and qualified.

(d) For one member who is appointed under section 30.94 (3) (a) 1 of the statutes, as created by this act, and to whom subsection (3) does not apply, 2 years after the date on which that member is appointed and qualified.

~~(5h) REPORT BY HEALTH CARE ACCESS BOARD. By October 1, 1993, the health care access board shall submit a report to the governor and the chief clerk of each house of the legislature for distribution to the appropriate standing committees in the manner provided in section 13.172 (3) of the statutes. The report shall address the efficacy of existing state and federal programs in preserving and increasing the supply of health care providers in health manpower shortage areas, as defined in 42 USC 254e (a) (1). If the health care access board has determined that the programs are not sufficiently effective, the board shall, in the report, suggest all of the following.~~ **Vetoed in Part**

~~(a) Methods for improving the effectiveness of existing programs.~~

~~(b) Options for initiating more fundamental changes to the structure of existing programs so as to overcome their shortcomings.~~

~~(c) Options for replacing existing programs with new programs that, based on new criteria, might be substantially more effective.~~

(5xy) RECORDS SERIES. (a) In this subsection:

1. "Board" means the public records and forms board.

2. "Personally identifiable information" has the meaning specified in section 19.62 (5) of the statutes, as created by this act.

3. "Records series" has the meaning specified in section 16.61 (2) (b) of the statutes, as affected by this act.

4. "State agency" has the meaning specified in section 16.61 (2) (d) of the statutes.

(b) For each records series maintained by a state agency that contains personally identifiable information and that is subject to a records retention schedule approved by the board under section 16.61 (4) (c) of the statutes, on or before the effective date of this subsection, the state agency maintaining the records series shall submit to the board by June 30, 1993 on a form prescribed by the board a supplement to the records retention schedule for the records series that contains information necessary for the board to create the registry under section 16.61 (3) (u) of the statutes, as created by this act.

(6f) **OLYMPIC ICE RINK TRANSFER.**

(a) In this subsection, "state agency" has the meaning given in section 20.001 (1) of the statutes.

(b) The land of any state agency that is occupied by the Olympic ice rink or any equipment related to its operation in the state fair park is transferred to the building commission, to be used by the commission for construction of an Olympic ice training center.

(c) All equipment owned by any state agency that is related to the operation of the Olympic ice rink is transferred to the state fair park board, except that if any such equipment was purchased with segregated fund revenues, the equipment is transferred to the board only if the board agrees to reimburse the segregated fund from which the equipment was purchased for the value of the equipment from the appropriation under section 20.190 (1) (h) of the statutes, as affected by this act. The secretary of administration shall determine the value of any equipment for purposes of reimbursement under this paragraph.

(d) The state fair park board may continue to operate the Olympic ice rink until such time as the rink is removed for construction of the Olympic ice training center.

SECTION 9201. Appropriation changes; administration.

(2) **VEHICLE FLEET CONSOLIDATION.** The department of administration shall transfer from the appropriation under section 20.505 (1) (kb) of the statutes to the appropriate program revenue appropriation accounts of the department of public instruction, the educational communications board and the historical society and segregated funds amounts equal to the values of vehicles owned by the department of public instruction, the educational communications board and the historical society that were purchased from program revenue or segregated revenue appropriations to those agencies and that are consolidated into the fleet of the department of administration based on the asset values of the vehicles at the time of consolidation, as determined by the secretary of administration. The department of administration shall transfer from the

appropriation under section 20.505 (1) (kb) of the statutes to the general fund an amount equal to the values of vehicles owned by the department of public instruction, the educational communications board and the historical society that were purchased from general purpose revenue appropriations and that are consolidated into the fleet of the department of administration based on the asset values of the vehicles at the time of consolidation, as determined by the secretary of administration.

SECTION 9212. Appropriation changes; corrections.

(1n) **CORRECTIONAL FARMS.** Within 3 months after the effective date of this subsection, the department of corrections shall transfer to section 20.410 (1) (kf) of the statutes, as created by this act, the unencumbered appropriation balance under section 20.410 (1) (kk) of the statutes that immediately prior to the effective date of this subsection is attributable to the purposes specified in section 20.410 (1) (kf) of the statutes, as created by this act.

SECTION 9215. Appropriation changes; development.

(1) **EMPLOYEE OWNERSHIP ASSISTANCE LOANS.** The unencumbered balance in the appropriation under section 20.143 (1) (j), 1989 stats., is transferred to the appropriation under section 20.143 (1) (ie) of the statutes, as affected by this act.

(2) **RECYCLING REBATE LAPSE.** From the unencumbered balance in the appropriation under section 20.143 (1) (t) of the statutes, there is lapsed to the recycling fund \$3,000,000.

(3m) **EXPORT DEVELOPMENT LOANS.**

(a) The encumbered and unencumbered balances in the appropriation under section 20.143 (1) (fz), 1989 stats., are transferred to the appropriation under section 20.143 (1) (c) of the statutes, as affected by this act.

(b) The encumbered and unencumbered balances in the appropriation under section 20.143 (1) (gr), 1989 stats., are transferred to the appropriation under section 20.143 (1) (ie) of the statutes, as affected by this act.

SECTION 9225. Appropriation changes; health and social services.

(1g) **COMMUNITY YOUTH AND FAMILY AIDS.** The unencumbered balance in the appropriation under section 20.435 (3) (cd) of the statutes, as affected by the acts of 1991, is transferred to the appropriation under section 20.435 (7) (b) of the statutes, as affected by this act.

SECTION 9228. Appropriation changes; housing and economic development authority.

(1) **RECYCLING LOAN FUND; WISCONSIN DEVELOPMENT RESERVE FUND.** The unencumbered balance in the recycling loan fund is transferred to the Wisconsin development reserve fund, as created by this act.

(2) **AGRICULTURAL PRODUCTION LOAN FUND; WISCONSIN DEVELOPMENT RESERVE FUND.** The unencum-

bered balance in the agricultural production loan fund is transferred to the Wisconsin development reserve fund, as created by this act.

(3) DROUGHT ASSISTANCE AND DEVELOPMENT LOAN FUND; WISCONSIN DEVELOPMENT RESERVE FUND. The unencumbered balance in the drought assistance and development loan fund is transferred to the Wisconsin development reserve fund, as created by this act.

SECTION 9229. Appropriation changes; industry, labor and human relations.

(2w) WISCONSIN JOB OPPORTUNITY BUSINESS SUBSIDY PROGRAM. In addition to the amounts in the schedule under section 20.005 (3) of the statutes, as affected by this act, for the appropriation to the department of industry, labor and human relations under section 20.445 (1) (e) of the statutes, as affected by the acts of 1991, for fiscal year 1991-92 the appropriation under section 20.445 (1) (e) of the statutes, as affected by the acts of 1991, is increased by the amount lapsed to the general fund from that appropriation at the end of fiscal year 1990-91, but not more than \$1,200,000, for the Wisconsin job opportunity business subsidy program under section 101.35 of the statutes, as affected by this act.

Vetoed in Part SECTION 9238. Appropriation changes; ~~lottery board.~~

Vetoed in Part (1m) GENERAL FUND TRANSFER. From the general fund, there is transferred to the lottery fund on July 15, 1992, \$183,161,300.

SECTION 9242. Appropriation changes; natural resources.

(1) INVESTMENT AND LOCAL IMPACT FUND. The unencumbered balance in the appropriation under section 20.370 (2) (gs), 1989 stats., is transferred to the appropriation under section 20.370 (2) (gr) of the statutes, as affected by this act.

(2) RESOURCE ACQUISITION AND DEVELOPMENT FUND. From the unencumbered balance in the appropriation under section 20.370 (1) (ks) of the statutes, \$397,100 is lapsed into the conservation fund.

(3g) OLYMPIC ICE RINK OPERATION. During fiscal years 1991-92 and 1992-93, the department of natural resources shall transfer from the appropriation under section 20.370 (1) (sa) of the statutes, as affected by this act, to the appropriation under section 20.190 (1) (h) of the statutes an amount sufficient for the state fair park board to maintain the Olympic ice rink, but not more than \$10,000, until such time as the rink is removed for construction of the Olympic ice training center.

SECTION 9247. Appropriation changes; racing board.

(1) ELIMINATION OF RACING SPECIAL PROGRAMS. The unencumbered balance in the appropriation under section 20.192 (2) (g), 1989 stats., is transferred to the appropriation under section 20.192 (1) (g) of the statutes.

~~(2) RACING FUND ELIMINATION.~~ The unencumbered balance in the racing fund is transferred to the general fund. **Vetoed in Part**

SECTION 9254. Appropriation changes; supreme court.

(1) BAR EXAMINERS. Notwithstanding section 20.001 (3) (c) of the statutes, on the effective date of this subsection, there shall lapse to the general fund \$150,000 from the appropriation to the supreme court under section 20.680 (3) (g) of the statutes.

SECTION 9255. Appropriation changes; transportation.

(1g) LICENSE PLATE SCHOLARSHIP PROGRAMS.

(a) From the general fund, there is transferred to the transportation fund an amount equal to the unencumbered balance in the appropriation under section 20.395 (5) (cj) of the statutes. The transfer shall be effected immediately before the repeal of section 20.395 (5) (cj) of the statutes.

(b) There is transferred to the general fund from the appropriation under section 20.395 (5) (cq) of the statutes an amount, to be determined by the secretaries of administration and transportation, that is associated with the repeal of section 20.395 (5) (cj) of the statutes. The transfer shall be effected immediately before the repeal of section 20.395 (5) (cj) of the statutes. This paragraph does not apply if there is an unencumbered balance in the appropriation under section 20.395 (5) (cj) of the statutes on the effective date of this subsection.

SECTION 9260. Appropriation changes; other.

(2) RECYCLING FUND TRANSFER. From the recycling fund, there is transferred to the general fund \$4,750,000.

SECTION 9301. Initial applicability; administration.

(1) SPECIAL PROSECUTORS. The treatment of sections 20.475 (1) (r), 757.27 and 978.13 (1) (a) of the statutes, the amendment of section 978.045 (title) of the statutes, the renumbering and amendment of section 978.045 (1) and (2) of the statutes and the creation of section 978.045 (1g) of the statutes first apply to appointments made on the effective date of this subsection.

(2) DISTRICT ATTORNEY RECORDS. The treatment of sections 19.21 (5) (f), 44.09, 59.715 (24) (a), (b), (c) and (d), 59.716 (5), 59.717 (5) and 978.07 (title), (1) (intro.) and (c) 1 and 2 and (2) of the statutes first applies to district attorney records on the effective date of this subsection, regardless of the date the records are created.

(3) STATE-OWNED HOUSING RENTAL RATES. The treatment of section 16.004 (8) (e) of the statutes first applies with respect to any lease or occupancy agreement which is in effect on the effective date of this subsection on August 15, 1992, or upon expiration, extension or renewal of the lease or occupancy agreement, whichever is later.

(4) DISTRICT ATTORNEY SALARIES.

(a) The renumbering and amendment of section 978.12 (1) (a) of the statutes first applies with respect to salary adjustments made on the effective date of this paragraph.

(b) The treatment of section 978.12 (1) (a) 2 of the statutes first applies with respect to individuals who take office on the effective date of this paragraph.

SECTION 9304. Initial applicability; agriculture, trade and consumer protection.

(1) ENFORCEMENT COSTS RECOVERY. The treatment of sections 20.115 (8) (gm), 93.20, 814.04 (intro.), 814.16 and 973.06 (1) (intro.) of the statutes first applies to an offense committed on the effective date of this subsection.

(2) AMOUNTS OF LICENSE FEES, DAIRY PLANTS, MILK PRODUCERS, FOOD PROCESSING PLANTS AND MILK WEIGHERS AND SAMPLERS. The treatment of sections 97.20 (2c), (2g) and (2w), 97.22 (2) (b) and 97.29 (3) (am) (intro.), 1, 2, 3 and 4 of the statutes; and the treatment of sections 97.20 (2) (c) 3, 97.21 (4m) (intro.), (a) and (b) and 98.146 (4) (as they relate to license fees) of the statutes first apply to applications for licenses received by the department of agriculture, trade and consumer protection, under sections 97.20, 97.21, 97.22, 97.29 and 98.146 of the statutes, on the effective date of this subsection.

(3) AMOUNTS OF REINSPECTION FEES, DAIRY PLANTS, MILK PRODUCERS, FOOD PROCESSING PLANTS AND MILK WEIGHERS AND SAMPLERS. The treatment of sections 97.20 (2n) (b), 97.22 (4) (am) (intro.) and 97.29 (3) (cm) (intro.), 1, 2, 3 and 4 of the statutes; and the treatment of sections 97.20 (2) (c) 3, 97.21 (4m) (intro.), (a) and (b) and 98.146 (4) (as they relate to reinspection fees) of the statutes first apply to reinspections conducted by the department of agriculture, trade and consumer protection, under sections 97.20, 97.21, 97.22, 97.29 and 98.146 of the statutes, on the effective date of this subsection.

(4) AMOUNTS OF LICENSE FEES, FOOD WAREHOUSES AND RETAIL FOOD ESTABLISHMENTS. The treatment of sections 97.27 (3m) (intro.), (a), (b), (c), (d) and (e) and 97.30 (3m) (intro.), (a), (b), (c) and (d) (as they relate to license fees) of the statutes first applies to applications for licenses received by the department of agriculture, trade and consumer protection, under sections 97.27 and 97.30 of the statutes, for the license year ending on June 30, 1992, whether or not the license is granted on, before or after the effective date of this subsection.

(5) AMOUNTS OF REINSPECTION FEES, FOOD WAREHOUSES AND RETAIL FOOD ESTABLISHMENTS. The treatment of sections 97.27 (3m) (intro.), (a), (b), (c), (d) and (e) and 97.30 (3m) (intro.), (a), (b), (c) and (d) (as they relate to reinspection fees) of the statutes first applies to reinspections conducted by the department of agriculture, trade and consumer protection, under sections 97.27 and 97.30 of the statutes, in the license year ending on June 30, 1992, whether or not the rein-

spection is conducted on, before or after the effective date of this subsection.

(6) DOG AND KENNEL LICENSE FEES. The treatment of sections 174.05 (2) and 174.053 (1) of the statutes first applies to a dog or kennel license that a person applies for on the first day of the first month beginning after publication.

(7) FERTILIZER LICENSE FEES. The treatment of sections 20.115 (7) (t) (as it relates to fertilizer license fees) and 94.64 (3) (b) of the statutes first applies to the license year that ends on June 30, 1992, whether or not the license is granted on, before or after the effective date of this subsection.

(8) FERTILIZER INSPECTION FEES. The treatment of sections 20.115 (7) (t) (as it relates to fertilizer manufacturer or distributor inspection fees) and 94.64 (4) (a) of the statutes first applies to inspection fees that must be paid no later than August 14, 1991, to cover the semiannual period for which fertilizer tonnage reports are made under section 94.64 (4) (b) of the statutes and which ends June 30, 1991.

(9) SOIL AND PLANT ADDITIVE LICENSE AND OTHER FEES. The treatment of sections 20.115 (7) (t) (as it relates to soil and plant additive license and other fees) and 94.65 (2) (a) and (6) (a) 1 of the statutes first applies to the license year that ends on March 31, 1992, whether or not the license is granted on, before or after the effective date of this subsection.

(10) PESTICIDE MANUFACTURER AND LABELER LICENSES. The treatment of sections 20.115 (7) (u) (as it relates to pesticide manufacturer and labelers fees) and 94.68 (3) (a) of the statutes first applies to a license applied for on the effective date of this subsection.

(11) COMMERCIAL FEED LICENSES. The treatment of sections 20.115 (7) (t) (as it relates to commercial feed fees) and 94.72 (5) (b) and (6) (a) of the statutes first applies to the license year that ends on February 29, 1992, whether or not the license is granted on, before or after the effective date of this subsection.

(11w) WAREHOUSE KEEPER AND GRAIN DEALER CONTRACT REQUIREMENTS. The treatment of section 127.105 of the statutes first applies to contracts entered into on the effective date of this subsection.

(11x) OTHER WAREHOUSE KEEPER AND GRAIN DEALER REQUIREMENTS. The treatment of sections 127.01 (1r), (5), (5d), (5p), (5t), (6), (7), (19) (intro.), (a) and (b), (26) and (27), 127.03 (1), (3) and (5), 127.06 (title), (1) (a), (b) and (d) and (2), 127.07 (title), (1), (2), (3) (title) and (a) (intro.), (4) (a) (intro.) and 1. a. b. and c., (5), (6) (a) 1 and 4, (b) (title) and (c), (7) (a) 1. (intro.), (b) (title) and (c), (8), (9), (9m) and (10), 127.10 (6), 127.13 (title) and (1) and 127.17 (4) (a) of the statutes, the renumbering of section 127.01 (1) of the statutes, the renumbering and amendment of section 127.07 (4) (a) 1. (intro.) and 2 and (b) of the statutes and the creation of sections 127.01 (1), 127.06 (2) (b) and 127.07 (4) (a) 2 and (b) and (5) (a) (title) and (b) of the statutes first apply to the registration year that ends on the August 31 that follows the effective date of this subsection.

SECTION 9306. Initial applicability; banking.

(1g) CONSUMER CREDIT TRANSACTION PENALTIES.

(a) The treatment of sections 138.09 (7) (e) 1 and 422.203 (1) of the statutes first applies to a consumer credit transaction, other than one pursuant to an open-end credit plan, or to a precomputed loan entered into on the effective date of this paragraph.

(b) The treatment of section 138.09 (7) (c) 1 of the statutes first applies to a loan that is entered into, renewed, extended or modified on the effective date of this paragraph.

(2j) **MOTOR VEHICLE DEALER LICENSE FEES.** The treatment of section 218.01 (2) (d) 8. a. and b. of the statutes first applies to a motor vehicle dealer license application that is received by the office of the commissioner of banking after the effective date of this subsection and first applies to a motor vehicle dealer license renewal for a license that expires on the effective date of this subsection.

SECTION 9308. Initial applicability; building commission.

(1n) **STATE BORROWING.** The treatment of sections 18.06 (8) (a) and (c), 18.51 and 18.70 of the statutes first applies to agreements entered into on the effective date of this subsection.

SECTION 9310. Initial applicability; circuit courts.

(1g) COURT COMMISSIONER POWERS.

(a) The treatment of sections 304.06 (1) (c) 1, 757.69 (1) (b) and 973.09 (1) (a) of the statutes first applies to criminal matters commenced or pending on the effective date of this paragraph.

(b) The treatment of sections 757.69 (1) (m) and 813.125 (3) (a) (intro.) and 2 and (c) and (4) (a) (intro.) and 3 of the statutes first applies to harassment actions commenced or pending on the effective date of this paragraph.

(1h) **JUVENILE COURT COMMISSIONER POWERS.** The treatment of sections 48.065 (2) (gm) and (3) (b), (c), (e) and (f), 48.355 (6) (a) and (b), 48.356 (1) and 757.69 (1) (g) of the statutes first applies to uncontested proceedings commenced on the effective date of this subsection.

(1n) **COURT AUTOMATION FEE.** The treatment of section 814.635 (1) and (2) of the statutes first applies to actions or proceedings commenced on the effective date of this subsection.

Vetoed in Part (2l) **JUROR AND WITNESS FEES.** The treatment of sections 16.53 (14), 20.505 (8) (b), 20.550 (1) (f), 20.625 (1) (d), (e) and (f), 48.235 (8), 48.996, 55.06 (6) and (9) (b), 75.521 (12) (b), 756.25 (1), 757.48 (1) (b), 758.19 (6), 767.045 (6), 814.22 (1) (b) and (c), 814.51, 879.23 (4) (d), 880.331 (8), 885.08, 885.09, 891.39 (1) (b), 973.06 (1) (d) and (4), 977.05 (4) (hm), 979.05 (7) and 979.06 (2) and (6) of the statutes and the repeal and recreation of section 880.33 (2) (a) 3 of the statutes first apply to services rendered by jurors, witnesses and guardian ad litem on the effective date of this subsection.

(2k) **EXPERT WITNESSES.** The treatment of sections 971.16 (1) to (5) and 971.17 (3) (b) and (c) and (7) (c) of the statutes and the creation of section 971.16 (1) of the statutes first apply to appointments made on the effective date of this subsection.

(2q) **CHILD SUPPORT.** The treatment of section 767.32 (2) and (2m) of the statutes first applies to child support orders and judgments that are revised by an order issued or a judgment rendered on the effective date of this subsection.

(4d) **CHILD SUPPORT FEES.** The treatment of section 814.61 (12) (b) (intro.) of the statutes first applies to annual fees that are ordered or become due on the effective date of this subsection.

SECTION 9312. Initial applicability; corrections.

(1p) **SUPERVISION OF CONDITIONALLY RELEASED, TRANSFERRED OR DISCHARGED PERSONS.** The treatment of sections 51.37 (9), 301.03 (3c) and 971.17 (3) (e) of the statutes first applies to conditionally released, transferred or discharged persons on the effective date of this subsection.

(1q) **PREDISPOSITION INVESTIGATIONS.** The treatment of section 971.17 (2) (a) of the statutes first applies to predisposition investigations ordered on the effective date of this subsection.

(2) **CASE LOADS OF PROBATION AND PAROLE AGENTS.** The treatment of sections 972.15 (1) and 973.09 (1) (d) of the statutes first applies to offenses occurring on the effective date of this subsection.

(3) **LIABILITY FOR HEALTH SERVICES FOR COMMUNITY RESIDENTIAL CONFINEMENT PRISONERS.** The treatment of sections 301.03 (12) and 302.386 (5) of the statutes first applies to services provided on the effective date of this subsection.

(4) **MEDICAL AND DENTAL SERVICES FOR INMATES.** The treatment of section 302.386 (2) and (3) of the statutes first applies to medical or dental services that are provided on July 1, 1992.

(5g) **PROBATION AND PAROLE REVOCATION HEARINGS.** The treatment of section 302.335 (2) (b) of the statutes first applies to persons detained in the county jail or other county facility on the effective date of this subsection.

SECTION 9319. Initial applicability; employee trust funds.

Vetoed in Part (2p) **CREDITING OF RETIREMENT CONTRIBUTIONS.** The treatment of section 40.04 (5m) of the statutes first applies to retirement contributions made during the participating employee's first annual earnings period beginning after the effective date of this subsection.

SECTION 9324. Initial applicability; health and educational facilities authority.

(2t) **RURAL HOSPITAL LOAN GUARANTEE PROGRAM.** The treatment of section 231.35 (3) (d), (g), (h), (i) and (j), (4) (a) 1 and 2, (5) (b) (intro.), 1 and 2 and (7) (a) of the statutes first applies to loans guaranteed on the effective date of this subsection.

SECTION 9325. Initial applicability; health and social services.

(2) **DELINQUENT CHILDREN UNDER DEPARTMENT GUARDIANSHIP.** The treatment of section 46.26 (4) (a), (b) 1 and (c) of the statutes first applies, with respect to payment by the department of health and social services for the costs of care, services and supplies provided under sections 48.34, 48.366 and 51.35 (3) of the statutes for children who are under the guardianship of that department, to children who are adjudicated delinquent on the effective date of this subsection.

(3an) **INCOME MAINTENANCE ADMINISTRATION REIMBURSEMENT.** The renumbering and amendment of section 49.52 (1) (ad) 1. (intro.) of the statutes first applies to reimbursement for costs incurred on January 1, 1993.

(4) **YOUTH AIDS CARRYOVER.** The treatment of section 46.26 (3) (e) of the statutes first applies to funds allocated under section 46.26 (3) of the statutes and not encumbered or carried forward under section 46.26 (3) (dm) of the statutes by December 31, 1991.

(5) **REGULATED CHILD CARE FOR RECIPIENTS OF AID TO FAMILIES WITH DEPENDENT CHILDREN.** The treatment of sections 49.50 (1), (6e) (as it relates to the requirement that the child care be provided by a child care provider as defined in section 49.50 (1) of the statutes, as created by this act), (6g) (as it relates to the requirement that the child care be provided by a child care provider as defined in section 49.50 (1) of the statutes, as created by this act), (7) (ar), (e) 1. (intro.), a. and b. and 2 and (g) 6, (7c) (a), (7j) (d) 4, (dm) and (e) 3 (as it relates to the requirement that the child care be provided by a child care provider as defined in section 49.50 (1) of the statutes, as created by this act) and (7m) (f), (fm), (g) and (j) (as it relates to the requirement that the child care be provided by a child care provider as defined in section 49.50 (1) of the statutes, as created by this act) of the statutes and the creation of section 49.50 (6e) (b) (as it relates to the requirement that the child care be provided by a child care provider as defined in section 49.50 (1) of the statutes, as created by this act) of the statutes first apply to child care provided on January 1, 1993.

(6) **CHILD CARE BLOCK GRANT.** The treatment of section 46.98 (3) (a) of the statutes (with respect to the age limits for eligibility for child care aid from funds distributed under section 46.98 (2) of the statutes), the treatment of section 46.98 (3) (bm) of the statutes (with respect to the percentage of child care funds distributed under section 46.98 (2) of the statutes that may be used for administrative costs) and the treatment of sections 46.98 (4) (a) 2 and 3 and 49.50 (7j) (em) of the statutes first apply to child care provided on September 9, 1991.

(7h) **HOSPICE PROVISIONAL LICENSURE.** The treatment of section 50.93 (3) of the statutes first applies to provisional licenses for hospices issued by the department of health and social services after July 31, 1990.

~~(7p) **PERMANENCY PLAN REVIEWS.** The treatment of sections 48.363, 48.365 (2m), (a), 48.38 (5) (b) and 48.427 (1) of the statutes first applies to hearings or reviews, whichever is applicable, held under those sections for which notice was given on the effective date of this subsection.~~

SECTION 9329. Initial applicability; industry, labor and human relations.

(1g) **PETROLEUM STORAGE REMEDIAL ACTION.** The treatment of section 101.143 (3) (a) 10 and 11 and (4) (b) 2, (c) 7, (d) 2. (intro.) and (e) 2 of the statutes first applies to awards for eligible costs incurred on the effective date of this subsection.

(2c) **RELOCATION BENEFITS.** The treatment of sections 32.05 (8) and 32.06 (9) (c) of the statutes and the creation of sections 32.05 (8) (a) and (c) and 32.06 (9) (c) 1 and 3 of the statutes first apply to transfers of property occurring on the effective date of this subsection.

~~(2x) **WAGE RATES ON PUBLICLY FUNDED PRIVATE CONSTRUCTION PROJECTS.** The treatment of sections 66.292 and 103.48 of the statutes first applies to private construction projects, as defined in sections 66.292 (1) (h) and 103.48 (1) (g) of the statutes, as created by this act, that first receive financial assistance from a municipality, as defined in section 66.292 (1) (e) of the statutes, as created by this act, or from an agency, as defined in section 103.48 (1) (a) of the statutes, as created by this act, 30 days after the effective date of this subsection.~~

SECTION 9330. Initial applicability; insurance.

(1c) **HEALTH INSURANCE RISK SHARING PLAN.** The treatment of section 619.135 of the statutes first applies to notices under section 619.12 (1) (am), (b) and (c) of the statutes received on the effective date of this subsection.

(1cn) **SCHEDULE OF PREMIUMS FOR THE HEALTH INSURANCE RISK SHARING PLAN.** The treatment of section 619.14 (5) (a) (as it relates to limitations on how the commissioner of insurance may set premiums) of the statutes first applies to premium rates established and charged on July 1, 1992.

~~(2c) **CANCELLATION OF AGENCY CONTRACTS.** The treatment of section 628.115 of the statutes first applies to agency contracts, as defined in section 628.115 of the statutes, as created by this act, that are entered into, renewed or extended on the effective date of this subsection.~~

(3q) **NURSE PRACTITIONER SERVICES.** The treatment of sections 40.51 (8), 66.183, 66.184, 120.13 (2) (dm) and (g), 185.981 (4t), 185.983 (1) (intro.), 601.41 (1) and 632.87 (1) and (5) of the statutes first applies to policies, plans or contracts issued, entered into or renewed on the effective date of this subsection.

~~(3x) **COVERAGE OF ADOPTIONS.** The treatment of sections 40.51 (8), 185.981 (4t), 185.983 (1) (intro.), 609.71, 628.36 (2) (b) 5 and 632.87 (1) and (4) of the statutes first applies to policies, plans or contracts~~

Vetoed
in Part

Vetoed
in Part

Vetoed
in Part

Vetoed in Part issued or renewed on the effective date of this subsection.

SECTION 9335. Initial applicability; justice.

(1) **STATE APPEALS.** The treatment of section 974.05 (1) (a) of the statutes first applies to offenses occurring on the effective date of this subsection.

(2p) **LAW ENFORCEMENT OFFICER TRAINING FOR RANGERS.** The treatment of section 165.85 (4) (b) 1 of the statutes first applies to rangers for the department of natural resources who begin law enforcement preparatory training on the effective date of this subsection.

Vetoed in Part (2b) **VICTIM AND WITNESS SERVICES.** The treatment of section 950.05 (1) (j) of the statutes first applies to services provided on the effective date of this subsection.

SECTION 9338. Initial applicability; lottery board.

(1) **LENGTH OF LOTTERY RETAILER CONTRACTS.** The treatment of sections 565.02 (3) (i) and 565.10 (7) of the statutes first applies to lottery retailer contracts entered into on the effective date of this subsection.

SECTION 9342. Initial applicability; natural resources.

(1d) **ISSUING FEES FOR FISH AND GAME APPROVALS.** The treatment of sections 29.09 (10) (c) and 29.092 (4) (b) and (15) (b) and (c) of the statutes first applies to licenses and stamps issued under chapter 29 of the statutes on the effective date of this subsection.

(2) **SECURITY INTERESTS IN BOATS.** The treatment of sections 30.537 (4) (d), (e) and (f), 30.57, 30.571, 30.572, 30.573, 30.574, 30.575, 30.576, 30.577, 59.76 (2), 138.09 (7) (i) 2 and 3, 409.302 (3) (bm) and 704.90 (3) (a) of the statutes first applies to security interests created, assigned, extended or perfected on January 1, 1992.

(3) **RESIDENT DISABLED FISHING LICENSES.** The treatment of sections 29.093 (3) (c) and 29.145 (1c) (intro.), (a), (b) and (c) of the statutes first applies to fishing licenses applied for on January 1, 1992.

(4) **HUNTING AND TRAPPING PERMITS.**

(a) The treatment of section 29.092 (13m) of the statutes first applies to hunter's choice deer hunting permits, bobcat hunting and trapping permits, otter trapping permits and fisher trapping permits that are issued on the effective date of this paragraph.

(b) The treatment of section 29.092 (13m) of the statutes first applies to wild turkey hunting licenses and Canada goose hunting permits that are issued on January 1, 1992.

(4z) **ICE AGE TRAIL; MATCHING FUNDS.** The treatment of sections 20.866 (2) (tw) and 23.293 (4) and (5) of the statutes first applies to contributions and gifts accepted and lands designated under the ice age trail program on the effective date of this subsection.

(5) **NATURAL RESOURCES RESTITUTION PAYMENT.** The treatment of section 29.99 (1g) of the statutes first applies to violations that occur on the effective date of this subsection.

(6) **PROMULGATION OF RULES FOR SNOWMOBILES.** The treatment of sections 350.13 and 350.145 (1) and (2) of the statutes first applies to a proposed rule under chapter 350 of the statutes, as affected by this act, that is put in final draft form on the effective date of this subsection.

(7) **WILD ANIMAL PROTECTION ASSESSMENT.** The treatment of sections 23.50 (1) and (2), 23.51 (10), 23.53 (1), 23.54 (3) (e), (i) and (j), 23.55 (1) (b), 23.56 (2), 23.66 (2) and (4), 23.67 (2) and (3), 23.75 (3) (b) and (c), 23.79 (1) and (2), 23.80 (2), 23.83 (2), 23.84, 23.85, 29.9965, 814.60 (2) (em) and 814.63 (3) (a), (ag), (b), (bm), (c) and (e) of the statutes and the amendment of sections 59.20 (5) (b), 59.395 (5), 973.05 (1) and (2) and 973.07 of the statutes, as they relate to wild animal protection assessments, first apply to violations that occur on the effective date of this subsection.

(8) **FISHING SHELTER REMOVAL ASSESSMENT.** The treatment of sections 23.50 (1) and (2), 23.51 (3g), 23.53 (1), 23.54 (3) (e), (i) and (j), 23.55 (1) (b), 23.56 (2), 23.66 (2) and (4), 23.67 (2) and (3), 23.75 (3) (b) and (c), 23.79 (1) and (2), 23.80 (2), 23.83 (2), 23.84, 23.85, 29.9967 and 814.63 (3) (a), (ag), (b), (bm), (c) and (eg) of the statutes and the amendment of sections 59.20 (5) (b) and 59.395 (5) of the statutes, as they relate to fishing shelter removal assessments, first apply to violations under section 29.283 (5) of the statutes, as created by this act, that occur on the effective date of this subsection.

(9) **SNOWMOBILE REGISTRATION RESTITUTION PAYMENT.** The treatment of sections 23.50 (1) and (2), 23.51 (6m), 23.53 (1), 23.54 (3) (e), (i) and (j), 23.55 (1) (b), 23.56 (2), 23.66 (2) and (4), 23.67 (2) and (3), 23.75 (3) (b) and (c), 23.79 (1) and (2), 23.80 (2), 23.83 (2), 23.84, 23.85, 350.115 and 814.63 (3) (a), (ag), (b), (bm), (c) and (er) of the statutes and the amendment of sections 59.20 (5) (b) and 59.395 (5) of the statutes, as they relate to snowmobile registration restitution payments, first apply to violations that occur on the effective date of this subsection.

(9g) **ENVIRONMENTAL ASSESSMENT.** The treatment of sections 23.50 (1) and (2), 23.51 (3c), 23.53 (1), 23.54 (3) (e), (i) and (j), 23.55 (1) (b), 23.56 (2), 23.66 (2) and (4), 23.67 (2) and (3), 23.75 (3) (b) and (c), 23.79 (1) and (2), 23.80 (2), 23.83 (2), 23.84, 23.85, 144.992, 814.60 (2) (cs) and 814.63 (3) (bs) of the statutes and the amendment of sections 59.20 (5) (b), 59.395 (5), 973.05 (1) and (2) and 973.07 of the statutes, as they relate to environmental assessments, first apply to violations that occur on the effective date of this subsection.

(10i) **SPEARFISHING LAW ENFORCEMENT AIDS.** The treatment of section 29.599 (2) (c) (intro.) and (cm) and (4) (a) of the statutes first applies to applications for aid filed for additional law enforcement services that are provided in calendar year 1992.

SECTION 9343. Initial applicability; personnel commission.

(1) **WAIVER OF INVESTIGATIONS.** The treatment of sections 101.055 (8) (c), 103.10 (12) (b), 230.45 (1) (j) and (1m) and 230.85 (2) (as it relates to the waiver of any investigation and determination of probable cause by the personnel commission) of the statutes first applies to complaints that are filed with the personnel commission on the effective date of this subsection.

SECTION 9345. Initial applicability; public instruction.

(1) **AID TO COUNTY HANDICAPPED CHILDREN'S EDUCATION BOARDS.** The treatment of section 121.135 (2) (a) 1 of the statutes first applies to the payment of aid to county handicapped children's education boards in the 1992-93 school year.

(2) **MODIFIED ACCRUAL BASIS FOR STATE AID.** The treatment of sections 115.84, 115.88 (4) and (7), 115.92 (2) (b), 121.004 (3), (4) and (6), 121.135 (2) (a) 2 and 121.83 (1) (a) (intro.) of the statutes first applies to state aid paid to school districts in the 1991-92 school year.

(3) **MORNING MILK PROGRAM.** The treatment of section 115.343 (1), (2) (intro.) and (b), (3), (4) and (5) of the statutes first applies to the payment of state aid under section 115.343 of the statutes, as affected by this act, in the 1992-93 school year.

Vetoed in Part (4) ~~CHILDREN ENROLLED IN DAY CARE CENTERS.~~ The creation of sections 121.004 (7) (e) and 121.05 (1) (a) 9 of the statutes first applies to state aid paid in the 1993-94 school year.

SECTION 9349. Initial applicability; revenue.

(1) **CHARGE-BACKS.** The treatment of sections 74.23 (1) (b), 74.25 (1) (b) 1 and 2, 74.27, 74.29, 74.30 (1) (i) and (j) and (1m) and 74.42 (1) and (2) of the statutes first applies to taxes collected on the basis of the assessment as of January 1, 1991.

(2) **CHARGE-BACKS.** The treatment of sections 70.43 (1) and (3), 74.33 (title), (3) and (4) and 74.41 (title), (1) (bm) and (bn), (2), (3), (4) (intro.) and (b) and (5) (b) of the statutes first applies to taxes based on the assessment as of January 1, 1991.

Vetoed in Part (2x) ~~CAPITAL GAINS ALTERNATIVE MINIMUM TAX.~~ The treatment of sections 71.05 (6) (b) 9 and 71.08 (1) (a) of the statutes first applies to taxable years beginning on January 1, 1991.

(3) **CONSISTENT DUE DATES AND ADMINISTRATION FOR CERTAIN CREDITS.** The treatment of sections 71.03 (6m), 71.53 (2) (a) and (3), 71.55 (6m), 71.59 (2) (a) and (3) and 71.61 (3m) of the statutes first applies to claims based on property taxes accrued or rent constituting property taxes accrued in taxable years beginning on January 1, 1991.

Vetoed in Part (3w) ~~CORPORATE MINIMUM TAX.~~ The treatment of sections 71.285, 71.29 (1) (b), (2) and (7) (b), 71.30 (3) (g), 71.475 and 71.49 (1) (g) of the statutes first applies to taxable years beginning on January 1, 1991.

(4) **COUNTY COLLECTION.** The treatment of sections 66.30 (1) (a) and 74.10 of the statutes first applies to taxes based on the assessment as of January 1, 1991. **Vetoed in Part**

(4aw) ~~COUNTY SYSTEM APPEALS.~~ The treatment of sections 70.47 (7) (a) and (16) (a) and 70.995 (8) (c) of the statutes first applies to objections to the assessment as of January 1, 1991.

(4g) **DELINQUENT PROPERTY TAXES.** The treatment of section 74.87 (6) (b) and (d) of the statutes first applies to payments due in 1992.

(4h) **SMALL MUNICIPALITIES SHARED REVENUE PAYMENTS.** The amendment of section 79.06 (1) (b) and (2) (b) and (c) of the statutes first applies to 1992 payments. **Vetoed in Part**

(4p) **COUNTY SHARED REVENUE PAYMENTS.** The treatment of sections 79.03 (1), (3) (a) and (b) 1, (intro.), a and b, 3, 4, d, e and f, 5 and 6 and (3g) and 79.06 (1) (c) of the statutes and the repeal and recreation of sections 79.03 (3) (b) 4, (intro.) and a and 79.06 (1) (b) and (2) (b) and (c) of the statutes first apply to 1993 payments.

(5) **DEPRECIATION UPDATE.** The treatment of sections 71.01 (7r), 71.26 (3) (y), 71.365 (1m) and 71.45 (2) (a) 13 of the statutes first applies to taxable years beginning on January 1, 1991.

(6) **DEVELOPMENT ZONES JOBS CREDIT REFERENCE.** The treatment of sections 71.07 (2dj) (am) 1, 71.28 (1dj) (am) 1 and 71.47 (1dj) (am) 1 of the statutes first applies to taxable years beginning on July 1, 1989.

(7) **DISCHARGE OF INDEBTEDNESS; MODIFICATIONS.** The treatment of sections 71.10 (7m) and 71.26 (3) (c) of the statutes first applies to taxable years beginning on January 1, 1991.

(7g) **ENDANGERED RESOURCES PROGRAM.** The treatment of section 20.370 (1) (fe), (fs) and (gr) of the statutes first applies to taxable years beginning on January 1, 1991.

(7z) **EARNED INCOME TAX CREDIT.** The treatment of section 71.07 (9e) (a) (intro.) first applies to taxable years beginning on January 1, 1991.

(8) **ENVIRONMENTAL TAX DEDUCTION DISALLOWANCE.** The treatment of sections 71.26 (3) (h) and (hd) and 71.45 (2) (a) 5m of the statutes first applies to taxable years beginning on January 1, 1991.

(9) **ESTATE TAX FILING.** The treatment of sections 72.235, 72.30 (1) and 72.33 (1) of the statutes first applies to estates of persons who die on January 1, 1992.

(10) **ESTATE TAX FILING.** The treatment of section 72.045 of the statutes first applies to documents related to transfers because of deaths occurring on January 1, 1992.

(11) **ESTIMATED TAXES APPORTIONMENT PERCENTAGE.** The treatment of section 71.29 (10) (c) of the statutes first applies to taxable years beginning on January 1, 1991.

(12) **EXCESSIVE QUICK REFUNDS.** The treatment of sections 71.29 (1) (a), (3m) and (7) (intro.) and 71.84

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(2) (c) of the statutes first applies to taxable years ending on the effective date of this subsection.

(13) EXEMPTION FOR ARCHAEOLOGICAL SITES. The treatment of section 70.11 (13m) of the statutes first applies to assessments as of the January 1 after publication.

(13g) FARMLAND PRESERVATION TAX CREDIT. The treatment of section 71.60 (1) (c) 6 of the statutes first applies to taxable years beginning on January 1, 1991.

Vetoed in Part (13x) FARMLAND TAX RELIEF CREDIT; SCHOOL PROPERTY TAX CREDIT LIMIT. The treatment of sections ~~20.835 (2) (fm) and (g), 25.75 (3) (c) 1 as it relates to the appropriation for the farmland tax relief credit under section 20.835 (2) (g) of the statutes, 71.07 (3m) and (9) (a) 2 and 3 and (b), 71.08 (1) (intro.), 71.28 (2m), 71.47 (2m), 71.74 (8) (a), (b) (as it relates to the farmland tax relief credit) and (c) (as it relates to the farmland tax relief credit), 71.82 (1) (c) and (2) (c), 71.83 (2) (b) 4 and 71.88 (1) (b) and (2) (b) of the statutes first applies to taxable years beginning on January 1, 1991.~~

(14) FIELD AUDITS. The treatment of section 71.75 (4) of the statutes first applies to field audit notices issued on the first day of the 2nd month beginning after publication.

(15) FOREIGN CORPORATION FILING EXTENSION. The treatment of sections 71.24 (7) and 71.44 (3) of the statutes first applies to taxable years beginning on January 1, 1992.

(16) FUEL TAX RATE. The treatment of sections 78.01 (1), 78.015 (1) and (2), 78.017, 78.14, 78.40 (1), 78.405 and 78.407 of the statutes first applies to the adjustment in the rate effective on April 1, 1992.

(17) GIFT TAX UPDATE. The treatment of section 72.76 (4) of the statutes first applies to gifts made on the effective date of this subsection.

Vetoed in Part (18m) RECYCLING SURCHARGE. The treatment of sections 20.566 (1) (q) and (3) (q), 25.49 (1), 73.03 (27) (intro.), 77.92 (1m), (2), (3) and (4), 77.93 (intro.), (1) to (3) and (5), 77.94 (title), (1), (2) (b), ~~(3) and (4), 77.94, 77.95, 77.96 (1) and (3) to (6) and 77.97, chapter 77 (title) and subchapter VII (title) of chapter 77 of the statutes first applies to taxable years ending on April 30, 1991.~~

(19) HEALTH INSURANCE DEDUCTIONS, SELF-EMPLOYED PERSONS; SELF-EMPLOYMENT TAXES, NONRESIDENTS AND PART-YEAR RESIDENTS. The treatment of section 71.05 (6) (a) 12 of the statutes first applies to taxable years beginning on January 1, 1991.

(20) HOMESTEAD AND FARMLAND PRESERVATION CREDITS; DEFINITION OF "INCOME". The treatment of section 71.52 (6) of the statutes first applies to claims filed in 1992 and based on property taxes accrued or rent constituting property taxes accrued during the previous year.

Vetoed in Part (20g) INCENTIVE STOCK OPTIONS. The treatment of section 71.08 (1) (bm) (intro.) of the statutes first applies to taxable years beginning on January 1, 1989.

~~regardless of the date on which the stock was acquired.~~ **Vetoed in Part**

(21) INHERITANCE, ESTATE TAX ADMINISTRATION EXPENSES. The treatment of sections 71.05 (6) (a) 11 and (b) 7 and 71.07 (5) (a) 8 of the statutes first applies to expenses related to transfers because of deaths occurring on January 1, 1992.

(22) INHERITANCE TAX UPDATE. The treatment of sections 72.01 (17), 72.12 (4) (c) 1 and 72.22 (4) (a) of the statutes first applies to transfers because of deaths occurring on January 1, 1991.

(23) INSTALMENT PAYMENTS. The treatment of sections 70.511 (2) (a), 74.11 (1) and (3), 74.12 (1) (a), (2) (d) and (6m), 74.25 (1) (intro.), 74.305, 74.31 (intro.), 74.35 (5) (b) and (c), 74.43 (1) (intro.), 74.45, 74.47 (3) (d) and 74.85 and subchapter IX (title) of chapter 74 of the statutes first applies to taxes based on the assessment as of January 1, 1991.

(24) INSURANCE COMPANY TAX CREDITS. The treatment of sections 71.45 (2) (a) 10, 71.47 (1di) (h), (1dj) (g), (1dL) (g), (1ds) (f), (1fd) (e), (2b), (4) and (5), 71.49 (1) (b), (c), (d) and (er), 71.74 (8) (b) (as it relates to the insurance company credits) and (c) (as it relates to the insurance company credits), 73.03 (35), 560.70 (7) and 560.75 (8) of the statutes first applies to taxable years beginning on January 1, 1991.

(24g) ITEMIZED DEDUCTION CREDIT. The treatment of section 71.07 (5) (a) 7 of the statutes first applies to taxable years beginning on January 1, 1993.

(24z) LIMITED PARTNER'S INCOME. The treatment of sections 71.02 (1) (as it relates to a limited partner's distributive share of partnership income) and 71.04 (1) (a) of the statutes first applies to a partnership's taxable year beginning on January 1, 1991, and first applies to a limited partner's taxable year as appropriate to conform the limited partner's treatment of the income from the partnership to the partnership's tax treatment.

(25) LIQUOR TAX PAYMENTS. The treatment of section 139.06 (1) (a) and (d) of the statutes first applies to tax liability incurred on October 1, 1991.

(27) MODIFIED ENDOWMENT CONTRACTS; RETIREMENT PLANS. The treatment of section 71.83 (1) (a) 6 of the statutes first applies to taxable years beginning on January 1, 1991.

(28) NET OPERATING LOSS CROSS-REFERENCE CHANGE. The treatment of section 71.01 (14) of the statutes first applies to taxable years beginning on January 1, 1991.

(29m) OCCUPATIONAL TAXES. The treatment of sections 70.415, 74.25 (1) (a) 7 and 74.30 (1) (g) of the statutes first applies to taxes based on the assessment as of January 1, 1992.

(30) ORDER OF LIABILITIES. The treatment of sections 74.11 (12) (a) (intro.), 1, 1g, 1m and 4, (b) and (d) and 74.12 (11) (a) (intro.), 1, 1g, 1m and 4, (b) and (d) of the statutes first applies to taxes based on the assessment as of January 1, 1991.

(31) PARTIAL PAYMENTS. The treatment of section 74.49 of the statutes first applies to taxes based on the assessment as of January 1, 1991.

(32) PAYMENT OF RECYCLING SURCHARGE. The treatment of section 77.96 (2) of the statutes first applies to extensions for returns granted on the first day of the 4th month beginning after publication.

(33) PETITIONS ABOUT ASSESSMENTS. The treatment of section 70.85 (1) of the statutes first applies to petitions about assessments as of the January 1 after publication.

(34) PROOF OF AGE. The treatment of sections 125.085 (3) (b) (intro.) and 5, (bd), (bh) and (bt) and 343.30 (6) (bm) of the statutes first applies to violations that are committed on the effective date of this subsection.

(35) LIMITED MANUFACTURERS' PERMITS. The treatment of section 125.52 (4) of the statutes first applies to limited manufacturers' permits that are issued on the effective date of this subsection.

(37) RAILROAD TAXATION. The treatment of sections 71.04 (4) and (8) (title) and (c), 71.05 (8) (b), 71.22 (11), 71.25 (6) and (10) (title) and (c) and 71.26 (1) (a) and (4) of the statutes first applies to taxable years beginning on January 1, 1991.

(38) RAILROAD PROPERTY TRANSFERS. The treatment of section 190.11 (4) of the statutes first applies to conveyances made on the effective date of this subsection.

(40) REFUNDS OF SALES AND USE TAXES. The treatment of section 77.59 (4) (intro.) of the statutes first applies to claims for refunds filed on the first day of the 2nd month beginning after publication.

(41) RESEARCH CREDIT CALCULATIONS. The treatment of sections 71.28 (4) (a) and (am) and 71.47 (3) of the statutes first applies to taxable years beginning on January 1, 1991.

(42) RESPONSIBLE PERSON PENALTIES. The treatment of section 71.83 (1) (b) 2 of the statutes first applies to a failure to withhold, account for or pay over a tax imposed under chapter 71 of the statutes on the effective date of this subsection.

(43) SHARED REVENUE AIDABLE REVENUES CALCULATIONS. The amendment of section 79.03 (3) (b) 4. (intro.) of the statutes and the treatment of section 79.03 (3) (b) 4. bg. and bh. of the statutes first apply to shared revenue payments made in 1992.

(44) SMALL BUSINESS STOCK CAPITAL GAINS EXCLUSION.

Vetoed
in Part

Vetoed
in Part

~~(a) The treatment of section 71.01 (10) (d) of the statutes first applies to stock issued on January 1, 1986.~~

~~(b) The treatment of sections 71.01 (10) (intro.) (a), (b) and (c) and 71.05 (6) (b) 6 of the statutes first applies to stock issued on the 2nd day after publication of this act.~~

Vetoed
in Part

~~(44) SOLID WASTE COSTS. The treatment of section 74.89 (3) (i) of the statutes first applies to property tax bills based on the assessment as of January 1, 1993.~~

(45) STATE HISTORIC REHABILITATION TAX CREDIT. The treatment of sections 44.02 (24), 71.07 (9r) (a), (b) 1m, 2, 3. c., 5 and 7, (c), (f), (g), (h), (i), (j) (intro.) and 2 and (k), 71.28 (7), 71.30 (3) (er), 71.47 (6), 71.49 (1) (et) and 71.74 (8) (d) (intro.), 1 and 2 of the statutes first applies to taxable years beginning on January 1, 1991.

(46) STATUTE OF LIMITATION FOR INTERNAL REVENUE SERVICE CHANGES. The treatment of section 71.76 of the statutes first applies to federal changes or corrections to a federal income tax return that become final on the effective date of this subsection, and to amended federal income tax returns or amended state income or franchise tax returns that are filed on the effective date of this subsection.

(47) SURETY BONDS; NONRESIDENT ENTERTAINERS. The treatment of section 71.80 (15) (b) of the statutes first applies to performances occurring on the 10th day after the effective date of this subsection.

(47g) TAX RATE DISPARITY PAYMENTS.

(a) The treatment of section 79.05 (1) (b), (2) (c) (intro.) and (5) of the statutes first applies to municipal budgets used to determine eligibility for a tax rate disparity payment in 1993.

(b) The treatment of section 79.05 (2) (b) of the statutes first applies to the determination of eligibility for tax rate disparity payments made in 1992.

(47w) TELEPHONE COMPANIES' ESTIMATED PAYMENTS. The treatment of section 76.38 (3a) of the statutes first applies to payments due on May 10, 1993.

(48) UNEARNED INCOME OF CERTAIN DEPENDENTS. The treatment of sections 71.03 (2) (a) 3 and 71.05 (22) (f) of the statutes first applies to taxable years beginning on January 1, 1991.

(49) WASTE TREATMENT. The treatment of section 70.11 (21) (f) of the statutes first applies to assessments as of January 1, 1992.

(49g) WHOLESALE LIQUOR SUPPLY SOURCE. The treatment of sections 125.02 (15) and 125.69 (5) of the statutes first applies to intoxicating liquor that is purchased by wholesalers on the effective date of this subsection.

(49h) OUT-OF-STATE SHIPPERS. The treatment of section 125.58 (1) of the statutes first applies to intoxicating liquor that is sold in this state or shipped into this state on the effective date of this subsection.

(52h) DEVELOPMENT ZONES TAX CREDITS; AMERICAN INDIAN ECONOMIC DEVELOPMENT. The treatment of sections 71.07 (2di) (b) and (c), (2dj) (am) 4c and (2dL) (c) and (d), 71.28 (1di) (b) and (c), (1dj) (am) 4c and (1dL) (c) and (d) and 71.47 (1di) (b) and (c), (1dj) (am) 4c and (1dL) (c) and (d) of the statutes and the creation of sections 71.07 (2di) (b) 2 and (2dL) (c) 2, 71.28 (1di) (b) 2 and (1dL) (c) 2 and 71.47 (1di) (b) 2 and (1dL) (c) 2 of the statutes first apply to a taxable year of a partnership, tax-option corporation or person that begins on January 1, 1991, and first apply to the appropriate taxable year of a partner of the partnership or shareholder of the tax-option corporation to conform the

partner's or shareholder's treatment of a tax credit that is passed through by the partnership or tax-option corporation to the partnership's or tax-option corporation's treatment of the tax credit.

SECTION 9355. Initial applicability; transportation.

(2) **AUTOMATIC REINSTATEMENT ASSESSMENT.** The treatment of sections 25.40 (1) (ir), 59.20 (8t), 343.21 (1) (j) and (3), 343.30 (4), 343.345 (2), 343.39 (1) (a), 345.26 (1) (b) 1 and (2) (b), 345.36 (2) (b), 345.37 (1) (b), (2) and (5), 345.47 (1) (intro.), (b) and (c), (2) and (3), 345.48 (2) and (4), 345.49 (1) and (2), 345.54, 345.61 (2) (c), 346.655 (1), 800.09 (1) (c), 814.60 (2) (aj) and 814.63 (3) (aj) of the statutes, the repeal and recreation of sections 59.20 (5) (b), 59.395 (5), 66.119 (1) (b) 7. c. and d. and (c) and (3) (a), (b) and (c), 66.12 (1) (b), 778.02, 778.03, 778.06, 778.10, 778.105, 778.13, 778.18, 800.02 (2) (a) 8 and (3) (a) 5, 800.03 (3), 800.04 (2) (c), 800.09 (1) (intro.) and (a) and (2) (b), 800.10 (2), 800.12 (2), 973.05 (1) and (2) and 973.07 of the statutes and the creation of section 343.30 (4) (b) of the statutes first apply to suspensions imposed under section 343.30, 343.345, 345.47 (1) (b) or 800.09 (1) (c) of the statutes on the first day of the 4th month beginning after the effective date of this subsection.

Vetoed in Part (3y) MASS TRANSIT OPERATING ASSISTANCE.

~~(a) The amendment of section 85.20 (4m) (a) and (em) 1 of the statutes first applies to urban mass transit operating assistance payments for calendar year 1992.~~

Vetoed in Part ~~(b) The repeal and recreation of section 85.20 (4m) (a) and (em) 1 of the statutes first applies to urban mass transit operating assistance payments for calendar year 1992.~~

(4g) **MOTOR VEHICLE DEALER BONDS.** The treatment of sections 218.01 (2) (b), (bb), (h), (i) and (j), 218.21 (1m), (4) (a) and (6) and 218.22 (1) (intro.) of the statutes and the creation of section 218.01 (2) (h) 1 and 3 of the statutes first apply to an application for a license under section 218.01 of the statutes on the effective date of this subsection, and first apply to a renewal of a license under section 218.01 of the statutes on the first day of the 11th month beginning after the effective date of this subsection.

(6) **REDUCTIONS IN TRANSPORTATION AIDS.** The treatment of section 86.303 (5) (h), (i) and (j) of the statutes first applies to reductions in transportation aids for calendar year 1992.

(7cn) **TRIBAL COURT CONVICTIONS.** The treatment of sections 121.555 (2) (c) 5, 340.01 (9r) (b) and (48m), 343.01 (2) (cg), 343.03 (8) (c) 4, 343.05 (5) (b) 1, 343.085 (4), 343.12 (2) (d) and (e), 343.16 (5) (a), 343.245 (2) (a), 343.30 (1q) (b) 1 and (6) (a), 343.305 (10) (b) 1, 343.307 (1) and (2), 343.31 (1) (intro.) and (b), (1m) and (3) (bm), 343.315 (2) (a) 1 to 6, (f) 1 to 5 and (g), 343.32 (1) (a) and (b), 344.25 (5) and (6), 346.65 (1) (b), (2) (b) to (e) and (2w) and 351.02 (1) (c)

and (2) of the statutes first applies to offenses committed on the effective date of this subsection, but does not preclude the counting of other offenses as prior offenses for sentencing a person, suspending or revoking a person's operating privilege, issuing an operator's license to a person or authorizing a person to operate specific types of vehicles.

~~(9i) **VEHICLE WEIGHT LIMITATIONS.** The treatment of section 348.21 (3) (b) 2, 3, 4 and 5 of the statutes first applies to offenses committed on the effective date of this subsection, but does not preclude the counting of other offenses as prior offenses for imposing a penalty.~~

Vetoed in Part

SECTION 9357. Initial applicability; university of Wisconsin system.

(2p) **GIFTS OF BUILDINGS OR STRUCTURES.** The treatment of sections 13.48 (2) (b) 1m, 16.85 (12) and 36.29 (1) and (7) of the statutes first applies to proposed buildings and structures for which architectural or engineering services are retained on the effective date of this subsection.

SECTION 9358. Initial applicability; veterans affairs.

~~(1g) **VIETNAM VETERANS HEALTH CARE.** The treatment of section 45.351 (1m) of the statutes first applies to applications for health care aid submitted to the department of veterans affairs on the effective date of this subsection.~~

Vetoed in Part

~~(2x) **BOARD OF VETERANS AFFAIRS MEMBERS.** The treatment of section 15.49 of the statutes first applies to persons appointed to the board of veterans affairs on the effective date of this subsection.~~

Vetoed in Part

SECTION 9359. Initial applicability; vocational, technical and adult education.

(1) **ADMISSION.** The treatment of section 118.15 (1) (b) and (c) and (2) (a), (b) and (c) of the statutes and the creation of section 118.15 (2) (a) 1 and 2 of the statutes first apply to admission to a vocational, technical and adult education school in the 1991 fall semester.

(2g) **DISTRICT BOARD CONTRACTS.** The treatment of section 38.14 (3) (a) of the statutes first applies to contracts entered into on the effective date of this subsection.

SECTION 9360. Initial applicability; other.

(1) **DEPUTY SHERIFFS PAY AND BENEFITS.** If a collective bargaining agreement that applies to a deputy sheriff is in effect on the effective date of this subsection, the treatment of section 59.21 (9) of the statutes first applies to the deputy sheriff upon the modification, renewal, extension or expiration of that collective bargaining agreement.

(3c) **MARIJUANA PLANTS.** The treatment of sections 161.41 (1) (h) 1 to 3, (1m) (h) 1 to 3 and (1q) and 161.49 (2) (b) of the statutes first applies to offenses occurring on the effective date of this subsection.

(3r) **COUNTY CONTROLLED SUBSTANCE VIOLATION.** The treatment of section 161.47 (1) of the statutes first

applies to violations of section 161.41 (3) of the statutes occurring on the effective date of this subsection, but does not preclude the counting of prior county ordinance violations under section 161.47 (1) of the statutes.

(6g) **PROPERTY CRIMES.** The treatment of sections 49.12 (1), 943.20 (3) (a) and (b), 943.21 (3) (a) and (b), 943.24 (1) and (2), 943.34 (1) (a) and (b), 943.395 (2) (a) and (b), 943.41 (8) (c), 943.45 (3) (a) and (b), 943.50 (4) (a) and (b) and 943.61 (5) (a) and (b) of the statutes first applies to offenses occurring on the effective date of this subsection.

(8) **UNLAWFUL USE OF TELEPHONE.** The renumbering of section 947.012 (intro.), (1), (3), (4) and (6) of the statutes, the renumbering and amendment of section 947.012 (2) and (5) of the statutes and the creation of section 947.012 (2) of the statutes first apply to offenses occurring on the effective date of this subsection.

(8g) **OPERATING AFTER REVOCATION OR SUSPENSION.** The treatment of section 343.44 (2) (b) 1 of the statutes first applies to offenses committed on the effective date of this subsection, but does not preclude the consideration of prior offenses under section 343.44 of the statutes, as affected by this act.

(9d) **DOMESTIC ABUSE ASSESSMENTS.** The amendment of sections 20.435 (7) (hh), 59.20 (5) (b) (as it relates to domestic abuse assessments), 66.119 (1) (b) 7. c. and d. and (c) and (3) (a) to (c), 66.12 (1) (b), 778.02, 778.03, 778.06, 778.10, 778.105, 778.13, 778.18, 800.02 (2) (a) 8 and (3) (a) 5, 800.03 (3), 800.04 (2) (b) and (c), 800.09 (1) (intro.) and (a) and (2) (b), 800.10 (2), 800.12 (2) and 971.37 (1m) (c) 1. (intro.) of the statutes; the renumbering and amendment of section 973.055 (2) of the statutes; the repeal and recreation of sections 971.37 (1m) (a) and 973.055 (1) of the statutes; and the creation of sections 814.63 (3) (ar) and 973.055 (2) (b) of the statutes first apply to violations occurring on the effective date of this subsection.

Vetoed in Part (10d) **WOMEN'S BUSINESS ENTERPRISE INFORMATION.** The treatment of section 16.75 (3m) (b) of the statutes first applies to solicitations made on the effective date of this subsection.

(10n) **DRUG VIOLATIONS; OPERATING PRIVILEGES.** The treatment of sections 48.34 (4r), (4s) (a) 2 and 3 and (am) 2 and 3 and (7m) (intro.), (a) and (b), 48.344 (2) (intro.), (2e), (2g) (a) (intro.) and (d) and (2m), 48.396 (4), 161.495 (intro.), (1) and (2), 161.50, 161.573 (2), 161.574 (2), 161.575 (2), 343.10 (1) (a) and (5) (b), 343.30 (5) and (6) (a) and (b) (intro.) and 343.32 (1m) and (3) of the statutes first applies to violations committed on the effective date of this subsection, but does not preclude the counting of other violations as prior violations for purposes of imposing dispositional orders under chapter 48 of the statutes or determining eligibility for an occupational license.

(10p) **RAZING OF HISTORIC BUILDINGS.** The treatment of section 66.05 (9) (d) of the statutes first applies to determinations of the cost of repairs to a

historic building made on the effective date of this subsection.

(10q) **TOWN BOARD SUPERVISORS.** The treatment of sections 60.10 (1) (b) 6 and 60.30 (1m) of the statutes first applies to each town in this state on the date of that town's annual town meeting held under section 60.11 (2) of the statutes.

(12g) **CELLULAR TELEPHONES.**

(a) The treatment of section 146.70 (2) (h) of the statutes first applies to cellular telephone calls placed to a "911" emergency telephone system on the first day of the 4th month beginning after the effective date of this paragraph.

(b) The treatment of section 196.202 (5) (a) of the statutes first applies to incomplete cellular telephone calls that originate on the first day of the 4th month beginning after the effective date of this paragraph.

(c) The treatment of section 943.455 of the statutes first applies to violations committed on the effective date of this paragraph.

(13j) **RAILROAD, UTILITIES; TREBLE DAMAGES.** The treatment of sections 195.35 and 196.64 of the statutes and the creation of sections 195.35 (2) and 196.64 (2) of the statutes first apply to injuries that occur on the effective date of this subsection.

(13mx) **PUBLIC AND MEDICAL RECORDS.**

(a) The treatment of section 19.80 (3) of the statutes first applies to violations occurring on July 1, 1991, or the day after publication, whichever is later.

(b) The treatment of sections 51.30 (9) (a) and (b) and 146.84 of the statutes first applies to violations occurring on the first day of the 6th month beginning after publication.

~~(13w) **INTEREST ON DELINQUENT PAYMENTS.** The treatment of section 16.528 (2) (a) and (2m) (b) of the statutes first applies to the first month commencing after the effective date of this subsection.~~

SECTION 9400. Effective dates; general statement. Except as otherwise provided in SECTIONS 9401 to 9460, this act takes effect on July 1, 1991, or the day after publication, whichever is later.

SECTION 9401. Effective dates; administration.

~~(2c) **PACIFIC ZOO GRANT.** The repeal of section 20.505 (1) (fn) of the statutes takes effect on July 1, 1993.~~

~~(2g) **NATIONAL AERIAL PHOTOGRAPHY PROGRAM.** The repeal of section 20.505 (1) (fo) of the statutes takes effect on July 1, 1993.~~

(3x) **BADGER STATE GAMES ASSISTANCE.** The repeal of sections 16.40 (15) and 20.505 (1) (f) of the statutes takes effect on July 1, 1992.

~~(6b) **ENHANCED URBAN HOMEOWNERSHIP PROGRAM GRANT.** The repeal and recreation of section 20.505 (7) (d) of the statutes takes effect on July 1, 1992.~~

SECTION 9404. Effective dates; agriculture, trade and consumer protection.

~~(1g) **TRANSFER OF CONSUMER PROTECTION RESPONSIBILITIES.** The treatment of sections 13.94 (1) (am)~~

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed in Part

Vetoed
in Part

14.38 (12), 14.82 (1) (intro.), 15.07 (5) (d), 15.105 (12) (a) 1, (16) (b) 1 and (18) (c), 15.13, 15.135 (3), (4) (a) and (b) 1 and (5) (by SECTION 83cs), 15.137 (1), (2) and (5) (intro.), (a) and (b), 15.155 (4) (a) 1, 15.195 (1) and (2), 15.253 (1), 15.315 (1), 15.347 (8) (d) 2 and (13) (b) 3, 15.87, 15.915 (2) (a), 16.967 (6), 20.115 (intro.), (1) (fm), (g) and (u), 20.923 (4) (f) 2, 26.30 (2) and (5), 27.015 (3) and (12), 30.46 (1) (a) and (2), 32.035 (1) (a), 36.25 (7) and (11) (c), 42.10, 46.79 (2) (intro.), 50.51 (1) (d), 50.535 (2) (am), 58.07 (1), 59.871 (1), 61.72, 66.075 (1), 66.124 (1), 66.33 (5), 66.955 (3), 69.66, 70.27 (5) and (8), 84.01 (17), 86.19 (1m), 88.11 (1) (intro.), (3) (intro.), (4) and (5) (intro.), 88.13, 88.21 (5), 88.22 (3) (intro.), 88.35 (7), 91.01 (3), 92.03 (3), 93.01 (3) and (15), 93.09 (6), 93.18 (2) and (3), 93.22 (2), 94.72 (1) (d), 97.01 (4), 97.24 (3), 100.02, 100.15, 100.16, 100.17, 100.18 (11) (a) 2, (b) 1 and 3, (c) 1, 2, 3 and 4 and (d), 100.182 (title), (1) to (4) and (5), 100.20 (1r), (2), (3) (a), (3m), (4) and (6), 100.205 (title), (1) to (6), (7), (8) and (9), 100.21 (title), (2), (3), (4) and (6), 100.215, 100.26 (3), (5), (6) and (7), 100.28, 100.285, 100.29, 100.295, 100.297 (title), (1), (2) and (3), 100.31, 100.33, 100.35 (title), (1) and (2), 100.37 (title) (by SECTION 2305vb), (1) (by SECTION 2305vb), (1m) (by SECTION 2305vb), (2) (by SECTION 2305vd), (3), (4), (5) and (6) to (8), 100.38 (title), (1), (2), (3) and (5) to (7), 100.41 (title), (1) to (4) and (5), 100.42 (title), (1), (2), (3), (4) and (5), 100.43 (title), (1), (2), (3) and (4), 100.45, 101.08 (9), 101.175 (3) (intro.), 101.177 (1) (b) and (c), 101.58 (2) (i), 101.586, 127.01 (10), 130.01, 130.02, 130.03, 130.04, 130.05, 130.06, 130.34, 134.70 (title), (1) to (12), (13), (14), (15) (a) (am) and (b), 134.705 (1) (c), (4) and (7), 134.83 (title), (1) to (4), (5), (6), (7) and (8), 134.99 (1), 136.04 (title), (1) and (2), 140.77 (2), 144.025 (2) (b), (v) 1 and 2 (intro.), a and b, 144.027 (1) (e) 1, 144.25 (4) (as), (c), (ed), (e), (g) (intro.), 2 and 4 (i), (j), (o), (p), (pm), (q) and (r), (4m) (c) and (d), (5) (intro.), (8) (g) (intro.) and (h) 1 and (10), 144.251, 144.422 (1), 146.125, 146.24, 146.60 (1) (e), (2) (b), (3) (c) 1 and 2 and (5), 159.01 (6), 159.11 (2s) (a) and (b), 159.22 (2) (c), 160.01 (7), 165.065 (2), 174.001 (2), 174.11 (1) and (2), 196.857 (1) (intro.), 230.03 (2) (c) 2 and 7, 236.02 (4), 341.10 (14), 348.01 (2) (am), 348.15 (5) (intro.), 348.27 (11) (a), 421.183 (4), 440.92 (7), 553.03 (5m) (c), 553.78, 560.03 (18), 560.87 (6), 560.92 (1), 562.02 (2) (fm), 618.41 (6m), 631.01 (1) (b), 631.01 (am), 632.18, 704.90 (9), 710.02 (4) (a) (intro.), 885.01 (4) and 949.01 (5) (b) 2, g. and chapters 93 (title) and 130 (title) of the statutes, the renumbering and amendment of sections 100.18 (11) (a) and 100.21 (1) of the statutes, the amendment of sections 20.115 (1) (i), 93.20 (1) and (2), 235.02 (2) (c) and 235.04 (6) of the statutes, the repeal and recreation of sections 25.40 (2), 93.31, 560.03 (1) and 560.165 (7m) (f) of the statutes and SECTIONS 3694kk and 9104 (5m) of this act take effect on November 15, 1991.

(2p) AID TO COUNTY AND DISTRICT FAIRS. The treatment of sections 20.115 (4) (b), 20.192 (1) (g) 1 and

93.23 (1) (a) 1 of the statutes takes effect retroactively to January 1, 1991.

(3b) COMPUTER SYSTEM EQUIPMENT, STAFF AND SERVICES. The amendment of sections 20.115 (8) (k) and 93.60 of the statutes takes effect on July 1, 1992.

(4d) ~~EXPORT TRADING COMPANY AND~~ MARKETING AGENCY IN COMMON GRANTS. The repeal of section 20.115 (3) (c) and (d) of the statutes takes effect on January 1, 1992.

(4w) WAREHOUSE KEEPER AND GRAIN DEALER REQUIREMENTS. The treatment of sections 127.01 (1r), (5), (5d), (5p), (5t), (6), (7), (19) (intro.), (a) and (b), (26) and (27), 127.03 (1), (3) and (5), 127.06 (title), (1) (a), (b) and (d) and (2), 127.07 (title), (1), (2), (3) (title) and (a) (intro.), (4) (a) (intro.) and 1. a., b. and c., (5), (6) (a) 1 and 4, (b) (title) and (c), (7) (a) 1, (intro.), (b) (title) and (c), (8), (9), (9m) and (10), 127.10 (6), 127.105, 127.13 (title) and (1) and 127.17 (4) (a) of the statutes, the renumbering of section 127.01 (1) of the statutes, the renumbering and amendment of section 127.07 (4) (a) 1. (intro.) and 2 and (b) of the statutes, the creation of sections 127.01 (1), 127.06 (2) (b) and 127.07 (4) (a) 2 and (b) and (5) (a) (title) and (b) of the statutes and SECTION 9304 (11w) and (11x) of this act take effect on the first day of the first September beginning after publication.

SECTION 9410. Effective dates; circuit courts.

(1g) COURT AUTOMATION FEE. The treatment of sections 20.680 (2) (j) and 814.635 (1) and (2) of the statutes and SECTION 9310 (1n) of this act take effect on the first day of the 2nd month beginning after publication.

(3g) ~~JURORS AND WITNESS FEES.~~ The treatment of sections 16.53 (14), 20.505 (8) (b), 20.550 (1) (f), 20.625 (1) (d), (e) and (f), 48.235 (8), 48.996, 55.06 (6) and (9) (b), 75.521 (12) (b), 756.25 (1), 757.48 (1) (b), 758.19 (6), 767.045 (6), 814.22 (1) (b) and (c), 814.51, 879.23 (4) (d), 880.331 (8), 885.08, 885.09, 891.39 (1) (b), 973.06 (1) (d) and (4), 977.05 (4) (hm), 979.05 (7) and 979.06 (2) and (6) of the statutes, the repeal and recreation of section 880.33 (2) (a) 3 of the statutes and SECTION 9310 (2j) of this act take effect on July 1, 1993.

SECTION 9411. Effective dates; conservation corps board.

(1k) AMOUNT OF EDUCATION VOUCHERS. The repeal and recreation of section 16.20 (10) (g) 1 of the statutes takes effect on July 1, 1992.

(2g) GROUP HEALTH CARE COVERAGE. The treatment of sections 16.20 (10) (f) and (fm) and 40.02 (25) (b) 2m of the statutes and the repeal and recreation of section 40.05 (4) (a) 2 of the statutes take effect on July 1, 1992.

SECTION 9412. Effective dates; corrections.

(1) MEDICAL AND DENTAL SERVICES FOR INMATES. The treatment of section 302.386 (2) and (3) of the statutes takes effect on July 1, 1992.

Vetoed
in Part

Vetoed
in Part

Vetoed
in Part

(2) SUPERVISION OF CONDITIONALLY RELEASED, TRANSFERRED OR DISCHARGED PERSONS AND PREDISPOSITION INVESTIGATIONS. The treatment of sections 51.37 (9), 301.03 (3c) and 971.17 (2) (a) and (3) (e) of the statutes and SECTION 9312 (1p) and (1q) of this act take effect on October 1, 1991.

Vetoed in Part (2g) COUNCIL ON EDUCATIONAL PROGRAMS. The repeal of section 301.037 (3) of the statutes takes effect on July 1, 1992.

(2i) EDUCATIONAL DISBURSEMENTS. The treatment of sections 16.42 (3), 16.46 (9) and 301.115 (3) of the statutes takes effect on July 1, 1992.

SECTION 9415. Effective dates; development.

(1) MINORITY NONPROFIT CORPORATION AND BUSINESS INCUBATOR GRANTS. The repeal and recreation of section 20.143 (1) (fm) of the statutes takes effect on July 1, 1993.

(2w) NORTHERN WISCONSIN JOBS RETENTION GRANTS. The repeal and recreation of section 20.143 (1) (fg) of the statutes takes effect on July 1, 1993.

Vetoed in Part (3g) FLORENCE COUNTY CENTER STAFF GRANTS. The repeal and recreation of section 20.143 (2) (a) of the statutes takes effect on July 1, 1993.

(3j) CHRISTOPHER COLUMBUS QUINCENTENNIAL GRANTS. The repeal of section 20.143 (2) (d) of the statutes takes effect on July 1, 1993.

Vetoed in Part (3z) TOURISM MARKETING. The repeal and recreation of section 20.143 (2) (b) of the statutes takes effect on July 1, 1993.

(4f) TOURISM MARKETING. The repeal and recreation of section 20.143 (2) (b) of the statutes takes effect on July 1, 1993.

Vetoed in Part (4g) BIG TOP CHANTAGUUA GRANTS. The repeal of section 20.143 (2) (cm) of the statutes takes effect on July 1, 1993.

(4h) LOCAL HERITAGE TOURISM PROGRAM GRANTS. The repeal and recreation of section 20.143 (2) (bm) of the statutes takes effect on July 1, 1993.

SECTION 9417. Effective dates; educational communications board.

(1g) BOARD MEMBERSHIP. The treatment of sections 15.07 (1) (a) 5 and 15.57 (6) and (7) of the statutes takes effect on December 31, 1991.

SECTION 9419. Effective dates; employe trust funds.

(1g) RETIREE HEALTH INSURANCE. The treatment of sections 40.02 (22) (f), (25) (b) 6g and (49), 40.04 (10), 40.05 (4) (ad), (b), (bc) and (br) and 40.51 (2) and (10m) of the statutes takes effect on January 1, 1992.

Vetoed in Part SECTION 9422. Effective date; ethics board.

(2g) LOBBYING FEES. The repeal and recreation of section 13.75 (1) (by SECTION 24kk), (2) (by SECTION 24mm) and (4) (by SECTION 24nn) of the statutes takes effect on July 1, 1992.

(2h) LOBBYING FEES. The repeal and recreation of section 13.75 (1) (by SECTION 24kkk), (2) (by SECTION 24mmm) and (4) (by SECTION 24nnn) of the statutes takes effect upon a change in the amounts of the fees

specified in those provisions by act of the legislature of on July 1, 1993, whichever is earlier.

Vetoed in Part

SECTION 9425. Effective dates; health and social services.

(1) FUNDING CHILD CARE FOR CURRENT AND FORMER RECIPIENTS OF AID TO FAMILIES WITH DEPENDENT CHILDREN. The treatment of section 20.435 (4) (cn) and (d) of the statutes takes effect on January 1, 1992.

(2) COUNTY CONSTRUCTION LOAN TERMINATION. The treatment of section 20.435 (7) (ec) of the statutes takes effect on June 30, 1992.

(2w) INCOME MAINTENANCE ADMINISTRATION REIMBURSEMENT. The renumbering and amendment of section 49.52 (1) (ad) 1. (intro.) of the statutes and the repeal of section 49.52 (1) (ad) 1. d. and e. of the statutes take effect on July 1, 1992.

(4g) MEDICAL ASSISTANCE CARE COORDINATION. The treatment of section 49.46 (2) (b) 12 of the statutes takes effect on July 1, 1992.

(4j) MEDICAL ASSISTANCE DENTAL COVERAGE. The treatment of section 49.46 (2) (b) 1. (intro.) of the statutes takes effect on January 1, 1992.

(5f) COUNTY HEALTHY START ADMINISTRATION. The treatment of section 49.45 (2) (a) 24 of the statutes takes effect on January 1, 1992.

Vetoed in Part

(5j) COMMUNITY AIDS RESTRUCTURING. The treatment of sections 20.435 (3) (cd) and (7) (dn), 46.26 (3) (c) and (6) (a), 46.39, 46.40 (title), 46.41, 46.45 (3) (a), 46.57 (2) (a), 46.87 (2), 46.98 (2) (a) (intro.) and 51.423 (2) of the statutes, the repeal of sections 46.40 (intro.) and (6) to (12), 46.48 (4) and (6) and 49.52 (1) (i) of the statutes, the repeal and recreation of sections 20.435 (7) (b) and (o), 46.215 (2) (c), 46.22 (1) (e), 46.26 (3) (a), (4) (a) and (7) (intro.), 46.40 (1) to (3) and (5), 48.985 (2) (a) 2 and (3), 49.45 (6m) (br) and 49.52 (1) (d) of the statutes and SECTION 9225 (1g) of this act take effect on January 1, 1992.

Vetoed in Part

Vetoed in Part

Vetoed in Part

(6) LICENSE FEES.

(a) The treatment of sections 48.60 (1), 48.615, 48.625 (title), 48.65 (1) and (3) (intro.), (a) and (b), 48.68 (1), 50.03 (4) (a) 1, 101.24, 140.85 (1) and (2) (intro.) and (b) and 632.89 (2m) of the statutes, the renumbering and amendment of sections 48.625 and 140.85 (1) (b) and (2) (a) of the statutes, the creation of sections 48.625 (2) and 140.85 (1) (b) and (2) (a) of the statutes and SECTION 9125 (1q) of this act take effect on August 15, 1991, or on the 5th day after publication, whichever is later.

(7) GUARANTEED JOBS PROGRAM. The treatment of sections 20.435 (4) (df) and 49.50 (7b) (b) (intro.) of the statutes and the repeal of section 49.50 (7p) of the statutes take effect on June 30, 1993.

(8) RURAL HOSPITAL LOAN PROGRAM. The treatment of sections 20.435 (1) (dr) and (gr) and 146.62 (2) (intro.), (3), (4) (intro.), (a), (b), (c) and (d) and (5) of the statutes takes effect retroactively to July 1, 1991.

(9) RESPIRATORY CARE SERVICES. The treatment of 1989 Wisconsin Act 31, section 3023 (22p) takes effect on January 1, 1992.

Vetoed
in Part

~~(9c) GENERAL RELIEF ELIGIBILITY DETERMINATION. The treatment of section 49.06 (1) (g) and (h) of the statutes takes effect the first day of the 3rd month beginning after publication.~~

Vetoed
in Part

~~(9f) MEDICAL ASSISTANCE, FEDERALLY QUALIFIED HEALTH CENTER. The treatment of section 49.45 (25) (bh) and (30) (s) of the statutes takes effect on July 1, 1992.~~

(10) TRANSFER OF HOUSING ASSISTANCE PROGRAMS. The renumbering and amendment of sections 20.435 (4) (cc), 46.97 and 46.972 (1) of the statutes, the treatment of sections 16.35, 50.01 (1g) (c) and 51.35 (5) of the statutes and SECTION 9125 (1t) of this act take effect on July 1, 1992.

(11) WEATHERIZATION ASSISTANCE PROGRAM TRANSFER. The treatment of sections 16.20 (1) (fm), 16.39, 20.505 (7) (km), 46.215 (1) (n), 46.22 (1) (b) 10 and 49.80 (1) (f), (3) (e) 1 and 7 and (9) of the statutes and SECTION 9125 (1d) of this act take effect on July 1, 1992.

(14) HOSPICE AIDE TRAINING AND COMPETENCY REQUIREMENTS. The treatment of section 146.40 (2) (a), (am), (d), (e) and (f) and (4m) of the statutes takes effect on October 1, 1991.

(15) NURSING HOME PAYMENT FORMULA; CAPITAL PAYMENT. The treatment of section 49.45 (6m) (bp) of the statutes and the creation of section 49.45 (6m) (bp) 1, 2, 3 and 4 of the statutes take effect retroactively to July 1, 1991.

(16) NURSING HOME PAYMENT FORMULA; AIDS SERVICES. The treatment of section 49.45 (6m) (bm) 6 of the statutes takes effect retroactively to July 1, 1991.

(18) WORKSHOP FOR THE BLIND. The treatment of section 20.435 (5) (c) of the statutes takes effect on July 1, 1992.

(19d) DOMESTIC ABUSE GRANTS. The treatment of section 46.95 (2) (d) 1 and 2 of the statutes takes effect on January 1, 1992.

(19g) REIMBURSEMENT OF VISITING FAMILIES. The treatment of section 46.03 (32) of the statutes takes effect on March 30, 1993.

(20w) TRANSFER OF MOBILE HOME PARK REGULATION. The treatment of sections 16.366, 20.505 (7) (jf), 50.57 (1) (e) and 140.05 (17) (a) and (d) 2. (figure) of the statutes, the repeal and recreation of section 50.535 (2) (am) of the statutes and SECTION 9125 (20z) of this act take effect on July 1, 1992.

SECTION 9427. Effective dates; historical society.

(1g) BURIAL SITES PRESERVATION. The treatment of section 157.70 (1) (cm), (2) (a) and (10) (b) of the statutes takes effect on November 1, 1991.

Vetoed
in Part (2x) TRANSFER OF STATE PROPERTY. The treatment of sections 44.12 (title), (1) and (2) and 44.20 (title), (1), (2) and (5) of the statutes takes effect on July 1, 1993.

SECTION 9428. Effective dates; housing and economic development authority.

(1) TRANSFER OF HOUSING ASSISTANCE PROGRAMS. SECTION 9128 (1t) of this act takes effect on July 1, 1992.

SECTION 9429. Effective dates; industry, labor and human relations.

(3) UNEMPLOYMENT COMPENSATION ADMINISTRATIVE FINANCING. The treatment of sections 108.161 (4) (d) and 108.162 (3) of the statutes takes effect on October 1, 1991.

~~(3n) ABRASIVE CLEANING OF HISTORIC BUILDINGS. The treatment of section 101.1215 (2) and (4) of the statutes takes effect on the first day of the 16th month beginning after publication.~~

~~(3w) TRANSFER OF REGULATION OF MANUFACTURERS OF MANUFACTURED HOMES AND MOBILE HOMES. The treatment of sections 20.505 (7) (j), 101.19 (1) (c), 101.71 (6) (b), 101.90, 101.91, 101.92, 101.925, 101.93 (title) and (1) to (3), 101.94, 101.95 and 101.96 and subchapter V (title) of chapter 101 of the statutes, the amendment of section 130.20 (1) (a) of the statutes and SECTION 9129 (7q) of this act take effect on July 1, 1992.~~

SECTION 9430. Effective dates; insurance.

(1g) PREMIUM REDUCTIONS FOR THE HEALTH INSURANCE RISK SHARING PLAN. The treatment of section 619.165 (1) (b) (intro.), 1 to 4 and 5 and (c) of the statutes takes effect on January 1, 1992.

(1i) SCHEDULE OF PREMIUMS FOR THE HEALTH INSURANCE RISK SHARING PLAN. The treatment of sections 619.14 (5) (a), (ac) and (am) and 619.17 (1) of the statutes takes effect on July 1, 1992.

~~(4c) COVERAGE OF ACUPUNCTURE. The treatment of sections 40.51 (8), 185.981 (4t), 185.983 (1) (intro.), 609.71, 632.36 (2) (b) 5 and 632.87 (1) and (4) of the statutes takes effect on the first day of the 5th month beginning after publication.~~

~~(4g) TEMPOROMANDIBULAR JOINT DISORDER MANIFEST. The treatment of sections 40.51 (14), 609.82 and 632.894 of the statutes takes effect on the first day of the 5th month beginning after publication.~~

(4x) NURSE PRACTITIONER SERVICES. The treatment of sections 40.51 (8), 66.183, 66.184, 120.13 (2) (dm) and (g), 185.981 (4t), 185.983 (1) (intro.), 601.41 (1) and 632.87 (1) and (5) of the statutes takes effect on the first day of the 5th month beginning after publication.

SECTION 9435. Effective dates; justice.

(2r) LAW ENFORCEMENT OFFICER TRAINING FOR RANGERS. The treatment of sections 29.05 (2) and 165.85 (4) (b) 1 of the statutes and SECTION 9335 (2p) of this act take effect on January 1, 1992.

(3f) FIREARMS HOTLINE. The repeal of section 165.825 (1) of the statutes takes effect on December 1, 1991.

~~(3h) HANDGUN PURCHASER RECORD CHECK. The repeal and recreation of section 20.435 (2) (gr) of the statutes takes effect on December 1, 1991.~~

(3s) FIREARM SILENCERS. The repeal and recreation of section 48.78 (3) of the statutes takes effect on September 1, 1991.

Vetoed in Part SECTION 9436. ~~Effective date; legislature.~~

(2p) PUBLIC PARTICIPATION IN REDISTRICTING PROCESS. The repeal of section 20.765 (1) (c) of the statutes takes effect on January 1, 1993.

SECTION 9442. **Effective dates; natural resources.**

(1) CERTAIN FISHING APPROVALS AND BAIT DEALER LICENSES; FEE CHANGES. The treatment of section 29.092 (3) (c), (h), (i), (j), (k), (L), (m), (n), (o), and (p), (8) (a) and (b) and (13) (d) of the statutes takes effect on January 1, 1992.

(2) COMMERCIAL FISHING LICENSES; FEE CHANGES. The treatment of section 29.092 (7) (a) 4 and (b) 5 of the statutes takes effect on July 1, 1992.

(3) CLEAN WATER FUND. The treatment of sections 20.370 (4) (iz) and 144.241 (22) of the statutes takes effect on October 1, 1991.

Vetoed in Part (3r) MEDICAL WASTE PROVISIONS. The treatment of sections 144.393 (10) and 144.48 (4) (a) of the statutes takes effect on the first day of the 13th month beginning after publication.

(4) EFFECTIVE PERIODS FOR FISH AND GAME APPROVALS.

(a) The treatment of section 29.093 (3) (a) and (g) of the statutes and SECTION 9142 (8) (b) of this act take effect on January 1, 1992.

(b) The treatment of section 29.093 (2) (a), (cr) 2, (e) and (f), (4), (6) (a) and (14) of the statutes and SECTION 9142 (8) (a) and (c) of this act take effect on September 1, 1992.

(c) The treatment of section 29.093 (2) (dm) and SECTION 9142 (8) (cm) of this act take effect on July 1, 1992.

(4b) PHEASANT STAMPS. The treatment of sections 29.092 (2) (Lm), 29.1025 and 29.1475 (2) of the statutes takes effect on July 1, 1992.

(5) RESIDENT DISABLED FISHING LICENSES. The treatment of sections 29.093 (3) (c) and 29.145 (1c) (intro.), (a), (b) and (c) of the statutes takes effect on January 1, 1992.

(6) SENIOR CITIZEN RECREATION CARDS; SENIOR CITIZEN FISHING LICENSES AND OTHER APPROVALS. The treatment of sections 27.01 (7) (gm) 3 and 4, 29.092 (3) (a) and (e), (3v), (12), (14) (a) and (b) and (15) (e), 29.093 (3) (b), 29.095 (1), (2), (3), (5) and (6) (a) and (c), 29.145 (1) (b) and (1a) and 29.15 (3) of the statutes and the repeal and recreation of sections 27.01 (7) (f) 2 and 29.092 (2) (a) of the statutes take effect on January 1, 1992.

(7) SECURITY INTERESTS IN BOATS. The treatment of sections 30.537 (4) (d), (e) and (f), 30.57, 30.571, 30.572, 30.573, 30.574, 30.575, 30.576, 30.577, 59.76 (2), 138.09 (7) (i) 2 and 3, 409.302 (3) (bm) and 704.90 (3) (a) of the statutes takes effect on January 1, 1992.

(8) SPORTS FISHING LICENSES. The treatment of sections 29.093 (3) (f), 29.14 (7) (title), (a) and (b), 29.145 (3) (title), (a) and (b), 29.149 (3) and 29.15 (2) of the

statutes and the repeal and recreation of sections 29.14 (7) (c) and 29.145 (3) (c) of the statutes take effect on January 1, 1992.

(11b) AID PAYMENTS IN LIEU OF TAXES; MERCER SCHOOL DISTRICT. The repeal and recreation of section 20.370 (4) (ea) of the statutes takes effect on January 1, 1992.

(11w) WILD TURKEY LICENSES AND CANADA GOOSE PERMITS. The treatment of section 29.09 (9m) (e) and (f) of the statutes takes effect on January 1, 1992.

Vetoed in Part (11x) SNOWMOBILE APPROPRIATION. The repeal and recreation of section 20.370 (4) (ba) of the statutes takes effect on July 1, 1992.

Vetoed in Part (13w) URBAN FORESTRY APPROPRIATION. The repeal and recreation of section 20.370 (4) (aw) of the statutes takes effect on July 1, 1992.

Vetoed in Part (13zp) TRANSFER OF STATE PROPERTY. The treatment of section 27.01 (6) (L) and (N) of the statutes takes effect on July 1, 1993.

(14g) OLYMPIC ICE RINK MAINTENANCE. The repeal and recreation of section 20.370 (1) (ea) of the statutes takes effect on July 1, 1993.

SECTION 9445. **Effective dates; public instruction.**

Vetoed in Part (2g) CERTIFICATION OF SCHOOL ATHLETIC ASSOCIATIONS. The treatment of section 115.32 of the statutes takes effect on July 1, 1992.

(2p) EDUCATION FOR EMPLOYMENT. The treatment of section 121.02 (1) (m) of the statutes takes effect on September 1, 1991.

SECTION 9447. **Effective dates; racing board.**

(1) ELIMINATION OF CERTAIN RACING SPECIAL PROGRAMS. The treatment of sections 20.192 (2) (g), 562.065 (3) (d) (title) and 562.07 of the statutes takes effect retroactively to January 1, 1991.

Vetoed in Part (2g1) LOCAL AUTHORIZATION TO REQUIRE ADDITIONAL ADMISSIONS TAX. The treatment of section 562.08 (1m) of the statutes takes effect on January 1, 1992.

(2j) ALLOCATIONS FOR SPECIAL PROGRAMS.

(a) The creation of section 20.192 (1) (g) 1s and (2) (hm) of the statutes, the amendment of section 20.192 (1) (g) 2 (by SECTION 276n) of the statutes and SECTION 9147 (2h) of this act take effect on July 1, 1992.

(b) The repeal of section 20.192 (1) (g) 1s and (2) (hm) of the statutes and the repeal and recreation of section 20.192 (1) (g) 2 of the statutes take effect on July 1, 1993.

SECTION 9448. **Effective dates; regulation and licensing.**

(1) LICENSE RENEWALS.

(a) Cemetery authorities and preneed sellers. The treatment of sections 440.08 (2) (a) 21 and 22, 440.91 (4) and 440.92 (1) (b) 2, (c) and (d) of the statutes and the repeal and recreation of sections 440.05 (intro.) and 452.12 (6) (a) of the statutes take effect on November 1, 1991, or the day after publication, whichever is later.

(b) *Cemetery authorities.* The treatment of section 440.91 (1) of the statutes and the repeal of section 452.02 (1) of the statutes take effect on November 1, 1991.

(2) CEMETERY AUTHORITY ANNUAL REPORT FILING FEES. The treatment of 1989 Wisconsin Act 307, section 103 (3) (b) takes effect retroactively to May 8, 1990.

(5j) SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS. The repeal and recreation of sections 146.024 (1) (a), 146.81 (1) (by SECTION 2666r), 149.06 (7) and 450.10 (3) (a) of the statutes takes effect on July 1, 1993.

SECTION 9449. Effective dates; revenue.

(1b) AGRICULTURAL LAND. The treatment of section 70.57 (3) (a) and (b) of the statutes takes effect on January 1, 1992.

(2) ASSESSMENT OF SUBDIVISIONS. The treatment of section 70.325 of the statutes takes effect on the January 1 after publication.

(2x) AIR CARRIERS. The treatment of section 76.07 (4g) (b) 3, 6, 10 and 14 of the statutes takes effect on January 1, 1992.

(3) ASSESSMENT ROLL. The treatment of section 70.30 (8) of the statutes takes effect on the January 1 after publication.

(4) ASSESSMENT STANDARDS. The treatment of sections 20.566 (2) (c), 70.05 (5) (a) 1m and 3 and (c) to (g) and 73.08 (3) of the statutes takes effect on January 1, 1992.

Vetoed
in Part

~~(4h) BENEVOLENT ASSOCIATIONS. The treatment of section 70.11 (4) of the statutes and the creation of section 70.11 (4) (a) of the statutes take effect on January 1, 1992.~~

Vetoed
in Part

~~(4i) CIGARETTE TAX RATE. The treatment of section 139.31 (1) (a) and (b) of the statutes takes effect on September 1, 1991.~~

Vetoed
in Part

~~(4p) COUNTY AND SMALL MUNICIPALITIES SHARED REVENUE PAYMENTS AND FINANCIAL REPORTING REQUIREMENTS.~~

~~(a) The treatment of section 73.10 (2) (c) of the statutes and the amendment of section 79.06 (1) (b) and (2) (b) and (c) of the statutes take effect on January 1, 1992.~~

~~(b) The treatment of sections 79.03 (1), (3) (a) and (b) 1, (intro.), a. and b., 3, 4, d., e. and f., 5 and 6 and (3g) and 79.06 (1) (c) of the statutes and the repeal and recreation of sections 79.03 (3) (b) 4, (intro.) and a. and 79.06 (1) (b) and (2) (b) and (c) of the statutes take effect on January 1, 1993.~~

(5) DRUG TAX. The treatment of sections 139.87 (1), (2), (5) and (6), 139.88 (1g), (1r), (2) and (3), 139.89, 139.91 and 139.95 of the statutes takes effect on the first day of the 2nd month beginning after publication.

(8) ESTATE TAX FILING. The treatment of section 72.045 of the statutes takes effect on January 1, 1992.

(9) ESTATE TAX FILING. The treatment of sections 72.235, 72.30 (1) and 72.33 (1) of the statutes takes effect on January 1, 1992.

(10) EXCISE TAX ADMINISTRATION. The repeal and recreation of section 73.01 (4) (a) of the statutes takes effect on January 1, 1992.

(11) FARM FUEL. The treatment of section 77.54 (3) (a) and (30) (a) 5 of the statutes takes effect on the first day of the 2nd month beginning after publication.

(12) FEES ON DELINQUENT TAXPAYERS. The treatment of section 73.03 (33) and (33m) of the statutes and the repeal and recreation of section 20.566 (1) (hq) of the statutes take effect on July 1, 1992.

(12g) FRANCHISE TAX REFERENCES. The repeal and recreation of sections 20.566 (1) (a), 66.30 (2m) (e), 73.03 (20), 75.521 (3) (am) 2, 859.02 (2) (a) and 893.33 (5) of the statutes takes effect on January 1, 1992.

(13) GOODS REMOVED FROM STATE. The treatment of section 77.51 (18) and (19) of the statutes takes effect on the first day of the 2nd month beginning after publication.

(13h) ITEMIZED DEDUCTION CREDIT. The treatment of section 71.07 (5) (a) 7 of the statutes takes effect on January 1, 1993.

~~(13b) LAUNDRIES. The treatment of section 77.52 (2) (a) 6 of the statutes takes effect on the first day of the 2nd month beginning after publication.~~

Vetoed
in Part

~~(13c) LLAMAS. The treatment of section 77.54 (3m) of the statutes takes effect on the first day of the 2nd month beginning after publication.~~

(14) MACHINERY AND EQUIPMENT. The treatment of section 70.995 (1) (d) of the statutes takes effect on the January 1 after publication.

(15) MACHINERY AND EQUIPMENT. The treatment of section 70.11 (27) of the statutes takes effect on January 1, 1992.

(16) MAGNETIC MEDIA FILING. The treatment of sections 71.65 (2) (a) and (b) and (5), 71.66 (1) (f), 71.70, 71.71 (2), 71.72, 71.73 (2) and 71.80 (14) (a) and (20) of the statutes takes effect on January 1, 1992.

(17) MOBILE HOMES. The treatment of section 77.51 (4) (b) 6 of the statutes takes effect on the first day of the 2nd month beginning after publication.

~~(17g) MUNICIPAL PROPERTY. The renumbering and amendment of section 70.11 (2) of the statutes and the creation of section 70.11 (2) (b) 3 of the statutes take effect on January 1, 1992.~~

Vetoed
in Part

(18) PARI-MUTUEL WAGER WINNINGS. The treatment of section 71.67 (5) (b) of the statutes takes effect on the first day of the 2nd month beginning after publication.

(19) PAYMENT OF RECYCLING SURCHARGE. The treatment of section 77.96 (2) of the statutes takes effect on the first day of the 4th month beginning after publication.

(21) PERMANENT MOTOR FUEL TAX EXEMPTIONS. The treatment of section 78.01 (2) (e) of the statutes and

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the repeal and recreation of section 78.12 (3m) of the statutes take effect on the July 1 after publication.

Vetoed in Part (22w) PROPERTY TAXED IN PART. The treatment of sections 70.11 (8), 70.339, ~~71.78 (9m) and 73.03 (4)~~ of the statutes takes effect on January 1, 1992.

Vetoed in Part ~~(23) RECYCLING MANUFACTURERS. The treatment of section 70.995 (2) (y) of the statutes takes effect on the January 1 after publication.~~

Vetoed in Part (24) SALES TAX ON TELECOMMUNICATION SERVICES. The treatment of sections 77.51 ~~(11m)~~ (17m) and (21m) and 77.52 (2) (a) 5 (by SECTION 2044) ~~and (6m)~~ of the statutes takes effect on the first day of the 2nd month beginning after publication.

(25) SALES TAX ON MEALS. The treatment of section 77.54 (20) (c) 4 of the statutes takes effect on the first day of the 2nd month beginning after publication.

Vetoed in Part ~~(25n) SHOPPERS' GUIDES. The treatment of section 77.54 (15) of the statutes takes effect on the first day of the 2nd month beginning after publication.~~

Vetoed in Part (25p) STATE SCHOOL PROPERTY TAX CREDIT AND LOTTERY SCHOOL PROPERTY TAX CREDIT.

Vetoed in Part (a) The treatment of sections 20.835 (3) (a) and (b), 25.50 (3) (b), 66.058 (3) (c) (intro.), 79.10 (1) (a), (b), (c), (dm), ~~(e)~~ (f) and (g), (1m), ~~(2), (4), (5), (6), (6m), (7), (7m), (9), (9b), (bm), (c) and (d) and (10), 79.105, 79.11 (2), 79.175 and 79.18~~ of the statutes takes effect on November 15, 1991.

Vetoed in Part ~~(b) The treatment of section 20.835 (3) (e) and (e) of the statutes takes effect on November 15, 1992.~~

(26) SMALL BUSINESS STOCK CAPITAL GAINS EXCLUSION.

Vetoed in Part (a) The treatment of section 71.01 (10) (d) of the statutes takes effect retroactively to January 1, 1986.

(b) The renumbering and amendment of section 71.01 (10) (e) of the statutes takes effect retroactively to August 31, 1987.

(c) The treatment of sections 71.01 (10) (intro.), (a), (b) and (e) and 71.05 (6) (b) 6 of the statutes and the creation of section 71.01 (10) (e) 2 of the statutes take effect on the 2nd day after publication.

(26w) CULTURAL AND ARCHITECTURAL LANDMARK EXEMPTION. The treatment of section 70.11 (35) of the statutes takes effect on the January 1 after publication.

(27) TAX ROLL INFORMATION. The treatment of sections 61.25 (8), 69.60, 69.67 and 70.55 of the statutes takes effect retroactively to January 1, 1991.

(28) TELECOMMUNICATIONS COMPANIES.

(a) *Dual rates.* The amendment of section 76.38 (3) and (5m) (intro.) of the statutes and 1989 Wisconsin Act 336, section 3203 (48) (a), the repeal of section 76.38 (5) of the statutes and the creation of 1989 Wisconsin Act 336, section 3203 (48) (a) 2 take effect retroactively to May 1, 1990.

(b) *Relay service credit.* The repeal and recreation of section 76.38 (3) (by SECTION 2011) of the statutes, the repeal and recreation of section 76.38 (4) (intro.) (by SECTION 2014) of the statutes, the repeal and recre-

ation of section 76.38 (5m) (intro.) of the statutes, the repeal of section 76.38 (5r) of the statutes and the repeal and recreation of section 76.38 (6) of the statutes take effect on January 1, 1992.

(c) *Late filing.* The repeal and recreation of section 76.04 (1) of the statutes takes effect on January 1, 1992.

(d) *Conversion to ad valorem tax.* The repeal and recreation of section 76.38 (3) (by SECTION 2012) of the statutes, the repeal and recreation of section 76.38 (4) (by SECTION 2013) of the statutes and the repeal of section 76.38 (5m) of the statutes take effect on January 1, 1994.

(29n) TRANSFER FEES.

~~(a) The amendment of sections 77.22 (1) (a) and 77.24 of the statutes takes effect on September 1, 1991, or the day after publication, whichever is later.~~ **Vetoed in Part**

~~(b) The treatment of sections 77.25 (2g) and (2r) and 77.255 of the statutes and the repeal and recreation of section 77.22 (1) (a) of the statutes take effect on January 1, 1992.~~ **Vetoed in Part**

(30) VALUING REAL PROPERTY. The treatment of section 70.32 (1) of the statutes takes effect on January 1, 1992.

~~(31n) BARNYARD RUNOFF CONTROL. The treatment of section 70.11 (15g) of the statutes takes effect on the January 1 after publication.~~ **Vetoed in Part**

SECTION 9455. Effective dates; transportation.

~~(2y) MASS TRANSIT OPERATING ASSISTANCE. The repeal and recreation of section 85.20 (4m) (a) and (cm) 1 of the statutes takes effect on December 31, 1992.~~ **Vetoed in Part**

~~(5g) AIRPORT GRANTS AND STUDIES. The repeal and recreation of sections 20.395 (2) (dg) and 114.35 (2) of the statutes takes effect on June 30, 1992.~~ **Vetoed in Part**

(5j) LICENSE PLATE SCHOLARSHIP PROGRAMS. The treatment of section 20.395 (5) (cj) of the statutes and SECTION 9255 (1g) of this act take effect on June 30, 1993.

(5n) VEHICLE REGISTRATION FEES. The treatment of sections 341.25 (1) (a), (b) and (j) 1 to 7 and (2) (a) to (c), (cm), (d) to (k), (km) and (L) to (q) and 341.26 (3) (g) 3m and 11m of the statutes takes effect on September 1, 1991, or the day after publication, whichever is later.

(5x) PERSONALIZED REGISTRATION PLATES.

~~(a) The treatment of sections 341.13 (1) (c) and 341.145 (1) (a) and (b) of the statutes takes effect on July 1, 1992.~~ **Vetoed in Part**

(b) The treatment of section 341.145 (3) of the statutes takes effect on September 1, 1991, or the day after publication, whichever is later.

(6) MOTOR VEHICLE EMISSION INSPECTION AND MAINTENANCE PROGRAM. The treatment of section 110.20 (1) (a), (ac), (2) (b), (3) (a), (b) and (d), (6), (6m), (8) (a) and (f), (9) (d), (11) (a), (13) (a), (b), (d) and (e) and (14) (b) 2 and (c), 110.21, 144.42 (1) (a), (2) (a) and (d), (3), (5) (a) and (6) (e), 341.04 (1) (intro.), 341.05 (19),

341.09 (5), 341.10 (10), 341.26 (2m) (a) and 341.63 (1) (e) of the statutes takes effect on November 1, 1992.

(6j) **LICENSE FEES.** The treatment of section 343.21 (1) (a), (am) and (i) and (2) (a) and (b) of the statutes takes effect on September 1, 1991, or the day after publication, whichever is later.

(7n) **AUTOMATIC REINSTATEMENT ASSESSMENT.** The treatment of sections 25.40 (1) (ir), 59.20 (8t), 343.21 (1) (j) and (3), 343.30 (4), 343.345 (2), 343.39 (1) (a), 345.26 (1) (b) 1 and (2) (b), 345.36 (2) (b), 345.37 (1) (b), (2) and (5), 345.47 (1) (intro.), (b) and (c), (2) and (3), 345.48 (2) and (4), 345.49 (1) and (2), 345.54, 345.61 (2) (c), 346.655 (1), 800.09 (1) (c), 814.60 (2) (aj) and 814.63 (3) (aj) of the statutes, the repeal and recreation of sections 59.20 (5) (b), 59.395 (5), 66.119 (1) (b) 7. c. and d. and (c) and (3) (a), (b) and (c), 66.12 (1) (b), 778.02, 778.03, 778.06, 778.10, 778.105, 778.13, 778.18, 800.02 (2) (a) 8 and (3) (a) 5, 800.03 (3), 800.04 (2) (c), 800.09 (1) (intro.) and (a) (2) (b), 800.10 (2), 800.12 (2), 973.05 (1) and (2) and 973.07 of the statutes and the creation of section 343.30 (4) (b) of the statutes take effect on the first day of the 4th month beginning after publication.

(7v) **LIGHT RAIL PLANNING AND LOCATION STUDIES.** The repeal and recreation of section 20.395 (2) (hq) of the statutes takes effect on June 30, 1992.

(7w) **TRANSFER OF MOBILE HOME DEALERS AND SALES- PERSONS REGULATION.** The treatment of sections 16.367, 20.505 (7) (ji), 218.10 (1g), 218.14 (1) (a), (b) and (d), 218.16, 218.17 (2) and 342.12 (3) (a) of the statutes and SECTION 9155 (13p) of this act take effect on July 1, 1992.

SECTION 9457. Effective dates; university of Wisconsin system.

(2n) **UNIVERSITY PAY SUPPLEMENTS.** The treatment of sections 16.505 (4) (b) and (c), 20.865 (intro.) (by SECTION 673ab) and (1) (c), (ci), (cj), (i) and (ic), 20.928 (1) (by SECTION 705ab) and (4) and 36.52 of the statutes takes effect on July 1, 1993.

SECTION 9458. Effective dates; veterans affairs.

(1) **TRUST FUND SUPPLEMENT.** The repeal of section 20.485 (2) (t) of the statutes takes effect on July 1, 1992.

(2v) **VETERANS ASSET MANAGEMENT.** The treatment of sections 20.485 (1) (gk), (h) and (t), 25.17 (1) (yv), 25.37 and 45.37 (2) (f) and (g), (9) (a), (b), (c), (d), (e), (f) and (g), (9a), (9b), (9c), (14) and (16) of the statutes

takes effect on the first day of the 2nd month beginning after publication.

SECTION 9459. Effective dates; vocational, technical and adult education.

(1g) **WORKPLACE LITERACY RESOURCE CENTER.** The treatment of sections 20.292 (1) (bm) and 38.04 (23) of the statutes and SECTION 9159 (5g) of this act take effect on July 1, 1992.

SECTION 9460. Effective dates; other.

(1) **PERSONAL USE OF STATE-OWNED VEHICLES.** The treatment of section 20.916 (4m) and (7) of the statutes takes effect on October 1, 1991.

(2) **TAX APPEALS COMMISSION.** The treatment of sections 15.01 (2) (by SECTION 53), 15.06 (3) (a) 2 and 20.923 (4) (d) 1 of the statutes takes effect on July 1, 1992.

(4n) **DRUG VIOLATIONS; OPERATING PRIVILEGES.** The treatment of sections 48.34 (4r), (4s) (a) 2 and 3 and (am) 2 and 3 and (7m) (intro.), (a) and (b), 48.344 (2) (intro.), (2e), (2g) (a) (intro.) and (d) and (2m), 48.396 (4), 161.495 (intro.), (1) and (2), 161.50, 161.573 (2), 161.574 (2), 161.575 (2), 343.10 (1) (a) and (5) (b), 343.30 (5) and (6) (a) and (b) (intro.) and 343.32 (1m) and (3) of the statutes, the repeal and recreation of section 345.54 (1) of the statutes and SECTION 9360 (10n) of this act take effect on January 1, 1993.

(4zo) **PUBLIC AND MEDICAL RECORDS.** The treatment of sections 15.04 (1) (m), 16.61 (2) (an), (ao), (bm) and (c), (3) (u) and (v), (4) (bm) and (13) (d), 19.32 (2), 19.47 (1), 36.07 (6), 50.09 (1) (f) 3, 51.30 (9) (a) and (b), 60.20 (3), 66.433 (6), 66.886 (6), 118.125 (2m) (a), 144.445 (7) (g), 146.02 (4), 146.50 (12) (a), 146.81 (intro.), (2) and (4), 146.82 (2) (a), (b) and (d), (3) (c) and (4), 146.83 (2) and (3), 146.84, 165.076, 341.08 (1m), 341.17 (9), 343.14 (2) (a), (b) 2 and (c), 343.235, 343.24 (4), 908.03 (6m), (c) 3 and 971.17 (2) (e) and (4) (c) of the statutes, the renumbering of subchapter IV of chapter 19 of the statutes, the repeal and recreation of sections 16.61 (2) (b), 18.32 (2) and 971.17 (7) (c) of the statutes, the creation of subchapter IV of chapter 19 of the statutes and SECTION 9160 (5xy) of this act take effect on the first day of the 6th month beginning after publication.

(5w) **PURCHASE OF COMPUTER SERVICES.** The treatment of sections 16.70 (intro.), (2m) and (10m) and 16.78 of the statutes takes effect on July 1, 1992.

Vetoed
in Part

Vetoed
in Part

Vetoed
in Part