

State of Wisconsin



1997 Senate Bill 362

Date of enactment: **December 12, 1997**
Date of publication*: **December 15, 1997**

1997 WISCONSIN ACT 41

(Vetoed in Part)

AN ACT *to amend* 20.865 (4) (u), 20.865 (4) (u), 20.923 (1), 44.72 (4) (b), 44.72 (4) (d), 46.81 (2), 46.81 (5), **48.561 (3) (a)**, 48.57 (3p) (d), 49.141 (1) (p), 49.141 (7) (c) (intro.), 59.53 (5), 71.06 (2s) (a), 71.07 (2dx) (a) 5., 71.28 (1dx) (a) 5., 71.47 (1dx) (a) 5., 71.64 (9) (b), 77.54 (20) (c) 5., 78.58 (3), 118.51 (4) (a) (intro.), 118.52 (4), 125.51 (3) (e) 3., 125.51 (4) (br) 1. b., c. and d., 166.215 (5), 180.1130 (10m), 196.218 (3) (a) 3., 287.23 (3) (a) 2., 287.23 (5) (c) 2., 287.23 (7), 299.80 (16), 560.785 (1) (c) 1., 560.785 (1) (c) 2., 973.09 (3) (bm) 3. and 973.09 (3) (bm) 4.; *to repeal and recreate* **48.561 (3) (a)**, 49.155 (1m) (a) 1m., 77.53 (9m) and 77.54 (14) (f); *to create* 20.566 (1) (qm), 25.40 (2) (b) 20s. and 196.218 (5) (a) 7. of the statutes; and *to affect* 1997 Wisconsin Act 27, section 9137 (9c) and 1997 Wisconsin Act 27, section 9143 (1m); **relating to:** the application of the business combination and the control share voting restriction provisions of the business corporation law; dry cleaning fees; nontarget population members; the date by which certain school board resolutions pertaining to the open enrollment programs must be adopted; loans made to school districts by the technology for educational achievement in Wisconsin board; the method for calculating contributions to the universal service fund; use of the universal service fund to make grants to certain school districts for telecommunications access; financial assistance for local recycling programs; funding for a boat landing located on the Wisconsin River in the town of Buena Vista; reports concerning the environmental cooperation pilot program; funding for air and solid and hazardous waste programs; studies of fish in the Great Lakes; eligibility for child care subsidies under the Wisconsin works program; increased funding for the benefit specialist program for older individuals; **the amount that a county having a population of 500,000 or more must contribute for the provision of child welfare services in that county by the department of health and family services;** the photographing of a person applying for or receiving kinship care payments, of employees and prospective employees of a person applying for or receiving kinship care payments and of adult residents and prospective adult residents of the home of a person applying for or receiving kinship care payments; eliminating cross-references to the Wisconsin works health plan; computing the aviation fuel tax; a sales tax and use tax exemption for samples of medicine and registration for use tax purposes; the international fuel tax agreement; the department of revenue's expenses to administer the fee on vehicle rentals; directing the department of revenue to not adjust individual income tax withholding tables and making a technical adjustment in the calculation of income tax liability by individual nonresidents and part-year residents of this state; the sales of food by institutions of higher learning; salary-setting authority of certain state bodies; reserve "Class B" intoxicating liquor licenses; the abolishment of the emergency response board; revocation of probation for failure to pay supervision fees owed to the department of corrections; and making an appropriation.

Vetoed
In Part

Vetoed
In Part

Vetoed
In Part

* Section 991.11, WISCONSIN STATUTES 1995-96: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

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

SECTION 1. 20.005 (3) (schedule) of the statutes: at the appropriate place, insert the following amounts for the purposes indicated:

		1997-98	1998-99
20.566	Revenue, department of		
(1)	COLLECTION OF TAXES		
	(qm) Administration of rental vehicle fee	SEG A -0-	-0-

SECTION 2. 20.566 (1) (qm) of the statutes is created to read:

20.566 (1) (qm) *Administration of rental vehicle fee.* From the transportation fund, the amounts in the schedule for the administration of the rental vehicle fee under subch. XI of ch. 77.

SECTION 3. 20.865 (4) (u) of the statutes is amended to read:

20.865 (4) (u) *Segregated funds general program supplementation.* From the appropriate segregated funds, a sum sufficient to supplement appropriations made from such funds, as provided in s. 13.101, or made under 1997 Wisconsin Act (this act), section 9143 (1). The governor may under this paragraph allot sums not in excess of \$1,000 to any state agency when necessary, without a meeting of the joint committee on finance. All supplements made under this paragraph to an appropriation by the governor shall be certified by him or her to the department of administration, and expenditures therefrom shall be shown in the state budget report as an additional cost of the state agency for which such supplements were made.

SECTION 4. 20.865 (4) (u) of the statutes, as affected by 1997 Wisconsin Act (this act), is amended to read:

20.865 (4) (u) *Segregated funds general program supplementation.* From the appropriate segregated funds, a sum sufficient to supplement appropriations made from such funds, as provided in s. 13.101, or made under 1997 Wisconsin Act (this act), section 9143 (1). The governor may under this paragraph allot sums not in excess of \$1,000 to any state agency when necessary, without a meeting of the joint committee on finance. All supplements made under this paragraph to an appropriation by the governor shall be certified by him or her to the department of administration, and expenditures therefrom shall be shown in the state budget report as an additional cost of the state agency for which such supplements were made.

SECTION 5. 20.923 (1) of the statutes, as affected by 1997 Wisconsin Act 27, is amended to read:

20.923 (1) ESTABLISHMENT OF EXECUTIVE SALARY GROUPS. To this end, a compensation plan consisting of 10 executive salary groups is established in schedule one of the state compensation plan for the classified service

from ranges 18 through 27. No salary range established above salary range 23 may be utilized in the establishment and compensation of positions in the classified service without specific approval of the joint committee on employment relations. The dollar value of the salary range minimum and maximum for each executive salary group shall be reviewed and established in the same manner as that provided for positions in the classified service under s. 230.12 (3). The salary-setting authority of individual boards, commissions, elective and appointive officials elsewhere provided by law is subject to and limited by this section, and the salary rate for these positions upon appointment and subsequent thereto shall be set by the appointing authority pursuant to this section, except ~~as provided in s. 36.09 (1) (j) and~~ as otherwise required by article IV, section 26, of the constitution.

SECTION 6. 25.40 (2) (b) 20s. of the statutes is created to read:

25.40 (2) (b) 20s. Section 20.566 (1) (qm).

SECTION 7. 44.72 (4) (b) of the statutes, as created by 1997 Wisconsin Act 27, is amended to read:

44.72 (4) (b) *Subsidized loan applications, terms and conditions.* The board shall establish application procedures for, and the terms and conditions of, subsidized loans under this subsection. The terms may include provision of professional building construction services under s. 16.85 (15). The board shall determine the interest rate on these loans. The interest rate shall be as low as possible but shall be sufficient to fully pay all interest expenses incurred by the state and to provide reserves that are reasonably expected to be required in the judgment of the board to ensure against losses arising from delinquency and default in the repayment of subsidized loans. The term of a subsidized loan under this subsection may not exceed 10 years.

SECTION 8. 44.72 (4) (d) of the statutes, as created by 1997 Wisconsin Act 27, is amended to read:

44.72 (4) (d) *Funding for subsidized loans.* The board, with the approval of the governor and subject to the limits of s. 20.866 (2) (zc) and (zcm), may request that the building commission contract public debt in accordance with ch. 18 to fund loans under this subsection. ~~The term of public debt contracted under s. 20.866 (2) (zc) and (zcm) may not exceed 10 years.~~

SECTION 9. 46.81 (2) of the statutes is amended to read:

46.81 (2) From the appropriation under s. 20.435 (7) (dj), the department shall allocate \$1,224,000 ~~\$2,298,400~~ in each fiscal year to aging units to provide benefit specialist services for older individuals. 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 individuals who reside in a county.

SECTION 10. 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 ~~\$132,500~~ \$182,500 in each fiscal year to area agencies on aging. Each area agency on aging shall use the funds for training, supervision and legal back-up services for benefit specialists within its area.

Vetoed In Part SECTION 11. 48.561 (3) (a) of the statutes, as created by 1997 Wisconsin Act 27, is amended to read:

48.561 (3) (a) A county having a population of 500,000 or more shall contribute ~~\$31,280,700~~ \$30,489,200 in state fiscal year 1997 — 98 for the provision of child welfare services in that county by the department.

SECTION 12. 48.561 (3) (a) of the statutes, as affected by 1997 Wisconsin Act 27, section 1600d, and 1997 Wisconsin Act (this act), is repealed and recreated to read:

48.561 (3) (a) A county having a population of 500,000 or more shall contribute \$60,978,400 in each state fiscal year for the provision of child welfare services in that county by the department.

SECTION 13. 48.57 (3p) (d) of the statutes, as affected by 1997 Wisconsin Act 27, is amended to read:

48.57 (3p) (d) If the person being investigated under par. (b) or (c) is a nonresident, or at any time within the 5 years preceding the date of the application has been a nonresident, or if the county department or, in a county having a population of 500,000 or more, the department of health and family services determines that the person's employment, licensing or state court records provide a reasonable basis for further investigation, the county department or department of health and family services shall require the person to be ~~photographed and~~ fingerprinted on 2 fingerprint cards, each bearing a complete set of the person's fingerprints. The department of justice may provide for the submission of the fingerprint cards to the federal bureau of investigation for the purposes of verifying the identity of the person fingerprinted and obtaining records of his or her criminal arrest and conviction.

SECTION 14. 49.141 (1) (p) of the statutes, as affected by 1997 Wisconsin Act 27, is amended to read:

49.141 (1) (p) "Wisconsin works" means the assistance program for families with dependent children, administered under ss. 49.141 to 49.161, ~~except that "Wis-~~

~~consin works"~~ does not include the Wisconsin works health plan under s. 49.153, unless a waiver under s. 49.153 (1m) is granted and in effect or federal legislation that permits the application of s. 49.153 is enacted.

SECTION 15. 49.141 (7) (c) (intro.) of the statutes, as created by 1997 Wisconsin Act 27, is amended to read:

49.141 (7) (c) Except as provided in par. (d), in addition to the penalties applicable under par. (a) or (b), a person shall be suspended from participating in Wisconsin works, ~~except s. 49.153~~, for a period of 10 years, beginning on the date of conviction, if the person is convicted in a federal or state court for any of the following:

SECTION 16. 49.155 (1m) (a) 1m. of the statutes, as created by 1997 Wisconsin Act 27, is repealed and recreated to read:

49.155 (1m) (a) 1m. Obtain a high school diploma or participate in a course of study meeting the standards established by the state superintendent of public instruction for the granting of a declaration of equivalency of high school graduation, if the individual is not subject to the school attendance requirement under s. 49.26 (1) (ge) and at least one of the following conditions is met:

- a. The individual is 18 or 19 years of age.
- b. The individual has not yet attained the age of 18 years and the individual resides with his or her custodial parent or with a kinship care relative under s. 48.57 (3m) or is in a foster home or treatment foster home licensed under s. 48.62, a group home or an independent living arrangement supervised by an adult.

SECTION 17. 59.53 (5) of the statutes, as affected by 1997 Wisconsin Act 3 and 1997 Wisconsin Act 27, section 2165, is amended to read:

59.53 (5) CHILD AND SPOUSAL SUPPORT; PATERNITY PROGRAM; MEDICAL SUPPORT LIABILITY PROGRAM. The board shall contract with the department of workforce development to implement and administer the child and spousal support and establishment of paternity and the medical support liability programs provided for by Title IV of the federal social security act. The board may designate by board resolution any office, officer, board, department or agency, except the clerk of circuit court, as the county child support agency. The board or county child support agency shall implement and administer the programs in accordance with the contract with the department of workforce development. The attorneys responsible for support enforcement under sub. (6) (a), family court commissioner and all other county officials shall cooperate with the county and the department of workforce development as necessary to provide the services required under the programs. The county shall charge the fee established by the department of workforce development under s. 49.22 for services provided under this subsection to persons not receiving benefits under s. 49.148, ~~49.153~~ or 49.155 or assistance under s. 46.261, 49.19 or 49.47.

SECTION 18. 71.06 (2s) (a) of the statutes, as created by 1997 Wisconsin Act 27, is amended to read:

71.06 (2s) (a) For taxable years beginning after December 31, 1996, and ending before January 1, 1998, with respect to nonresident individuals, including individuals changing their domicile into or from this state, the tax brackets under subs. (1) and (2) shall be multiplied by a fraction, the numerator of which is Wisconsin adjusted gross income and the denominator of which is federal adjusted gross income. In this paragraph, for married persons filing separately "adjusted gross income" means the separate adjusted gross income of each spouse, and for married persons filing jointly "adjusted gross income" means the total adjusted gross income of both spouses. If an individual and that individual's spouse are not both domiciled in this state during the entire taxable year, the tax brackets under subs. (1) and (2) on a joint return shall be multiplied by a fraction, the numerator of which is their joint Wisconsin adjusted gross income and the denominator of which is their joint federal adjusted gross income.

SECTION 19. 71.07 (2dx) (a) 5. of the statutes, as created by 1997 Wisconsin Act 27, is amended to read:

71.07 (2dx) (a) 5. "Member of a targeted group" means a person under sub. (2dj) (am) 1., a person who resides in an empowerment zone, or an enterprise community, that the U.S. government designates, a person who is employed in an unsubsidized job but meets the eligibility requirements under s. 49.145 (2) and (3) for a Wisconsin works employment position, a person who is employed in a trial job, as defined in s. 49.141 (1) (n), a person who is eligible for the Wisconsin works health plan under s. 49.153 or a person who is eligible for child care assistance under s. 49.155; if the person has been certified in the manner under sub. (2dj) (am) 3. by a designated local agency, as defined in sub. (2dj) (am) 2.

SECTION 20. 71.28 (1dx) (a) 5. of the statutes, as created by 1997 Wisconsin Act 27, is amended to read:

71.28 (1dx) (a) 5. "Member of a targeted group" means a person under sub. (1dj) (am) 1., a person who resides in an empowerment zone, or an enterprise community, that the U.S. government designates, a person who is employed in an unsubsidized job but meets the eligibility requirements under s. 49.145 (2) and (3) for a Wisconsin works employment position, a person who is employed in a trial job, as defined in s. 49.141 (1) (n), a person who is eligible for the Wisconsin works health plan under s. 49.153 or a person who is eligible for child care assistance under s. 49.155; if the person has been certified in the manner under sub. (1dj) (am) 3. by a designated local agency, as defined in sub. (1dj) (am) 2.

SECTION 21. 71.47 (1dx) (a) 5. of the statutes, as created by 1997 Wisconsin Act 27, is amended to read:

71.47 (1dx) (a) 5. "Member of a targeted group" means a person under sub. (1dj) (am) 1., a person who resides in an empowerment zone, or an enterprise commu-

nity, that the U.S. government designates, a person who is employed in an unsubsidized job but meets the eligibility requirements under s. 49.145 (2) and (3) for a Wisconsin works employment position, a person who is employed in a trial job, as defined in s. 49.141 (1) (n), a person who is eligible for the Wisconsin works health plan under s. 49.153 or a person who is eligible for child care assistance under s. 49.155; if the person has been certified in the manner under sub. (1dj) (am) 3. by a designated local agency, as defined in sub. (1dj) (am) 2.

SECTION 22. 71.64 (9) (b) of the statutes, as affected by 1997 Wisconsin Act 27, is amended to read:

71.64 (9) (b) The department shall from time to time adjust the withholding tables to reflect any changes in income tax rates, any applicable surtax or any changes in dollar amounts in s. 71.06 (1), (1m) and (2) resulting from statutory changes, except that the department may not adjust the withholding tables to reflect the changes in rates in s. 71.06 (1m) and (2) (c) and (d) and any changes in dollar amounts with respect to bracket indexing under s. 71.06 (2e) and with respect to standard deduction indexing under s. 71.05 (22) (ds) for any taxable year that begins before January 1, 2000. The tables shall account for the working families tax credit under s. 71.07 (5m). The tables shall be extended to cover from zero to 10 withholding exemptions, shall assume that the payment of wages in each pay period will, when multiplied by the number of pay periods in a year, reasonably reflect the annual wage of the employe from the employer and shall be based on the further assumption that the annual wage will be reduced for allowable deductions from gross income. The department may determine the length of the tables and a reasonable span for each bracket. In preparing the tables the department shall adjust all withholding amounts not an exact multiple of 10 cents to the next highest figure that is a multiple of 10 cents. The department shall also provide instructions with the tables for withholding with respect to quarterly, semiannual and annual pay periods.

SECTION 23. 77.53 (9m) of the statutes, as affected by 1997 Wisconsin Act 27, is repealed and recreated to read:

77.53 (9m) Any person who is not otherwise required to collect any tax imposed by this subchapter and who makes sales to persons within this state of tangible personal property or taxable services the use of which is subject to tax under this subchapter may register with the department under the terms and conditions that the department imposes and shall obtain a valid certificate under s. 73.03 (50) and thereby be authorized and required to collect, report and remit to the department the use tax imposed by this subchapter.

SECTION 24. 77.54 (14) (f) of the statutes, as created by 1997 Wisconsin Act 27, is repealed and recreated to read:

77.54 (14) (f) Furnished without charge to a physician, surgeon, nurse anesthetist, advanced practice nurse,

osteopath, dentist who is licensed under ch. 447, podiatrist who is licensed under ch. 448 or optometrist who is licensed under ch. 449 if the medicine may not be dispensed without a prescription.

SECTION 25. 77.54 (20) (c) 5. of the statutes, as affected by 1997 Wisconsin Act 27, is amended to read:

77.54 (20) (c) 5. Taxable sales shall not include meals, food, food products or beverages, furnished in accordance with any contract or agreement or paid for to such institution through the use of an account of such institution, by a public or private institution of higher education to an undergraduate student, a graduate student or a student enrolled in a professional school if the student is enrolled for credit at that institution and if the goods are consumed by that student and meals, food, food products or beverages furnished to a national football league team under a contract or agreement.

SECTION 26. 78.58 (3) of the statutes, as affected by 1997 Wisconsin Act 27, is amended to read:

78.58 (3) COMPUTATION OF TAX. Each general aviation fuel licensee at the time of making the monthly or quarterly report shall compute and pay the full amount of the general aviation fuel tax for the next preceding month or quarter, which shall be computed as follows: the number of gallons of general aviation fuel placed into the fuel supply tanks of an aircraft or into bulk storage facilities by the general aviation fuel licensee, multiplied by ~~0.065~~ 0.06 and the resulting figure expressed in dollars.

SECTION 27. 118.51 (4) (a) (intro.) of the statutes, as affected by 1997 Wisconsin Act 27, is amended to read:

118.51 (4) (a) (intro.) By ~~December 1997~~ February 1, 1998, each school board shall adopt a resolution specifying all of the following:

SECTION 28. 118.52 (4) of the statutes, as affected by 1997 Wisconsin Act 27, is amended to read:

118.52 (4) ADOPTION OF POLICIES AND CRITERIA. By ~~December 1997~~ February 1, 1998, each school board shall adopt a resolution specifying the criteria and policies described in subs. (5) and (6). If the school board wishes to revise the criteria or policies, it shall do so by resolution.

SECTION 29. 125.51 (3) (e) 3. of the statutes, as created by 1997 Wisconsin Act 27, is amended to read:

125.51 (3) (e) 3. Each municipal governing body shall establish the annual fee for a "Class B" license issued under sub. (4) (v). The initial ~~annual~~ fee may be different from the annual fee to renew the license.

SECTION 30. 125.51 (4) (br) 1. b., c. and d. of the statutes, as created by 1997 Wisconsin Act 27, are amended to read:

125.51 (4) (br) 1. b. Subtract the number recorded under par. (bm) 2. ~~b.~~ from the result under subd. 1. a.

c. Divide the result under subd. ~~2.~~ 1. b. by 2, except that if the result is not a whole number round the quotient down to the nearest whole number.

d. Add 3 to the result under subd. ~~2.~~ 1. c.

SECTION 31. 166.215 (5) of the statutes, as created by 1997 Wisconsin Act 27, is amended to read:

166.215 (5) The ~~board~~ division shall notify the joint committee on finance in writing, before entering into a new contractual agreement under sub. (1) or renewing or extending a contractual agreement under sub. (1), of the specific funding commitment involved in that proposed new, renewed or extended contract. The ~~board~~ division shall include in that notification information regarding any anticipated contractual provisions that involve state fiscal commitments for each fiscal year in the proposed new, renewed or extended contract. The ~~board~~ division may enter into a new contractual agreement or renew or extend a contractual agreement, as proposed in the notification to the joint committee on finance, if within 14 working days after notification the committee does not schedule a meeting to review the ~~board's~~ division's proposed action. If, within 14 working days after notification to the joint committee on finance, the committee notifies the ~~board~~ division that the committee has scheduled a meeting to review the ~~board's~~ division's proposed action, the ~~board~~ division may enter into the proposed new contract or renew or extend the contract as proposed only if the committee approves that action. Notwithstanding s. 13.10, the ~~board~~ division may include in its notification to the joint committee on finance a request for approval of any increase in the amount of money in the appropriation account under s. 20.465 (3) (dd) necessary to provide sufficient money for the proposed new, renewed or extended contracts under sub. (1).

SECTION 32. 180.1130 (10m) of the statutes, as created by 1997 Wisconsin Act 27, is amended to read:

180.1130 (10m) "Resident domestic corporation" means a resident domestic corporation, as defined in s. 180.1140 (9), if that corporation ~~does not have~~ has a class of voting stock that is registered or traded on a national securities exchange or that is registered under section 12 (g) of the Securities Exchange Act.

SECTION 33. 196.218 (3) (a) 3. of the statutes, as affected by 1997 Wisconsin Act 27, is amended to read:

196.218 (3) (a) 3. The commission shall designate the method by which the contributions under this paragraph shall be calculated and collected. The method shall ensure that the contributions are sufficient to generate the amounts appropriated under ss. 20.155 (1) (q), 20.275 (1) (s) ~~and~~, (t) and (tm) and 20.285 (1) (q). Contributions may be based only on the gross operating revenues from the provision of broadcast services identified by the commission under subd. 2. and on intrastate telecommunications services in this state of the telecommunications providers subject to the contribution.

SECTION 34. 196.218 (5) (a) 7. of the statutes is created to read:

196.218 (5) (a) 7. To make grants awarded by the board to school districts under sub. (4r) (g). This subdivision does not apply after June 30, 2002.

SECTION 35. 287.23 (3) (a) 2. of the statutes is amended to read:

287.23 (3) (a) 2. For assistance in 1995 to ~~1999~~ 2000, a responsible unit that has been determined under s. 287.11 to have an effective recycling program.

SECTION 36. 287.23 (5) (c) 2. of the statutes, as affected by 1997 Wisconsin Act 27, is amended to read:

287.23 (5) (c) 2. Except as provided in subd. 5. or sub. (5e), for all other responsible units, the amount of the grant for 1993 through ~~1999~~ 2000 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.

SECTION 37. 287.23 (7) of the statutes is amended to read:

287.23 (7) SUNSET. No grant may be awarded under this section for any year after ~~1999~~ the year 2000.

SECTION 38. 299.80 (16) of the statutes, as created by 1997 Wisconsin Act 27, is amended to read:

299.80 (16) REPORTS CONCERNING THE PROGRAM UNDER THIS SECTION. (a) Beginning not later than the first day of the 13th month beginning after October 14, 1997, the secretary of natural resources shall submit an annual progress report on the program under this section to the governor, ~~the environmental performance council~~ and, under s. 13.172 (3), the standing committees of the legislature with jurisdiction over environmental matters.

(b) Not later than the first day of the 48th month beginning after October 14, 1997, the secretary of natural resources shall submit a report to the governor, ~~the environmental performance council~~ and, under s. 13.172 (2) the legislature on the success of the program under this section. The report shall include recommendations concerning the continuation of the program under this section and any changes that should be made to the program.

SECTION 39. 560.785 (1) (c) 1. of the statutes, as created by 1997 Wisconsin Act 27, is amended to read:

560.785 (1) (c) 1. Creating a full-time job that is filled by an individual who is a Wisconsin resident and who is not a member of the target population.

SECTION 40. 560.785 (1) (c) 2. of the statutes, as created by 1997 Wisconsin Act 27, is amended to read:

560.785 (1) (c) 2. Retaining a full-time job that is filled by an individual who is a Wisconsin resident and who is not a member of the target population.

SECTION 41. 973.09 (3) (bm) 3. of the statutes, as created by 1997 Wisconsin Act 27, is amended to read:

973.09 (3) (bm) 3. At a probation review hearing under subd. 2., the department has the burden of proving that the probationer owes unpaid fees under s. 304.073 or 304.074 and the amount of the unpaid fees. If the department proves by a preponderance of the evidence that the probationer owes unpaid fees under s. 304.073 or 304.074, the court may, by order, extend the period of probation for a stated period, or modify the terms and

conditions of probation ~~or revoke the probationer's probation.~~

SECTION 42. 973.09 (3) (bm) 4. of the statutes, as created by 1997 Wisconsin Act 27, is amended to read:

973.09 (3) (bm) 4. If the court does not extend, ~~revoke~~ or modify the terms of probation under subd. 3., it shall issue a judgment for the unpaid fees and direct the clerk of circuit court to file and enter the judgment in the judgment and lien docket, without fee. If the court issues a judgment for the unpaid fees, the court shall send to the department a written notification that a civil judgment has been issued for the unpaid fees. The judgment has the same force and effect as judgments entered under s. 806.10.

SECTION 43. 1997 Wisconsin Act 27, section 9137 (9c) is amended to read:

[1997 Wisconsin Act 27] Section 9137 (9c) RECREATIONAL BOATING PROJECT; ~~LONE ROCK BOAT LANDING.~~ From the appropriation under section 20.370 (5) (cq) of the statutes, the department of natural resources shall provide to Richland County the amount that is necessary for soil erosion control at ~~Lone Rock~~ a boat landing on the Wisconsin River in the town of Buena Vista, but the amount may not exceed \$10,000. Notwithstanding section 30.92 (4) (b) 2. of the statutes, as affected by this act, Richland County need not contribute any moneys to match the amount provided under this subsection. The amount expended under this subsection shall be considered an expenditure for an inland water project as provided in section 30.92 (4) (b) 6. of the statutes. This project need not be placed on the priority list under section 30.92 (3) (a) of the statutes. This subsection does not apply after June 30, 2000.

SECTION 44. 1997 Wisconsin Act 27, section 9143 (1m) is created to read:

[1997 Wisconsin Act 27] Section 9143 (1m) DRY CLEANER'S FEE. Notwithstanding section 77.9961 (1) of the statutes, as created by this act, the fee that is due on January 15, 1998, under section 77.9961 (2) of the statutes, as created by this act, is equal to 1.8% of the dry cleaner's gross receipts from October 14, 1997, to December 31, 1997.

SECTION 9143. Nonstatutory provisions; revenue.

(1) RENTAL VEHICLE ADMINISTRATION FEE. The authorized FTE positions for the department of revenue are increased by 4.5 SEG positions on January 4, 1998, to be funded from the appropriation under section 20.566 (1) (qm) of the statutes, as created by this act, for the administration of the rental vehicle fee under subchapter XI of chapter 77 of the statutes. The department of revenue and the department of transportation shall jointly request the joint committee on finance to supplement, from the fund under section 25.40 of the statutes, the appropriation under section 20.566 (1) (qm) of the statutes, as created by this act.

SECTION 9149. Nonstatutory provisions; transportation.

(1) CALCULATION OF RATE. The department of transportation shall determine the rate for calculating the amount due under section 341.45 (1g) (a) of the statutes for the 4th quarter of 1997 by adding the rates for the taxes under chapter 78 of the statutes and the fee under section 168.12 of the statutes for each of the months in the quarter, by adding the 3 total rates and by dividing that total by 3.

SECTION 9237. Appropriation changes; natural resources.

(1) OPERATION PERMIT PROGRAM. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of natural resources under section 20.370 (9) (mh) of the statutes, as affected by the acts of 1997, the dollar amount is decreased by \$14,200 for fiscal year 1997-98 and the dollar amount is decreased by \$14,200 for fiscal year 1998-99 to decrease funding for the purposes for which the appropriation is made.

(2) SOLID AND HAZARDOUS WASTE. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of natural resources under section 20.370 (9) (mj) of the statutes, as affected by the acts of 1997, the dollar amount is increased by \$14,200 for fiscal year 1997-98 and the dollar amount is increased by \$14,200 for fiscal year 1998-99 to increase funding for the purposes for which the appropriation is made.

(3) STUDIES OF GREAT LAKES FISH. In the schedule under section 20.005 (3) of the statutes for the appropriation to the department of natural resources under section 20.370 (4) (mu) of the statutes, as affected by the acts of 1997, the dollar amount is increased by \$16,000 for fiscal year 1997-98 and the dollar amount is increased by \$32,000 for fiscal year 1998-99 to study fish in the Great Lakes.

SECTION 9310. Initial applicability; commerce.

(1) DEVELOPMENT ZONES CREDIT. The treatment of section 560.785 (1) (c) 1. and 2. of the statutes first applies to taxable years beginning on January 1, 1998.

SECTION 9419. Effective dates; financial institutions.

(1) RESIDENT DOMESTIC CORPORATIONS. The treatment of section 180.1130 (10m) of the statutes takes effect retroactively to October 14, 1997.

SECTION 9423. Effective dates; health and family services.

(1) MILWAUKEE CHILD WELFARE COUNTY CONTRIBUTION.

(a) The amendment of section 48.561 (3) (a) of the statutes takes effect on January 1, 1998, or on the day after publication, whichever is later.

(b) The repeal and recreation of section 48.561 (3) (a) of the statutes takes effect on July 1, 1998, or on the day after publication, whichever is later.

(2) KINSHIP CARE PHOTOGRAPH REQUIREMENT. The treatment of section 48.57 (3p) (d) of the statutes takes effect on January 1, 1998, or on the day after publication, whichever is later.

SECTION 9432. Effective dates; legislature.

(1) The treatment of section 20.865 (4) (u) (by SECTION 3s) of the statutes takes effect on June 30, 1999.

SECTION 9436. Effective dates; military affairs.

(1) EMERGENCY MANAGEMENT. The treatment of section 166.215 (5) of the statutes takes effect on July 1, 1998.

SECTION 9443. Effective dates; revenue.

(1) AVIATION FUEL TAX. The treatment of section 78.58 (3) of the statutes takes effect on January 1, 1998.

(2) USE TAX REGISTRATION; MEDICINE SAMPLES.

(a) The treatment of section 77.53 (9m) the statutes takes effect on January 1, 1998.

(b) The treatment of section 77.54 (14) (f) the statutes takes effect on December 1, 1997.

**Vetoed
In Part**