

BILL**SECTION 686**

1 *~~1265/7.19~~* **SECTION 686.** 23.51 (6) of the statutes is amended to read:

2 23.51 (6) “Penalty assessment” means the penalty assessment imposed by s.
3 ~~165.87~~ 757.05.

4 *~~0236/2.2~~* **SECTION 687.** 23.65 (1) of the statutes is amended to read:

5 23.65 (1) When it appears to the district attorney that a violation of s. 134.60,
6 281.48 (2) to (5), 283.33, 285.57 (2), 285.59 (2), (3) (c) and (4), 287.07, 287.08, 287.81
7 or 299.64 (2), this chapter or ch. 26, 27, 28, 29, 30, 31 or 350, or any administrative
8 rule promulgated pursuant thereto, or a violation specified under s. 285.86 has been
9 committed the district attorney may proceed by complaint and summons.

10 *~~0236/2.3~~* **SECTION 688.** 23.65 (3) of the statutes is amended to read:

11 23.65 (3) If a district attorney refuses or is unavailable to issue a complaint,
12 a circuit judge, after conducting a hearing, may permit the filing of a complaint if he
13 or she finds there is probable cause to believe that the person charged has committed
14 a violation of s. 287.07, 287.08 or 287.81, this chapter or ch. 26, 27, 28, 29, 30, 31 or
15 350 or a violation specified under s. 285.86. The district attorney shall be informed
16 of the hearing and may attend.

17 *~~1838/1.1~~* **SECTION 689.** 24.04 (2) of the statutes is amended to read:

18 24.04 (2) **DISBURSEMENTS.** All expenses necessarily incurred in caring for and
19 selling public lands shall be deducted from the gross receipts of the fund to which the
20 proceeds of the sale of the land will be added. Expenses necessarily incurred in
21 caring for public lands may include expenses for reforestation, erosion and insect
22 control, submerged log monitoring, surveys, appraisals, soil surveys and soil
23 mapping activities and other land management practices that serve to protect or
24 enhance the interests of the beneficiaries of the trust funds.

25 *~~0481/2.1~~* **SECTION 690.** 24.63 (4) of the statutes is amended to read:

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1 24.63 (4) REPAYMENT BEFORE DUE DATE PERMITTED. Any borrower after March 15
2 and prior to August 1 of any year may repay one or more instalments of a state trust
3 fund loan in advance of the due date, and all interest upon such advance payment
4 shall thereupon terminate. The board may charge a borrower who repays one or
5 more instalments of a loan a fee to cover any administrative costs incurred by the
6 board in originating and servicing the loan.

7 ***-0758/3.2*** SECTION 691. 24.64 of the statutes is created to read:

8 **24.64 Reimbursements for certain administrative services.** The board
9 shall reimburse the department of administration, from the appropriation account
10 under s. 20.507 (1) (h), for administrative services provided by the department of
11 administration and other state agencies to the board.

12 ***-1193/2.1*** SECTION 692. 24.66 (3) (b) of the statutes is amended to read:

13 24.66 (3) (b) *For long-term loans by unified school districts.* Every application
14 for a loan, the required repayment of which exceeds 10 years, shall be approved and
15 authorized for a unified school district by a majority vote of the members of the school
16 board at a regular or special meeting of the school board. Every vote so required shall
17 be by ayes and noes duly recorded. In addition, the application shall be approved for
18 a unified school district by a majority vote of the electors of the school district at a
19 special election referendum as provided under sub. (4) (b).

20 ***-1193/2.2*** SECTION 693. 24.66 (4) of the statutes is renumbered 24.66 (4) (a)
21 and amended to read:

22 24.66 (4) (a) If any municipality other than a school district is not empowered
23 by law to incur indebtedness for a particular purpose without first submitting the
24 question to its electors, the application for a state trust fund loan for that purpose
25 must be approved and authorized by a majority vote of the electors at a special

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1 election called, noticed and held in the manner provided for other special elections.
2 The notice of the election shall state the amount of the proposed loan and the purpose
3 for which it will be used.

4 ***-1193/2.3* SECTION 694.** 24.66 (4) (b) of the statutes is created to read:

5 24.66 (4) (b) If any school district is not empowered by law to incur
6 indebtedness for a particular purpose without first submitting the question to its
7 electors, the application for a state trust fund loan for that purpose must be approved
8 and authorized by a majority vote of the electors at the next regularly scheduled
9 spring election or general election that occurs not sooner than 45 days after the
10 adoption of the resolution under sub. (5) or at a special election held on the Tuesday
11 after the first Monday in November in an odd-numbered year if that date occurs not
12 sooner than 45 days after the adoption of the resolution under sub. (5). The
13 referendum shall be called, noticed and held in the manner provided for other
14 referenda. The notice of the referendum shall state the amount of the proposed loan
15 and the purpose for which it will be used.

16 ***-1731/3.1* SECTION 695.** 25.156 (6) (intro.) of the statutes is amended to read:

17 25.156 (6) (intro.) The investment board may provide a plan of bonus
18 compensation for the executive director, internal auditor, employees appointed by the
19 internal auditor who are appointed in the unclassified service and other employes
20 of the board who are appointed in the unclassified service, other than employes
21 eligible for the plan of bonus compensation provided under sub. (6m), whereby the
22 employes may qualify for an annual bonus for meritorious performance. No such
23 bonuses awarded by the board for any fiscal year may exceed a total of 10% of the total
24 annualized salaries of all unclassified employes of the board, other than employes
25 eligible for the plan of bonus compensation provided under sub. (6m), at the

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1 beginning of the fiscal year. No bonus awarded by the board to any individual
2 employe for any fiscal year may exceed a total of 25% of the annual salary of the
3 employe at the beginning of the fiscal year. In awarding bonus compensation for a
4 given period, the board shall consider the performance of funds similar to those for
5 which it has managing authority and market indices for the same period. The board
6 shall provide for a portion of the bonus compensation awarded under this subsection
7 to be distributed to an employe over a 3-year period conditioned upon continuation
8 of employment to the time of distribution, except as provided in sub. (7). Bonus
9 compensation may only be awarded under this subsection pursuant to a plan adopted
10 by the board that specifies all of the following:

11 ***-1731/3.2*** **SECTION 696.** 25.156 (6m) of the statutes is created to read:

12 25.156 **(6m)** (a) The investment board may provide a plan of bonus
13 compensation for employes of the board who are appointed in the unclassified service
14 and who are investment professionals, as determined by the secretary of
15 administration under par. (b), whereby the employes may qualify for an annual
16 bonus for meritorious performance. No such bonuses awarded by the board for any
17 fiscal year may exceed a total of 25% of the total annualized salaries of all employes
18 who are investment professionals, as determined by the secretary of administration
19 under par. (b), at the beginning of the fiscal year. No bonus awarded by the board
20 to any individual employe for any fiscal year may exceed a total of 50% of the annual
21 salary of the employe at the beginning of the fiscal year. In awarding bonus
22 compensation for a given period, the board shall consider the performance of funds
23 similar to those for which it has managing authority and market indices for the same
24 period. Bonus compensation may only be awarded under this subsection pursuant
25 to a plan adopted by the board that specifies all of the following:

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1 1. The conditions under which bonus compensation will be awarded.

2 2. The percentage of the total available bonus compensation that will be
3 awarded based upon beneficial investment performance and the percentage of such
4 compensation that will be awarded based upon other meritorious performance.

5 3. The specific criteria that will be employed in considering whether to award
6 bonus compensation to a particular employe.

7 (b) Annually, no later than June 30, the secretary of administration shall
8 determine which employes of the board are investment professionals and eligible for
9 the plan of bonus compensation provided under par. (a) for the succeeding fiscal year
10 and shall report this determination to the board.

11 *–1731/3.3* **SECTION 697.** 25.16 (7) of the statutes is amended to read:

12 25.16 (7) The executive director shall fix the compensation of all employes
13 appointed by the executive director, subject to restrictions set forth in the
14 compensation plan under s. 230.12 or any applicable collective bargaining
15 agreement in the case of employes in the classified service, but the investment board
16 may provide for bonus compensation to employes in the unclassified service as
17 authorized under s. 25.156 (6) and (6m).

18 *–0194/1.3* **SECTION 698.** 25.17 (1) (ka) of the statutes is created to read:

19 25.17 (1) (ka) Natural resources land endowment fund (s. 25.293);

20 *–0424/1.3* **SECTION 699.** 25.17 (70) (a) of the statutes is amended to read:

21 25.17 (70) (a) No later than June 30 of every odd-numbered year, after
22 ~~receiving a report from the department of commerce under s. 560.08 (2) (m) and in~~
23 ~~consultation~~ consulting with the department of commerce, submit to the governor
24 and to the presiding officer of each house of the legislature a plan for making
25 investments in this state. The purpose of the plan is to encourage the board to make

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1 the maximum amount of investments in this state, subject to s. 25.15 and consistent
2 with the statutory purpose of each trust or fund managed by the board.

3 ***-0424/1.4* SECTION 700.** 25.17 (70) (b) 1. of the statutes is amended to read:
4 25.17 (70) (b) 1. A report ~~from the department of commerce under s. 560.08 (2)~~
5 (m) describing the types of investments in businesses in this state which will have
6 the greatest likelihood of enhancing economic development in this state.

7 ***-0576/2.1* SECTION 701.** 25.18 (2) (e) of the statutes is amended to read:
8 25.18 (2) (e) Contract with and delegate to investment advisers the
9 management and control over assets from any fund or trust delivered to such
10 investment advisers for investment in real estate, mortgages, equities, debt of
11 foreign corporations and debt of foreign governments, and pay such advisers fees
12 from the current income of the fund or trust being invested. No more than ~~15%~~ 25%
13 of the total assets of the fixed retirement investment trust or ~~15%~~ 25% of the total
14 assets of the variable retirement investment trust may be delivered to investment
15 advisers. The board shall set performance standards for such investment advisers,
16 monitor such investments to determine if performance standards are being met and
17 if an investment adviser does not consistently meet the performance standards then
18 terminate the contract with such investment adviser.

19 ***-0194/1.4* SECTION 702.** 25.29 (1) (a) of the statutes is amended to read:
20 25.29 (1) (a) Except as provided in ~~s. ss. 25.293 and 25.295~~, all moneys accruing
21 to the state for or in behalf of the department under chs. 26, 27, 28, 29 and 350,
22 subchs. I and VI of ch. 77 and ss. 23.09 to 23.31, 23.325 to 23.42, 23.50 to 23.99, 30.50
23 to 30.55, 70.58 and 71.10 (5), including grants received from the federal government
24 or any of its agencies except as otherwise provided by law.

25 ***-0194/1.5* SECTION 703.** 25.293 of the statutes is created to read:

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25.293 Natural resources land endowment fund. There is established a

1 separate nonlapsible trust fund designated as the natural resources land
2 endowment fund, to consist of:

3 (1) All gifts, grants or bequests made to the natural resources land
4 fund. The department of natural resources may convert any noncash gift, grant or
5 bequest into cash for deposit into the fund.

6 (2) All interest and other income generated from these gifts, grants and
7 bequests.

8 ***-0169/1.2* SECTION 704.** 25.40 (1) (a) 18. of the statutes is created to read:

9 25.40 (1) (a) 18. Moneys received under s. 85.12 that are deposited in the
10 general fund and credited to the appropriation account under s. 20.395 (5) (dk) or
11 (dL).

12 ***-0269/3.3* SECTION 705.** 25.40 (2) (b) 15m. of the statutes is created to read:
13 25.40 (2) (b) 15m. Section 20.435 (1) (t).

14 ***-2073/4.2* SECTION 706.** 25.42 of the statutes is amended to read:
15 **25.42 Wisconsin election campaign fund.** All moneys appropriated under
16 ss. 20.510 (1) (c) and 20.855 (4) (b) together with all moneys reverting to the state
17 under s. 11.50 (8) and all gifts, bequests and devises received under s. 11.50 (13)

18 constitute the Wisconsin election campaign fund, to be expended for the purposes of
19 s. 11.50. All moneys in the fund not disbursed by the state treasurer shall continue
20 to accumulate indefinitely.

21 ***-1856/2.2* SECTION 707.** 25.43 (3) of the statutes is amended to read:

22 25.43 (3) Except for the purpose of investment as provided in s. 25.17 (2)
23 the environmental improvement fund may be used only for the purposes authorized
24 under ss. 20.320 (1) (r), (s), (sm), (t), (x) and (y) and (2) (s) and (x) and (3) (q), (r),
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1 (4) (mt), (mx) and (nz), (8) (mr) and (9) (mt), (mx) and (ny), 20.505 (1) (v), (x) and (y),
2 281.58, 281.59, 281.60, 281.61 and 281.62.

3 ***-1187/1.1* SECTION 708.** 25.46 (1r) of the statutes is created to read:

4 25.46 (1r) The moneys transferred from the Wisconsin development reserve
5 fund under 1999 Wisconsin Act (this act), section 9225 (1).

6 ***-0515/4.1* SECTION 709.** 25.46 (5c) of the statutes is amended to read:

7 25.46 (5c) The moneys collected under s. 145.19 ~~(6)~~ (9) for environmental
8 management.

9 ***-1420/2.2* SECTION 710.** 25.46 (11) of the statutes is created to read:

10 25.46 (11) The moneys collected under s. 292.75 (8).

11 ***-1487/1.2* SECTION 711.** 25.46 (12) of the statutes is created to read:

12 25.46 (12) The funds transferred under s. 292.65 (11).

13 ***-0095/3.2* SECTION 712.** 25.465 (8) of the statutes is amended to read:

14 25.465 (8) The fees collected under s. 94.72 (5) (b) and (6) (a) 1. and 2. and (i).

15 ***-1432/7.44* SECTION 713.** 25.47 of the statutes is renumbered 25.47 (intro.)

16 and amended to read:

17 **25.47 Petroleum inspection fund.** (intro.) There is established a separate
18 nonlapsible trust fund designated as the petroleum inspection fund, to consist of ~~the~~:

19 (1) The fees imposed under s. 168.12 (1), ~~the~~

20 (2) The payments under s. 101.143 (4) (h) 1m., ~~the~~

21 (3) The payments under s. 101.143 (5) (a) ~~and the~~,

22 (4) The net recoveries under s. 101.143 (5) (c).

23 ***-1668/1.1* SECTION 714.** 25.47 (1m) of the statutes is created to read:

24 25.47 (1m) Any fees imposed under s. 101.143 (2) (i).

25 ***-1432/7.45* SECTION 715.** 25.47 (5) of the statutes is created to read:

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1 25.47 (5) The moneys transferred from the appropriation account under s.
2 20.143 (3) (s).

3 ***-1488/1.1*** **SECTION 716.** 25.48 of the statutes is amended to read:

4 **25.48 Dry cleaner environmental response fund.** There is established a
5 separate nonlapsible trust fund designated as the dry cleaner environmental
6 response fund, to consist of the moneys required under s. 77.9964 (3) to be deposited
7 in the fund and moneys collected under ss. 292.65 (9) (c) and (9m).

8 ***-0030/2.25*** **SECTION 717.** 25.50 (1) (d) of the statutes is amended to read:

9 25.50 (1) (d) "Local government" means any county, town, village, city, power
10 district, sewerage district, drainage district, town sanitary district, public inland
11 lake protection and rehabilitation district, local professional baseball park district
12 created under subch. III of ch. 229, family care district under s. 46.2895, public
13 library system, school district or technical college district in this state, any
14 commission, committee, board or officer of any governmental subdivision of this
15 state, any court of this state, other than the court of appeals or the supreme court,
16 or any authority created under s. 231.02, 233.02 or 234.02.

17 ***-1806/3.13*** **SECTION 718.** 25.80 of the statutes is amended to read:

18 **25.80 Tuition trust fund.** There is established a separate nonlapsible trust
19 fund designated as the tuition trust fund, consisting of all revenue from enrollment
20 fees and the sale of tuition units under s. ~~16.24~~ 14.63.

21 ***-0460/1.2*** **SECTION 719.** 26.145 (4) of the statutes is repealed.

22 ***-1250/5.6*** **SECTION 720.** 27.01 (2) (a) of the statutes is amended to read:

23 27.01 (2) (a) Acquire by purchase, lease or agreement lands or waters suitable
24 for state park purposes ~~and may acquire such lands and waters by condemnation~~

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1 ~~after obtaining approval of the senate and assembly committees on natural~~
2 ~~resources.~~

3 ***-1250/5.7* SECTION 721.** 28.02 (2) of the statutes is amended to read:

4 28.02 (2) ACQUISITION. The department may acquire lands or interest in lands
5 by grant, devise, gift, ~~condemnation~~ or purchase within the boundaries of
6 established state forests or purchase areas; and outside of such boundaries for forest
7 nurseries, tracts for forestry research or demonstration and for forest protection
8 structures, or for access to such properties. ~~In the case of condemnation the~~
9 ~~department shall first obtain approval from the appropriate standing committees of~~
10 ~~each house of the legislature as determined by the presiding officer thereof.~~

11 ***-0187/1.2* SECTION 722.** 28.05 (1) of the statutes is amended to read:

12 28.05 (1) LIMITATIONS. Cutting shall be limited to trees marked or designated
13 for cutting by a forester in the professional series of the state classified civil service
14 or by a department-designated employe equally qualified by reason of long, practical
15 experience. The department may sell products removed in cultural or salvage
16 cuttings and standing timber designated in timber sale contracts, but all sales shall
17 be based on tree scale or on the scale, measure or count of the cut products. The
18 department may require that a person purchasing products or standing timber
19 under a timber sale contract provide surety for the proper performance of the
20 contract either directly or through a bond furnished by a surety company authorized
21 to do business in this state.

22 ***-0216/2.1* SECTION 723.** 29.024 (6) (am) of the statutes is created to read:

23 29.024 (6) (am) In reserving deer hunting back tag numbers, the department
24 may do any of the following:

- 25 1. Directly reserve the numbers.

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1 2. Appoint, as an agent of the department, the clerk of one or more counties to
2 reserve the numbers.

3 3. Appoint, as agents of the department, persons who are not employes of the
4 department to reserve the numbers.

5 *~~0216/2.2~~* SECTION 724. 29.024 (6) (b) of the statutes is amended to read:

6 29.024 (6) (b) The clerk of each county appointed under par. (a) 2. or (am) 2. may
7 accept the appointment.

8 *~~0216/2.3~~* SECTION 725. 29.024 (6) (d) of the statutes is amended to read:

9 29.024 (6) (d) The department may promulgate rules regulating the activities
10 of persons appointed under ~~par. pars.~~ (a) 2. and 3. and (am) 2. and 3.

11 *~~0186/1.2~~* SECTION 726. 29.181 (2m) (intro.) of the statutes is amended to
12 read:

13 29.181 (2m) RESIDENT FARM OWNER. (intro.) If the department determines that
14 for a deer management area the number of available bonus deer hunting permits for
15 a single season will exceed the number of applications submitted, the department
16 may authorize by rule the issuance of one or more bonus deer hunting permits to a
17 resident without the resident having to pay any fee, including any processing or
18 issuing fee, if the resident meets all of the following requirements:

19 *~~0221/5.9~~* SECTION 727. 29.184 (9) (a) of the statutes is amended to read:

20 29.184 (9) (a) The department shall issue a back tag to each person who is
21 issued a Class A bear license, ~~and the department or county clerk shall issue a back~~
22 ~~tag to each person who is issued~~ or a Class B bear license.

23 *~~0186/1.3~~* SECTION 728. 29.229 (4) (f) of the statutes is amended to read:

24 29.229 (4) (f) Sections 29.024 (3), (4) (b), (5) (b), (7), (8) and (9), 29.559 (2) ~~and~~
25 (3) and 29.564 do not apply to any approval that may be issued under this section.

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1 ***-1257/3.4*** SECTION 729. 29.2295 (4) (c) of the statutes is created to read:

2 29.2295 (4) (c) 1. The department shall make the payments under this
3 subsection from the appropriation under s. 20.370 (9) (hk).

4 2. If the amount appropriated under s. 20.370 (9) (hk) is insufficient to make
5 all of the payments under this subsection, the department shall make the remaining
6 payments from the appropriation under s. 20.370 (9) (ht).

7 ***-1578/4.6*** SECTION 730. 29.242 of the statutes is created to read:

8 **29.242 Release of information regarding license holders; sale of**
9 **approval lists.** (1) DEFINITIONS. In this section:

10 (a) “Approval holder” means a person who has been issued an approval under
11 this chapter.

12 (b) “Demographic information” includes age and gender.

13 (c) “Other identifying information” means information collected by the
14 department for issuing approvals under this chapter and includes a person’s
15 telephone number, driver’s license number and identification number given by the
16 department to that person for the purpose issuing approvals.

17 (2) NAMES; ADDRESSES; APPROVAL LISTS. (a) Except as provided in par. (b), the
18 department may reveal the names and addresses and demographic information of
19 approval holders. The department may produce and charge a fee for lists of the
20 names, addresses and demographic information of these approval holders.

21 (b) Notwithstanding s. 19.35, the department may not reveal any of the
22 following:

23 1. The name, address or demographic information of an approval holder upon
24 the request of the approval holder.

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1 2. The name, address or demographic information of a person under the age of
2 18.

3 **(3) OTHER IDENTIFYING INFORMATION.** Notwithstanding s. 19.35, the department
4 may not reveal other identifying information of any approval holder.

5 **(4) FEES.** Notwithstanding ss. 20.908 and 35.78 (2), any fee charged by the
6 department under sub. (2) shall be at least equal to the amount necessary to cover
7 the actual costs of producing, collecting, storing, handling and distributing the lists.

8 **(5) DISCLAIMERS.** No person who obtains or uses information provided by the
9 department under sub. (2) may refer to the department as the source of the
10 information unless the person clearly states that the provision of, or the permission
11 to use, the information in no way indicates any of the following:

12 (a) The department's involvement or connection with the person or the person's
13 activities.

14 (b) The department's knowledge, approval or authorization of the person's
15 activities.

16 **(6) USE OF MONEYS.** Any fees collected under sub. (4) shall be deposited in the
17 conservation fund and credited to the appropriation account under s. 20.370 (9) (hu).

18 **(7) REPORT TO LEGISLATURE.** The department shall annually submit a report
19 concerning the activities, receipts and disbursements under this section for fiscal
20 year 1999-2000, and each fiscal year thereafter, to the legislature for distribution to
21 the appropriate standing committees under s. 13.172 (3).

22 ***-0185/1.1* SECTION 731.** 29.354 (1) of the statutes is amended to read:

23 29.354 (1) **APPROVAL NECESSARY.** No person, ~~except a person who has a valid~~
24 ~~hunting license, sports license, conservation patron license, taxidermist permit or~~
25 ~~scientific collector permit and who is carrying this approval on his or her person,~~ may

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1 possess or have under his or her control any game bird, animal or the carcass of any
2 game bird or animal unless the person is authorized to do so under s. 29.615 or unless
3 the person has a valid hunting license, sports license, conservation patron license,
4 taxidermist permit, or scientific collector permit.

5 ***-1516/4.6*** SECTION 732. 29.506 (7m) (a) of the statutes is amended to read:

6 29.506 (7m) (a) The department shall issue a taxidermy school permit to a
7 person who applies for the permit; who, on August 15, 1991, holds a valid taxidermist
8 permit issued under this section; and who, on August 15, 1991, operates a taxidermy
9 school approved by the ~~educational approval~~ higher educational aids board under s.
10 39.51.

11 ***-1255/2.1*** SECTION 733. 29.556 (1) of the statutes is renumbered 29.556 (1m)
12 and amended to read:

13 29.556 (1m) In addition to any other fee imposed under s. 29.563, the
14 department may collect a handling fee ~~for the approvals that the department itself~~
15 issues to cover the handling costs incurred in issuing approvals.

16 ***-1255/2.2*** SECTION 734. 29.556 (2) of the statutes is renumbered 29.556 (2)
17 (a) and amended to read:

18 29.556 (2) (a) If the department collects a handling fee under sub. (1) (1m), it
19 shall promulgate rules to ~~designate~~ do all of the following:

20 1. Designate the approvals to which the fee applies ~~and to establish,~~

21 2. Establish the ~~amounts~~ amount of the fee.

22 (c) The handling fee may not be more than the amounts necessary to cover the
23 handling costs of issuing the approvals.

24 (1b) In this paragraph section, “handling costs” includes the costs associated
25 with paying for approvals that are requested by mail, telephone or electronic means

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1 and includes credit transaction fees, mailing costs and personnel costs that are
2 necessary to process the credit transaction.

3 ***-1255/2.3* SECTION 735.** 29.556 (2) (b) of the statutes is created to read:

4 29.556 (2) (b) The department may allow any agent who is appointed under s.
5 29.024 (6) (a) 2. or 3. to collect the handling fee and retain all or a portion of the
6 handling fee.

7 ***-1255/2.4* SECTION 736.** 29.556 (3) of the statutes is amended to read:

8 29.556 (3) Any fees collected under this section by the department shall be
9 credited to the appropriation account under s. 20.370 (9) (hu).

10 ***-0186/1.4* SECTION 737.** 29.559 (1) of the statutes is amended to read:

11 29.559 (1) COLLECTION OF ISSUING FEE. Any person, including the department,
12 who issues any license or stamp under this chapter shall collect, in addition to the
13 statutory license or stamp fee, an issuing fee for each license and each stamp the
14 person issued. A person appointed under s. 29.024 (6) (a) 2. or 3. may retain the
15 amounts specified in sub. (3) 50 cents of each issuing fee for each license and 15 cents
16 for each issuing fee of each stamp to compensate for services in issuing the license
17 or stamp.

18 ***-0186/1.5* SECTION 738.** 29.559 (1r) of the statutes is created to read:

19 29.559 (1r) COLLECTION OF ISSUING FEE FOR BONUS DEER HUNTING PERMITS. (a)
20 Any person, including the department, who issues a bonus deer hunting permit shall
21 collect, in addition to the statutory permit fee, an issuing fee for each permit. A
22 person appointed under s. 29.024 (6) (a) 2. or 3. may retain 50 cents of each issuing
23 fee for each permit to compensate for services in issuing the permit.

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1 (b) The issuing fees received by the department for bonus deer hunting permits
2 under this section shall be credited to the appropriation account under s. 20.370 (5)
3 (fq).

4 ***-0186/1.6* SECTION 739.** 29.559 (3) of the statutes is repealed.

5 ***-0216/2.4* SECTION 740.** 29.561 of the statutes is created to read:

6 **29.561 Back tag number reservation fee. (1) COLLECTION OF FEE.** The
7 department shall establish a system under which the department shall reserve a
8 deer hunting back tag number for a person who pays a reservation fee. The
9 department may limit the number of back tag numbers that may be reserved under
10 this system. Upon payment of the fee each year, the department shall issue the same
11 back tag number to that person. Any person, including the department, who reserves
12 a back tag number shall collect, in addition to each reservation fee, an issuing fee of
13 50 cents.

14 **(2) HANDLING AND RETENTION OF FEES.** An issuing fee collected by any employe
15 of the department under this section shall be remitted to the department. An issuing
16 fee collected by a person appointed under s. 29.024 (6) (am) 2. or 3. may retain the
17 issuing fee to compensate for services in making the reservation.

18 ***-1399/2.1* SECTION 741.** 29.563 (2) (a) 1. of the statutes is amended to read:

19 29.563 (2) (a) 1. Small game: ~~\$12.25~~ \$13.25.

20 ***-1399/2.2* SECTION 742.** 29.563 (2) (a) 5. of the statutes is amended to read:

21 29.563 (2) (a) 5. Deer: ~~\$18.25~~ \$19.25.

22 ***-1399/2.3* SECTION 743.** 29.563 (2) (a) 6. of the statutes is amended to read:

23 29.563 (2) (a) 6. Class A bear: ~~\$39.25~~ \$43.25.

24 ***-1399/2.4* SECTION 744.** 29.563 (2) (a) 7. of the statutes is amended to read:

25 29.563 (2) (a) 7. Class B bear: ~~\$6.25~~ \$8.25.

BILL**SECTION 745**

- 1 ***-1399/2.5*** SECTION 745. 29.563 (2) (a) 8. of the statutes is amended to read:
2 29.563 (2) (a) 8. Archer: ~~\$18.25~~ \$19.25.
- 3 ***-1399/2.6*** SECTION 746. 29.563 (2) (b) 1. of the statutes is amended to read:
4 29.563 (2) (b) 1. Annual small game: ~~\$73.25~~ \$78.25.
- 5 ***-1399/2.7*** SECTION 747. 29.563 (2) (b) 2. of the statutes is amended to read:
6 29.563 (2) (b) 2. Five-day small game: ~~\$41.25~~ \$43.25.
- 7 ***-1399/2.8*** SECTION 748. 29.563 (2) (b) 3. of the statutes is amended to read:
8 29.563 (2) (b) 3. Deer: ~~\$133.25~~ \$138.25.
- 9 ***-1399/2.9*** SECTION 749. 29.563 (2) (b) 4. of the statutes is amended to read:
10 29.563 (2) (b) 4. Class A bear: ~~\$199.25~~ \$218.25.
- 11 ***-1399/2.10*** SECTION 750. 29.563 (2) (b) 5. of the statutes is amended to read:
12 29.563 (2) (b) 5. Class B bear: ~~\$98.25~~ \$108.25.
- 13 ***-1399/2.11*** SECTION 751. 29.563 (2) (b) 6. of the statutes is amended to read:
14 29.563 (2) (b) 6. Archer: ~~\$133.25~~ \$138.25.
- 15 ***-1399/2.12*** SECTION 752. 29.563 (2) (b) 7. of the statutes is amended to read:
16 29.563 (2) (b) 7. Fur-bearing animal: ~~\$148.25~~ \$153.25.
- 17 ***-1399/2.13*** SECTION 753. 29.563 (2) (c) 1. of the statutes is amended to read:
18 29.563 (2) (c) 1. Bonus deer: ~~\$12~~ \$12.25.
- 19 ***-1399/2.14*** SECTION 754. 29.563 (2) (d) of the statutes is amended to read:
20 29.563 (2) (d) *Nonresident permit*. Bonus deer: ~~\$20~~ \$21.25.
- 21 ***-1399/2.15*** SECTION 755. 29.563 (2) (e) 1. of the statutes is amended to read:
22 29.563 (2) (e) 1. Wild turkey: ~~\$5~~ \$6.75.
- 23 ***-1399/2.16*** SECTION 756. 29.563 (2) (e) 2. of the statutes is amended to read:
24 29.563 (2) (e) 2. Pheasant: ~~\$7~~ \$6.75.
- 25 ***-1399/2.17*** SECTION 757. 29.563 (3) (a) 1. of the statutes is amended to read:

BILL

- 1 29.563 (3) (a) 1. Annual: ~~\$13.25~~ \$14.25.
- 2 ***-1399/2.18*** SECTION 758. 29.563 (3) (a) 3. of the statutes is amended to read:
- 3 29.563 (3) (a) 3. Husband and wife: ~~\$23.25~~ \$25.25.
- 4 ***-1399/2.19*** SECTION 759. 29.563 (3) (b) 1. of the statutes is amended to read:
- 5 29.563 (3) (b) 1. Annual: ~~\$33.25~~ \$36.25.
- 6 ***-1399/2.20*** SECTION 760. 29.563 (3) (b) 2. of the statutes is amended to read:
- 7 29.563 (3) (b) 2. Annual family: ~~\$51.25~~ \$55.25.
- 8 ***-1399/2.21*** SECTION 761. 29.563 (3) (b) 3. of the statutes is amended to read:
- 9 29.563 (3) (b) 3. Fifteen-day: ~~\$19.25~~ \$21.25.
- 10 ***-1399/2.22*** SECTION 762. 29.563 (3) (b) 4. of the statutes is amended to read:
- 11 29.563 (3) (b) 4. Fifteen-day family: ~~\$29.25~~ \$33.25.
- 12 ***-1399/2.23*** SECTION 763. 29.563 (3) (b) 5. of the statutes is amended to read:
- 13 29.563 (3) (b) 5. Four-day: ~~\$14.25~~ \$16.25.
- 14 ***-1399/2.24*** SECTION 764. 29.563 (3) (c) 1. of the statutes is amended to read:
- 15 29.563 (3) (c) 1. Inland waters trout: \$7 \$6.75.
- 16 ***-1399/2.25*** SECTION 765. 29.563 (3) (c) 2. of the statutes is amended to read:
- 17 29.563 (3) (c) 2. Great Lakes trout and salmon: \$7 \$6.75.
- 18 ***-1399/2.26*** SECTION 766. 29.563 (3) (d) 1. of the statutes is amended to read:
- 19 29.563 (3) (d) 1. Sturgeon spearing: ~~\$9.25~~ \$11.25.
- 20 ***-0184/1.1*** SECTION 767. 29.563 (9) (a) 2. of the statutes is amended to read:
- 21 29.563 (9) (a) 2. Pheasant and quail farm: \$20 \$100.
- 22 ***-0184/1.2*** SECTION 768. 29.563 (9) (a) 3. of the statutes is amended to read:
- 23 29.563 (9) (a) 3. Game bird and animal farm: \$10 \$25.
- 24 ***-0184/1.3*** SECTION 769. 29.563 (9) (a) 5. of the statutes is amended to read:
- 25 29.563 (9) (a) 5. Deer farm: \$25 \$100.

BILL**SECTION 770**

1 ***-0184/1.4*** **SECTION 770.** 29.563 (9) (a) 10. of the statutes is amended to read:
2 29.563 (9) (a) 10. Wildlife exhibit: ~~\$10~~ \$25.

3 ***-0184/1.5*** **SECTION 771.** 29.563 (9) (b) of the statutes is amended to read:
4 29.563 (9) (b) *Late fee.* For a license for a pheasant and quail farm, game bird
5 and animal farm or fur animal farm, in addition to the regular fee: ~~\$10~~ \$20.

6 ***-0184/1.6*** **SECTION 772.** 29.563 (9) (c) of the statutes is created to read:
7 29.563 (9) (c) *Surcharges.* For the following licenses, the following surcharges
8 in addition to the fees in pars. (a) and (b):

9 1. A license for a game bird and animal farm on which there are bear: \$25.

10 2. A license for a game bird and animal farm on which the licensee permits an
11 individual to hunt game birds for a fee: \$75.

12 3. A license for a game bird and animal farm on which the licensee permits an
13 individual to hunt grouse for a fee: \$25.

14 4. A license for a game bird and animal farm on which the licensee sells game
15 animals, the gross revenue from which is \$10,000 or more during the 12 months
16 immediately preceding the issuance of the license: \$25.

17 5. A license for a wildlife exhibit at which the licensee exhibits a bear or a
18 cougar: \$25.

19 ***-0197/5.3*** **SECTION 773.** 29.563 (11) (b) 1. of the statutes is amended to read:
20 29.563 (11) (b) 1. Hunter education and firearm safety instruction fee: ~~\$3~~ the
21 fee as established by rule.

22 ***-1399/2.27*** **SECTION 774.** 29.563 (12) (a) 3. of the statutes is amended to read:
23 29.563 (12) (a) 3. Other hunting: ~~\$6.25~~ \$7.25.

24 ***-1399/2.28*** **SECTION 775.** 29.563 (12) (a) 4. of the statutes is amended to read:
25 29.563 (12) (a) 4. Class A bear: ~~\$13~~ \$15.25.

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1 ***-1399/2.29*** SECTION 776. 29.563 (12) (b) of the statutes is amended to read:
2 29.563 (12) (b) *Fishing*. Fishing: ~~\$6.25~~ \$7.25.

3 ***-0216/2.5*** SECTION 777. 29.563 (14) (intro.) of the statutes is amended to
4 read:

5 29.563 (14) PROCESSING, HANDLING, RESERVATION AND ISSUING FEES. (intro.) The
6 fees for processing, handling, reserving and issuing approvals are as follows:

7 ***-0216/2.6*** SECTION 778. 29.563 (14) (bn) of the statutes is created to read:
8 29.563 (14) (bn) *Reservation fee*. Reservation fee for a deer hunting back tag
9 number: \$4.50.

10 ***-0186/1.7*** SECTION 779. 29.563 (14) (c) 3. of the statutes is amended to read:
11 29.563 (14) (c) 3. Each application for a hunter's choice permit, bonus deer
12 hunting permit, wild turkey hunting license, Canada goose hunting permit,
13 sharp-tailed grouse hunting permit, bobcat hunting and trapping permit, otter
14 trapping permit, fisher trapping permit or sturgeon fishing permit: 25 cents.

15 ***-0186/1.8*** SECTION 780. 29.563 (14) (c) 4. of the statutes is created to read:
16 29.563 (14) (c) 4. Each bonus deer hunting permit issued for which a fee is
17 charged under s. 29.563 (2) (c) 1. or (d): 75 cents.

18 ***-0216/2.7*** SECTION 781. 29.563 (14) (c) 5. of the statutes is created to read:
19 29.563 (14) (c) 5. Each reservation for a deer hunting back tag number: 50
20 cents.

21 ***-0197/5.4*** SECTION 782. 29.591 (3) of the statutes is amended to read:
22 29.591 (3) INSTRUCTION FEE. The department shall establish by rule the fee for
23 the course of instruction under the hunter education program and the bow hunter
24 education program. The instructor shall collect the this instruction fee specified
25 under s. 29.563 (11) (b) 1. from each person who receives instruction under the hunter

BILL**SECTION 782**

1 education program and the bow hunter education program and remit the fee to the
2 department. The department may ~~authorize an instructor under either program to~~
3 ~~retain 50%~~ determine the portion of this fee, which may not exceed 50%, that the
4 instructor may retain to defray expenses incurred by the instructor in conducting the
5 course. The instructor shall remit the ~~remaining portion~~ remainder of the fee or, if
6 nothing is retained, the entire fee to the department.

7 ***-0185/1.2* SECTION 783.** 29.615 of the statutes is created to read:

8 **29.615 Rehabilitation of wild animals.** The department by rule may
9 regulate the rehabilitation of wild animals by persons not employed by the
10 department. The rules may include a system for issuing approvals to rehabilitators
11 and requirements for rehabilitators who apply for and who hold the approvals.

12 ***-0185/1.3* SECTION 784.** 29.853 (2) (a) of the statutes is amended to read:

13 **29.853 (2) (a) Restrictions.** No person may possess any live game animal or
14 fur-bearing animal unless authorized under s. 29.615, 29.857, 29.863, 29.867,
15 29.869, 29.871 or 29.877 except to control an animal temporarily.

16 ***-1695/1.2* SECTION 785.** 29.936 (1) of the statutes is renumbered 29.936 (1)
17 (b) and amended to read:

18 **29.936 (1) (b)** Notwithstanding s. ~~29.06~~ 29.934, the department may distribute
19 for free carcasses from fish and game seized or confiscated under s. ~~20.05~~ 29.931 that
20 are suitable for eating to food distribution services, ~~as defined in s. 46.765 (1) (b)~~. The
21 department may have the fish or game that is seized or confiscated processed before
22 distributing that fish or game to food distribution services. The department may
23 collect the costs of the processing of the fish or game from the person from whom the
24 fish and game was seized or confiscated.

25 ***-1695/1.3* SECTION 786.** 29.936 (1) (a) of the statutes is created to read:

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1 29.936 (1) (a) In this subsection, “food distribution service” means a program
2 that provides food or serves meals directly to individuals with low incomes or to
3 elderly individuals, or that collects and distributes food to persons who provide food
4 or serve meals directly to these individuals.

5 *~~1258/3.3~~* **SECTION 787.** 29.947 (4) (a) of the statutes is amended to read:

6 29.947 (4) (a) *Costs reimbursed.* Except as provided under par. (c), the
7 department may pay each participating county or municipality up to 100% of the
8 county’s or municipality’s actual costs that are directly attributable to providing
9 additional law enforcement services during the spearfishing season. The
10 department shall make any aid payments from the appropriations under s. 20.370
11 (5) ~~(ea)~~ (ek) by September 30 of the calendar year in which the county or municipality
12 files an application under sub. (2) (c). The department may not make an aid payment
13 unless the payment is approved by the secretary of administration.

14 *~~1258/3.4~~* **SECTION 788.** 29.947 (4) (c) of the statutes is amended to read:

15 29.947 (4) (c) *Prorated payments allowed.* If the total amount of reimbursable
16 costs under par. (a) exceeds the amount available for payments under s. 20.370 (5)
17 ~~(ea)~~ (ek), the department may prorate payments to participating counties and
18 municipalities.

19 *~~0677/4.1~~* **SECTION 789.** 30.01 (6b) of the statutes is amended to read:

20 30.01 (6b) “Substantive written objection” means a written statement giving
21 specific reasons why a proposed project under ss. 30.02 to 30.38 may violate the
22 statutory provisions applicable to the project and specifying that the person making
23 the objection will appear and present information supporting the objection ~~in a~~
24 contested case hearing.

BILL**SECTION 790**

1 ***-0677/4.2*** **SECTION 790.** 30.02 of the statutes is repealed and recreated to
2 read:

3 **30.02 General provisions for notices, hearings and decisions. (1)**
4 **APPLICABILITY.** The department shall follow the procedures in subs. (2) to (10) in
5 determining whether to issue a permit or to enter a contract under this chapter if any
6 of the following apply:

- 7 (a) A preliminary decision is specifically required under this chapter.
8 (b) The department determines that a substantial public right or public
9 interest in navigable waters may be adversely affected by the department's decision.
10 (c) The department determines that a riparian right of a person other than the
11 applicant for the permit or contract may be adversely affected by the department's
12 decision.

13 **(2) PRELIMINARY DECISION REQUIRED.** (a) Upon receipt of a complete application
14 for a permit to which sub. (1) applies or before entering a contract to which sub. (1)
15 applies, the department shall evaluate the application or proposed contract and
16 issue a preliminary decision whether to grant the permit or to enter into the contract.

17 (b) A decision under par. (a) shall become final on the 30th day following the
18 date of the transmittal of the preliminary decision under sub. (3) or the date of
19 publication of the notice under sub. (4) unless the department receives a written
20 objection to the preliminary decision before that date.

21 **(3) NOTICE OF PRELIMINARY DECISION; SPECIAL NOTICE.** The department shall issue
22 a notice of its preliminary decision, which shall contain the preliminary decision and
23 the information specified in sub. (2) (b), and shall transmit a copy of the notice to all
24 of the following within 7 days after its issuance:

- 25 (a) The applicant for the permit or contract.

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1 (b) Any person who owns riparian property adjacent to the property of the
2 applicant.

3 (c) The clerk of each municipality in which the project will be located.

4 (d) If the body of water is a lake, any public inland lake protection and
5 rehabilitation district established for the lake.

6 (e) Any property owner's association that is established for the body of water.

7 (f) Any town sanitary district or other special purpose district that has been
8 established for the management of the body of water.

9 (g) A newspaper designated by the department that is likely to provide notice
10 in the area in which the project is located. The notice shall be published only if so
11 required under sub. (4).

12 (h) The Great Lakes Indian Fish and Wildlife Commission if the body of water
13 is located within an area where federally recognized American Indian tribes or bands
14 domiciled in this state hold treaty-based, off-reservation rights to fish.

15 (4) NOTICE OF PRELIMINARY DECISION; PUBLIC NOTICE. If the department
16 determines that an environmental impact assessment under s. 1.11 is required for
17 the project or if a person is applying for a permit or to enter a contract to which ss.
18 30.19 (1) (b), 30.195 (3m) (b), 30.196 or 30.20 (3) (b) applies, the department, in
19 addition to transmitting the notice of its preliminary decision as required in sub. (3),
20 shall require public notice of the preliminary decision. The public notice shall
21 contain the preliminary decision whether to grant the permit or the contract and the
22 information specified in sub. (2) (b). The department shall provide a copy of this
23 public notice to the applicant for the permit or contract. The applicant shall publish
24 the notice as a class 1 notice under ch. 985 in a newspaper designated by the
25 department that is likely to give notice in the area in which the project is located

BILL**SECTION 790**

1 within 15 days after the receipt of the copy of the notice. The applicant shall provide
2 proof of publication to the department.

3 (5) RESPONSE TO PRELIMINARY DECISION. (a) If the department receives a timely
4 written objection to a preliminary decision issued under sub. (2), the department
5 shall determine whether it is a substantive written objection. The department shall
6 inform the applicant that it has received the objection and the receipt of the objection
7 stays the preliminary decision until the procedures in sub. (6) (a), (d) or (g) have been
8 completed. Within 30 days after the receipt of the objection, the department shall
9 either complete its determination or shall request more information to support the
10 objection from the person making the objection. If the department requests more
11 information, it shall complete its determination within 30 days after the receipt of
12 the additional information. If the department fails to act within the time period
13 required under this paragraph, the department shall issue a determination that the
14 objection is a substantive written objection.

15 (b) If the department does not receive any timely written objections to a
16 preliminary decision issued under sub. (2), the department shall enter the
17 preliminary decision as its final decision on issuing the permit or entering the
18 contract.

19 (6) PROCEDURES WHEN OBJECTIONS RECEIVED. (a) If the department determines
20 under sub. (5) that an objection is a substantive written objection to a preliminary
21 decision and that the project proposed under the permit or contract affects a public
22 right or public interest in a navigable waterway, the department shall notify the
23 applicant of its determination and shall allow the person making the substantive
24 written objection to choose any of the following methods as a means to resolve the
25 dispute presented by the substantive written objection:

BILL

- 1 1. An informal hearing before staff from the department.
- 2 2. A public hearing following the procedures under sub. (8).
- 3 3. A dispute resolution proceeding, if agreeable to the applicant for the permit
- 4 or contract, the department and the person making the substantive written
- 5 objection.

6 (b) If the department determines under par. (a) that there is more than one
7 substantive written objection to a preliminary decision, the department shall use the
8 method under par. (a) 2. to resolve the dispute unless all of the persons making the
9 substantive written objections agree to the method under par. (a) 1. or unless all of
10 the persons making the substantive written objections and the applicant for the
11 permit or contract agree to the method under par. (a) 3.

12 (c) If a dispute resolution proceeding is conducted under par. (a) and if an
13 agreement is reached, the parties to the proceeding shall submit the agreement to
14 the department for approval. In approving the decision, the department may amend
15 the agreement in order to protect the public rights or interests in the navigable
16 waterway affected by the agreement. If an agreement is not reached or if the
17 department does not approve the agreement, the department shall order a public
18 hearing under sub. (8).

19 (d) If the department determines under sub. (5) that an objection to a
20 preliminary decision is a substantive written objection but that the project proposed
21 under the permit or contract does not affect a public right or public interest in a
22 navigable waterway, the department shall notify the applicant of its determination
23 and shall allow the person making the substantive written objection to choose any
24 of the following methods as a means to resolve the dispute presented by substantive
25 written objection:

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- 1 1. An informal hearing before staff from the department.
- 2 2. A dispute resolution proceeding, if agreeable to the applicant for the permit
- 3 or contract and the person making a substantive written objection.
- 4 (e) If the department determines under par. (d) that there is more than one
- 5 substantive written objection to a preliminary decision, the department shall use the
- 6 method under par. (a) 1. to resolve the dispute unless all of the persons making the
- 7 substantive written objections and the applicant for the permit or contract agree to
- 8 the method under par. (a) 3.
- 9 (f) If a dispute resolution proceeding is conducted under par. (d) and if an
- 10 agreement is reached, the parties to the proceeding shall submit the agreement to
- 11 the department for approval. In approving the decision, the department may amend
- 12 the agreement in order to protect the public rights or interests in the navigable
- 13 waterway affected by the agreement. If an agreement is not reached or if the
- 14 department does not approve the agreement, the department shall conduct an
- 15 informal hearing as provided in par. (d) 1.
- 16 (g) If the department determines under sub. (5) that an objection to a
- 17 preliminary decision is not a substantive written objection, the department shall
- 18 enter the preliminary decision as its final decision on issuing the permit or entering
- 19 the contract.
- 20 (h) If the final decision under par. (g) is to issue the permit or enter the contract,
- 21 the stay under sub. (5) (a) is automatically extended for 10 days after the decision
- 22 becomes final.
- 23 **(7) INFORMAL HEARING AND DISPUTE RESOLUTION PROCEEDINGS.** The department
- 24 shall promulgate rules to establish requirements and procedures for the informal
- 25 hearings and the dispute resolution proceedings under sub. (6). The rules for dispute

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1 resolution proceedings shall include processes for mediation and binding
2 arbitration.

3 (8) PUBLIC HEARING AND NOTICE. If a public hearing is to be conducted under this
4 section, the department shall order a public hearing and the division of hearings and
5 appeals shall transmit copies of the written notice of hearing to each person who
6 received a notice of the preliminary decision under sub. (3) and to each person who
7 submitted a substantive written objection to the preliminary decision. The division
8 of hearings and appeals shall transmit these copies at least 20 days before the
9 hearing. The applicant shall then publish the notice as a class 1 notice under ch. 985
10 in a newspaper designated by the department that is likely to give notice in the area
11 affected. The applicant shall file proof of publication under this subsection with the
12 hearing examiner at or prior to the hearing.

13 (9) JUDICIAL REVIEW. Any decision issued by department staff under sub. (6),
14 any agreement approved by the department under sub. (6) or any decision by a
15 hearing examiner under this section is an administrative decision subject to judicial
16 review under ss. 227.52 to 227.58.

17 (10) AMENDED DECISIONS. The department shall amend or reverse a preliminary
18 decision instead of entering it as the final decision under sub. (5) (b) or (7) if, after
19 issuing its preliminary decision, the department receives information concerning the
20 permit or contract and if based on that information the department determines it is
21 necessary to amend or reverse its decision. If the department amends or reverses the
22 preliminary decision, the procedures in subs. (2) to (9) apply to this amended or
23 reversed preliminary decision.

24 *-0677/4.3* SECTION 791. 30.12 (2) of the statutes is amended to read:

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SECTION 791

1 30.12 (2) PERMITS TO PLACE STRUCTURES OR DEPOSITS IN NAVIGABLE WATERS;
2 GENERALLY. The department, upon application and after ~~proceeding in accordance~~
3 ~~with s. 30.02 (3) and (4) issuing a preliminary decision and following the other~~
4 applicable procedures under s. 30.02, may grant to any riparian owner a permit to
5 build or maintain for the owner's use a structure otherwise prohibited under sub. (1),
6 if the structure does not materially obstruct navigation or reduce the effective flood
7 flow capacity of a stream and is not detrimental to the public interest. ~~The~~
8 ~~procedures in this subsection do not apply to~~ Applications for permits issued under
9 sub. (3) are exempt from the procedures under s. 30.02.

10 ***-1015/1.1*** SECTION 792. 30.12 (4) (a) of the statutes is amended to read:

11 30.12 (4) (a) Activities affecting waters of the state as defined in s. 281.01 (18)
12 that are carried out under the direction and supervision of the department of
13 transportation in connection with highway ~~and~~, bridge or other transportation
14 project design, location, construction, reconstruction, maintenance and repair are
15 not subject to the prohibitions or permit or approval requirements specified under
16 this section or s. 29.601, 30.11, 30.123, 30.19, 30.195, 30.20, 59.692, 61.351, 62.231
17 or 87.30 or chs. 281 to 285 or 289 to 299, except s. 281.48. However, at the earliest
18 practical time prior to the commencement of these activities, the department of
19 transportation shall notify the department of the location, nature and extent of the
20 proposed work that may affect the waters of the state.

21 ***-0677/4.4*** SECTION 793. 30.123 (3) of the statutes is amended to read:

22 30.123 (3) (a) Upon receipt of a complete application, the department shall
23 issue a preliminary decision and follow the notice and hearing provisions of other
24 applicable procedures under s. 30.02 (3) and (4), except that no notice or hearing is
25 required for.

BILL

1 **(b) Notwithstanding par. (a) applications for proposed bridges which would**
2 **cross navigable waters less than 35 feet wide are exempt from the procedures under**
3 **s. 30.02.**

4 ***-0677/4.5* SECTION 794.** 30.135 (2) (a) of the statutes is renumbered 30.135
5 (2) and amended to read:

6 30.135 (2) ~~NOTICE AND HEARING DECISIONS AND PROCEDURE.~~ Upon receipt of a
7 complete permit application, the department shall ~~either order a hearing or provide~~
8 ~~notice stating that it will proceed on the application without a hearing unless a~~
9 ~~substantive written objection to issuance of the permit is received within 30 days~~
10 ~~after publication of the notice. The department shall provide a copy of the notice to~~
11 ~~the applicant for the permit, the clerk of each municipality in which the water ski~~
12 ~~platform or water ski jump is to be located and to any other person required by law~~
13 ~~to receive notice. The department may provide notice to other persons as it considers~~
14 ~~appropriate. The applicant shall publish the notice as a class 1 notice under ch. 985~~
15 ~~in a newspaper designated by the department that is likely to give notice in the area~~
16 ~~affected. The applicant shall file proof of publication with the department issue a~~
17 ~~preliminary decision and follow the other applicable procedures under s. 30.02 and~~
18 ~~the rules promulgated under sub. (3).~~

19 ***-0677/4.6* SECTION 795.** 30.135 (2) (b) of the statutes is repealed.

20 ***-0677/4.7* SECTION 796.** 30.135 (2) (c) of the statutes is repealed.

21 ***-0677/4.8* SECTION 797.** 30.135 (3) (a) of the statutes is renumbered 30.135
22 (3) and amended to read:

23 30.135 (3) **RULES.** The department shall promulgate a rule listing specific
24 reasons that will support a substantive written objection to the placement of a water
25 ski platform or water ski jump. A notice of preliminary decision issued for the

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1 placement of a water ski platform or water ski jump under s. 30.02 shall contain a
2 statement explaining what constitutes a substantive written objection and the list
3 of these specific reasons.

4 *~~0677/4.9~~* **SECTION 798.** 30.135 (3) (b) of the statutes is repealed.

5 *~~0677/4.10~~* **SECTION 799.** 30.135 (4) of the statutes is repealed.

6 *~~0677/4.11~~* **SECTION 800.** 30.14 (2) of the statutes is amended to read:

7 30.14 (2) HEARINGS BY DEPARTMENT. Upon complaint by any person to the
8 department that any wharf, pier or other structure exists in navigable water in
9 violation of s. 30.12 ~~or~~, 30.13 or ~~30.207~~ 30.206 or that any wharf, pier or other
10 structure proposed to be built in navigable water will violate s. 30.12 ~~or~~, 30.13 or
11 ~~30.207~~ 30.206, the department shall investigate and may hold a hearing to
12 determine whether the wharf, pier, or other structure is or would be in violation of
13 those sections. If no hearing is held, the complainant shall be informed of the results
14 of the investigation.

15 *~~0677/4.12~~* **SECTION 801.** 30.18 (4) (a) of the statutes is amended to read:

16 30.18 (4) (a) Upon receipt of a complete application, the department shall issue
17 a preliminary decision and follow the notice and hearing other applicable procedures
18 under s. 30.02 (3) and (4). In addition to the notice requirements under s. 30.02 (3)
19 and (4), the department shall mail a copy of the notice to every person upon whose
20 land any part of the canal or any other structure will be located, to the clerk of the
21 next town downstream, to the clerk of any village or city in which the lake or stream
22 is located and which is adjacent to any municipality in which the diversion will take
23 place and to each person specified in s. 281.35 (5) (b) or (6) (f), if applicable.

24 *~~1250/5.8~~* **SECTION 802.** 30.18 (8) of the statutes is amended to read:

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1 30.18 (8) DEPARTMENT MAY RAISE WATER ELEVATIONS. If after examination and
2 investigation the department determines that it is necessary to raise water
3 elevations in any navigable stream or lake for conservation purposes, the
4 department may, if funds are available from any source other than license fees,
5 determine and establish the elevations to which the water may be raised or
6 maintained, but the water elevation may not be established below the normal
7 elevation. If any lands are damaged by raising the water levels above normal and,
8 the department cannot may acquire the lands or the right to flow the lands by
9 agreement with the owner, ~~the department may acquire the lands or the right to flow~~
10 ~~the lands by condemnation under ch. 32.~~

11 *~~0677/4.13~~* SECTION 803. 30.19 (3) (a) of the statutes is amended to read:
12 30.19 (3) (a) ~~Section 30.02 (3) and (4) applies to~~ For permit applications under
13 sub. (1) (b) and (c). ~~Notice shall be provided to the clerks of the county and~~
14 ~~municipality in which the project or affected body of water is located and, the~~
15 department shall issue a preliminary decision and follow the other applicable
16 procedures under s. 30.02. Permit applications under sub. (1) (a) are exempt from
17 the procedures under s. 30.02. In addition to notice required under s. 30.02 (3), the
18 department shall transmit a copy of the notice of its preliminary decision to the
19 persons under sub. (2) (e) who are not required to receive notice under s. 30.02 (3).
20 For any permit application which affects the Milwaukee River, the Menominee River,
21 the Kinnickinnic River, the Root River or any tributary of those rivers, ~~special notice~~
22 ~~shall be given~~ the department shall transmit a copy of the notice of of its preliminary
23 decision to the Milwaukee metropolitan sewerage district. ~~The metropolitan~~
24 ~~sewerage district shall have 30 days to respond to the special notice.~~

25 *~~0677/4.14~~* SECTION 804. 30.195 (3) of the statutes is amended to read:

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1 30.195 (3) GRANTING OF PERMIT. Upon application therefor and subject to sub.
2 (3m), the department shall grant a permit to the owner of any land to change the
3 course of or straighten a navigable stream on such land, if such change or
4 straightening will improve the economic or aesthetic value of the owner's land and
5 will not adversely affect the flood flow capacity of the stream or otherwise be
6 detrimental to public rights or to the rights of other riparians located on the stream.
7 If the department finds that the rights of such riparians will be adversely affected,
8 it may grant the permit only with their consent. ~~Such permit may be granted on the~~
9 ~~department's own motion after its own investigation or after public hearing and after~~
10 ~~giving prior notice of such investigation or hearing.~~

11 *~~0677/4.15~~* **SECTION 805.** 30.195 (3m) of the statutes is created to read:

12 30.195 (3m) NOTICE AND HEARING PROCEDURES. In determining whether to issue
13 a permit or to enter a contract under this section, the department shall follow the
14 applicable procedures under s. 30.02 and shall do one of the following:

15 (a) Follow the notice procedures under s. 30.02 (3) if the course of the stream
16 to be changed of the part of the stream to be straightened is less than 500 feet in
17 length.

18 (b) Follow the notice procedures under s. 30.02 (4) if the course of the stream
19 to be changed or the part of the stream to be straightened is 500 feet or more in length.

20 *~~0677/4.16~~* **SECTION 806.** 30.196 (intro.) of the statutes is amended to read:

21 **30.196 Enclosure of navigable waters; issuance of permits to**
22 **municipalities.** (intro.) A municipality may enclose navigable waters by directing,
23 placing or restricting navigable waters into an enclosed drain, conduit, storm sewer
24 or similar structure if the department grants the municipality a permit. The
25 department may grant this permit to a municipality after following the ~~notice and~~

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1 ~~hearing requirements applicable procedures~~ under s. 30.02 (3) and (4) if it finds that
2 granting the permit:

3 *~~0677/4.17~~* **SECTION 807.** 30.20 (3) of the statutes is created to read:

4 30.20 (3) NOTICE AND HEARING PROCEDURES. In determining whether to issue a
5 permit or to enter a contract under this section, the department shall follow the
6 applicable procedures under s. 30.02 and shall do one of the following:

7 (a) Follow the notice procedures under s. 30.02 (3) if the amount of material to
8 be removed is less than 3,000 cubic yards.

9 (b) Follow the notice procedures under s. 30.02 (4) if the amount of material to
10 be removed is 3,000 cubic yards or more.

11 *~~0677/4.18~~* **SECTION 808.** 30.206 (1) of the statutes is amended to read:

12 30.206 (1) STANDARDS FOR ISSUING PERMITS. For activities which require a
13 permit, contract or other approval under ~~ss. 30.12 (3) (a) and 30.19 (1) (a) this~~
14 chapter, the department may issue a general permit authorizing a class of activities,
15 ~~according to rules promulgated by the department statewide or in a region of the~~
16 state. Before issuing general permits, the department shall determine, after an
17 environmental analysis and notice and hearing under ss. 227.17 and 227.18, that the
18 cumulative adverse environmental impact of the class of activity is insignificant and
19 that issuance of the general permit will not injure public rights or ~~interest~~ public
20 interests in navigable waters, cause environmental pollution, as defined in s. 299.01
21 (4), or result in material injury to the rights of any riparian owner.

22 *~~0677/4.19~~* **SECTION 809.** 30.206 (1r) (title) of the statutes is created to read:

23 30.206 (1r) (title) HEARINGS.

24 *~~0677/4.20~~* **SECTION 810.** 30.206 (1r) (b) of the statutes is created to read:

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1 30.206 (1r) (b) Upon receipt of an application for a general permit, the
2 department shall either order a public hearing or provide notice stating that it will
3 proceed on the application without a hearing if, within 30 days after the publication
4 of the notice, no request for a hearing concerning the application is received. The
5 department shall provide a copy of the notice to the applicant for the permit, to the
6 clerk of each municipality in which the general permit will apply and to any other
7 person required by law to receive notice. The department may provide notice to other
8 persons as it considers appropriate. The applicant shall publish the notice as a class
9 1 notice under ch. 985 in any newspaper designated by the department that is likely
10 to give notice in any area to be affected. The applicants shall file proof of publication
11 with the department.

12 *~~0677/4.21~~* **SECTION 811.** 30.206 (1r) (c) of the statutes is created to read:

13 30.206 (1r) (c) If the department orders a public hearing, the division of
14 hearings and appeals shall mail a written notice at least 10 days before the hearing
15 to each person given a copy of the notice under par. (b) and to each person requesting
16 the hearing.

17 *~~0677/4.22~~* **SECTION 812.** 30.206 (1r) (d) of the statutes is created to read:

18 30.206 (1r) (d) The applicant for the permit shall publish a class 1 notice under
19 ch. 985 of the public hearing in any newspaper designated by the department that
20 is likely to give notice in any area to be affected. The applicant shall file proof of
21 publication under this paragraph with the hearing examiner at or prior to the
22 hearing.

23 *~~0677/4.24~~* **SECTION 813.** 30.206 (2) of the statutes is amended to read:

24 30.206 (2) CONDITIONS ON PERMITS. A general permit issued under this section
25 may include any conditions determined by the department to be reasonably

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1 necessary to prevent environmental pollution, as defined in s. 299.01 (4), and to
2 protect the public ~~interest~~ interests and public rights in navigable waters and the
3 rights of other riparian owners.

4 *~~0677/4.25~~* SECTION 814. 30.206 (3) of the statutes is repealed.

5 *~~0677/4.26~~* SECTION 815. 30.206 (3m) of the statutes is repealed.

6 *~~0677/4.27~~* SECTION 816. 30.206 (4) of the statutes is repealed.

7 *~~0677/4.28~~* SECTION 817. 30.206 (5) (title) of the statutes is created to read:
8 30.206 (5) (title) PERIOD OF VALIDITY; REVOCATIONS; TERMINATION OF STRUCTURES
9 OR ACTIVITIES.

10 *~~0677/4.29~~* SECTION 818. 30.206 (5) of the statutes is renumbered 30.206 (5)
11 (c) and amended to read:

12 30.206 (5) (c) Failure of an applicant for a general permit under this section to
13 follow the procedural requirements of under this section may result in forfeiture ~~but~~
14 ~~may not, by itself, result in~~ and the department may seek abatement of the activity
15 if the department determines that the activity injures the public rights or public
16 interests in navigable waters.

17 *~~0677/4.30~~* SECTION 819. 30.206 (5) (a) of the statutes is created to read:

18 30.206 (5) (a) A general permit shall be valid for the period of time specified
19 by the department on the permit but may not be valid for longer than 5 years from
20 the date of issuance.

21 *~~0677/4.31~~* SECTION 820. 30.206 (5) (b) of the statutes is created to read:

22 30.206 (5) (b) The department may revoke a general permit if it determines
23 that any of the activities authorized under the general permit injures the public
24 rights or public interests in the navigable waters.

25 *~~0677/4.32~~* SECTION 821. 30.206 (5) (d) of the statutes is created to read:

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1 30.206 (5) (d) A person may maintain structure or deposit that was placed in
2 a body of water or otherwise continue an activity under the authority of a general
3 permit issued under this section after a general permit expires or is revoked unless
4 the department determines that the structure, deposit or activity injures the public
5 rights or public interests in navigable waters and orders it removed or terminated.

6 *~~0677/4.33~~* **SECTION 822.** 30.206 (6) of the statutes is amended to read:

7 30.206 (6) OPTION TO REQUEST INDIVIDUAL PERMIT. A person proposing an activity
8 for which a general permit has been issued may request an individual permit under
9 the applicable provisions of this chapter ~~or ch. 31~~ in lieu of seeking authorization
10 under the general permit.

11 *~~0677/4.34~~* **SECTION 823.** 30.206 (7) of the statutes is repealed.

12 *~~0677/4.35~~* **SECTION 824.** 30.206 (8m) of the statutes is created to read:

13 30.206 (8m) **GENERAL PERMITS UNDER PILOT PROGRAM.** Any permit issued under
14 s. 30.207, 1997 stats., and in effect on the effective date of this subsection [revisor
15 inserts date], shall remain in effect. Subsections (3b), (5) and (6) apply to such a
16 permit.

17 *~~0677/4.36~~* **SECTION 825.** 30.207 (title) of the statutes is repealed.

18 *~~0677/4.37~~* **SECTION 826.** 30.207 (1) of the statutes is repealed.

19 *~~0677/4.38~~* **SECTION 827.** 30.207 (1m) of the statutes is repealed.

20 *~~0677/4.39~~* **SECTION 828.** 30.207 (2) of the statutes is repealed.

21 *~~0677/4.40~~* **SECTION 829.** 30.207 (3) (title) of the statutes is renumbered
22 30.206 (1g) (title) and amended to read:

23 30.206 (1g) (title) **APPLICATION FOR GENERAL PERMIT PERMITS.**

24 *~~0677/4.41~~* **SECTION 830.** 30.207 (3) (a) of the statutes is renumbered 30.206
25 (1g) (a) and amended to read:

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1 30.206 (1g) (a) Any local entity, as defined in s. 30.77 (3) (dm), or any group of
2 ~~10 riparian owners who will be affected by the issuance of a general permit, or any~~
3 ~~contractor who is or has been involved in the construction of structures or along~~
4 ~~navigable waters may apply for a~~ municipality, public inland lake protection and
5 rehabilitation district or any town sanitary district may submit an application to the
6 department for general permit under this section authorizing one or more activities
7 statewide or in a region in which the municipality or district is located. Any group
8 of at least 10 riparian owners may submit an application for a general permit under
9 this section authorizing one or more activities statewide or in a region where the
10 riparian owners will be affected. The fee specified in s. 30.28 (2) (b) 1. shall
11 accompany the application.

12 *~~0677/4.42~~* SECTION 831. 30.207 (3) (b) of the statutes is repealed.

13 *~~0677/4.43~~* SECTION 832. 30.207 (3) (c) of the statutes is repealed.

14 *~~0677/4.44~~* SECTION 833. 30.207 (3) (d) (intro.) of the statutes is renumbered
15 30.206 (1g) (b) (intro.).

16 *~~0677/4.45~~* SECTION 834. 30.207 (3) (d) 1. of the statutes is renumbered
17 30.206 (1g) (b) 1.

18 *~~0677/4.46~~* SECTION 835. 30.207 (3) (d) 2. of the statutes is renumbered
19 30.206 (1g) (b) 2. and amended to read:

20 30.206 (1g) (b) 2. Specify the department's plans for proceeding on the
21 application. ~~The plans shall include a timetable for the notice and hearing required~~
22 ~~under sub. (4).~~

23 *~~0677/4.47~~* SECTION 836. 30.207 (4) of the statutes is repealed.

24 *~~0677/4.48~~* SECTION 837. 30.207 (5) of the statutes is renumbered 30.206 (1r)
25 (a) and amended to read:

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1 30.206 (1r) (a) ~~If an activity for which an application for which a general permit~~
2 ~~has been submitted would be subject to the hearing and notice provisions under s.~~
3 ~~30.02 (3) and (4) for the issuance of an individual permit, the department shall~~
4 ~~comply with those provisions. Notice~~ The department shall follow the notice and
5 ~~hearing shall be required on~~ procedures under pars. (b) to (d) for an application for
6 a general permit under this section only if a notice and hearing are required under
7 s. 30.02 (3) and (4) for the activity as part of an application for an individual permit
8 under this chapter.

9 ***-0677/4.49*** SECTION 838. 30.207 (6) of the statutes is repealed.

10 ***-0677/4.50*** SECTION 839. 30.207 (7) (title) of the statutes is renumbered
11 30.206 (3b) (title) and amended to read:

12 30.206 (3b) (title) ACTIVITIES UNDER GENERAL PERMITS.

13 ***-0677/4.51*** SECTION 840. 30.207 (7) (a) of the statutes is renumbered 30.206
14 (3b) (a) and amended to read:

15 30.206 (3b) (a) At least 15 days before beginning the activity that is authorized
16 by a general permit under this section, the person who wishes to conduct ~~the activity~~
17 an activity for which the department has issued a general permit shall submit a
18 notice to the department and shall pay the fee specified in s. 30.28 (2) (b) 2. The notice
19 shall describe the activity, state the name of the person that will be conducting the
20 activity and state the site shall specify the location where the activity will be
21 conducted. The notice shall also contain a statement signed by the person conducting
22 the activity that the person will act in conformance with the standards contained in
23 the general permit.

24 ***-0677/4.52*** SECTION 841. 30.207 (7) (b) of the statutes is renumbered 30.206
25 (3b) (b) and amended to read:

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1 30.206 (3b) (b) Upon receipt of a notice that complies with par. (a), the
2 department may inform the person that the activity may not be conducted under the
3 general permit if ~~conditions at the site where the activity would be conducted would~~
4 ~~cause adverse environmental impact, injure public rights and public interests or~~
5 ~~cause environmental pollution, as defined in s. 299.01 (4). The department shall~~
6 ~~respond to the person within 15 days after receiving the notice. Failure of the~~
7 ~~department to respond within 15 days shall constitute the department's approval of~~
8 ~~the activity under the general permit in navigable waters.~~

9 *~~0677/4.53~~* SECTION 842. 30.207 (7) (c) of the statutes is renumbered 30.206
10 (3b) (c) and amended to read:

11 30.206 (3b) (c) A person conducting an activity that is authorized by a general
12 permit under this section shall comply with any standard contained in an applicable
13 local ordinance ordinance that is at least as restrictive as the standards contained
14 in the general permit.

15 *~~0677/4.54~~* SECTION 843. 30.207 (8) of the statutes is repealed.

16 *~~0677/4.55~~* SECTION 844. 30.207 (9) (intro.) of the statutes is renumbered
17 30.279 and amended to read:

18 **30.279 Access Departmental access to property.** For inspection the
19 purposes of administering and enforcing this chapter and the rules promulgated
20 under this chapter, an employe or agent of the department shall have free access
21 during reasonable hours to inspect any site where an project or activity is proposed
22 to be, is or has been authorized under a general undertaken pursuant to a permit
23 issued under this section if the employe or agent shows to any person who is present
24 at the site and who owns the site or is otherwise in control of the site either of the
25 following: or other approval or a contract under this chapter.

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1 *~~0677/4.56~~* **SECTION 845.** 30.207 (9) (a) of the statutes is repealed.

2 *~~0677/4.57~~* **SECTION 846.** 30.207 (9) (b) of the statutes is repealed.

3 *~~0677/4.58~~* **SECTION 847.** 30.207 (10) of the statutes is repealed.

4 *~~0677/4.59~~* **SECTION 848.** 30.28 (1) of the statutes is amended to read:

5 30.28 (1) FEES REQUIRED. The department shall charge a permit or approval fee
6 for carrying out its duties and responsibilities under ss. 30.10 to ~~30.205, 30.207~~
7 30.206 and 30.21 to 30.27. The permit or approval fee shall accompany the permit
8 application, notice or request for approval.

9 *~~0677/4.60~~* **SECTION 849.** 30.28 (2) (b) 1. of the statutes is amended to read:

10 30.28 (2) (b) 1. For an application for a general permit submitted under s.
11 ~~30.207 (3)~~ 30.206 (1g), the fee shall be \$2,000.

12 *~~0677/4.61~~* **SECTION 850.** 30.28 (2) (b) 2. of the statutes is amended to read:

13 30.28 (2) (b) 2. For a notice submitted under s. ~~30.207 (7)~~ 30.206 (3b), the fee
14 shall be \$100.

15 *~~0677/4.62~~* **SECTION 851.** 30.28 (2m) (am) of the statutes is amended to read:

16 30.28 (2m) (am) The department shall refund 50% of the fee specified in sub.
17 (2) (b) 1. if the department denies an application for a general permit under s. ~~30.207~~
18 ~~(3) (d) 1. or does not issue a general permit under s. 30.207 (6)~~ 30.206 (1g).

19 *~~0677/4.63~~* **SECTION 852.** 30.28 (2m) (b) of the statutes is amended to read:

20 30.28 (2m) (b) If the applicant applies for a permit, requests an approval, or
21 submits a notice under s. ~~30.207 (7)~~ 30.206 (3b) after the project is begun or after it
22 is completed, the department shall charge an amount equal to twice the amount of
23 the fee that it would have charged under this section.

24 *~~0677/4.64~~* **SECTION 853.** 30.28 (2m) (d) of the statutes is amended to read:

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1 30.28 **(2m)** (d) The department, by rule, may increase any fee specified in sub.
2 (2) (a). The department, by rule, may increase a fee specified in sub. (2) (b) only if
3 the increase is necessary to meet the costs incurred by the department in acting on
4 general permits or on notices submitted under s. ~~30.207~~ 30.206.

5 ***-0221/5.10*** SECTION 854. 30.50 (4a) of the statutes is created to read:

6 30.50 **(4a)** “Expedited service” means a process under which a person is able
7 to renew a certificate of number or a certificate of registration in person and with only
8 one appearance at the site where certificates are renewed.

9 ***-0221/5.11*** SECTION 855. 30.52 (1m) of the statutes is created to read:

10 30.52 **(1m)** RENEWALS. (a) *Agents*. For the renewal of certificates of number
11 or certificates of registration, the department may do any of the following:

12 1. Directly renew the certificates.

13 2. Appoint, as an agent of the department, the clerk of one or more counties to
14 renew the certificates.

15 3. Appoint persons who are not employes of the department to renew the
16 certificates as agents of the department.

17 (b) *Agent activities*. 1. The clerk of any county appointed under par. (a) 2. may
18 accept the appointment.

19 2. The department may promulgate rules regulating the activities of persons
20 appointed under par (a) 2. and 3.

21 (c) *Expedited service*. The department may establish an expedited service to
22 be provided by the department and agents appointed under par. (a) 2. or 3. for the
23 renewal of certificates of number or certificates of registration.

24 (d) *Fees*. In addition to the applicable renewal fee under sub. (3), the
25 department may authorize that a supplemental renewal fee of \$3 be collected for the

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1 renewal of certificates of number or certificates of registration that are renewed in
2 any of the following manners:

- 3 1. By agents appointed under par. (a) 2. or 3.
- 4 2. By the department using the expedited service.

5 (e) *Remittal of fees.* An agent appointed under par. (a) 2. or 3. shall remit to the
6 department \$2 of each \$3 fee collected under par. (d). Any fees remitted to or collected
7 by the department under par. (d) shall be credited to the appropriation account under
8 s. 20.370 (9) (hu).

9 ***-0461/1.1* SECTION 856.** 30.52 (2) of the statutes is amended to read:

10 30.52 (2) CERTIFICATION AND REGISTRATION PERIOD. The certification and
11 registration period runs for ~~2~~ 3 years, commencing on April 1 of the year in which the
12 certificate of number or registration is issued and, unless sooner terminated or
13 discontinued in accordance with this chapter, expiring on March 31 of the ~~2nd~~ 3rd
14 year after issuance. A certificate of number or registration is valid only for the period
15 for which it is issued.

16 ***-0461/1.2* SECTION 857.** 30.52 (3) (b) of the statutes is amended to read:

17 30.52 (3) (b) *Fee for boats under 16 feet.* The fee for the issuance or renewal of
18 a certificate of number for a boat less than 16 feet in length is ~~\$11~~ \$16.50.

19 ***-0461/1.3* SECTION 858.** 30.52 (3) (c) of the statutes is amended to read:

20 30.52 (3) (c) *Fee for boats 16 feet or more but less than 26 feet.* The fee for the
21 issuance or renewal of a certificate of number for a boat 16 feet or more but less than
22 26 feet in length is ~~\$16~~ \$24.

23 ***-0461/1.4* SECTION 859.** 30.52 (3) (d) of the statutes is amended to read:

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1 30.52 (3) (d) *Fee for boats 26 feet or more but less than 40 feet.* The fee for the
2 issuance or renewal of a certificate of number for a boat 26 feet or more but less than
3 40 feet in length is ~~\$30~~ \$45.

4 ***-0461/1.5*** SECTION 860. 30.52 (3) (e) of the statutes is amended to read:

5 30.52 (3) (e) *Fee for boats 40 feet or longer.* The fee for the issuance or renewal
6 of a certificate of number for a boat 40 feet or more in length is ~~\$50~~ \$75.

7 ***-0461/1.6*** SECTION 861. 30.52 (3) (f) of the statutes is amended to read:

8 30.52 (3) (f) *Fee for nonmotorized sailboats.* Notwithstanding pars. (b) to (e),
9 the fee for the issuance or renewal of a certificate of number for a sailboat which is
10 not a motorboat is ~~\$10~~ \$15.

11 ***-0461/1.7*** SECTION 862. 30.52 (3) (fm) of the statutes is amended to read:

12 30.52 (3) (fm) *Fee for voluntarily registered boats.* Notwithstanding pars. (b)
13 to (f), the fee for issuance or renewal of registration for a boat registered pursuant
14 to sub. (1) (b) 1m. is ~~\$6.50~~ \$9.75.

15 ***-0461/1.8*** SECTION 863. 30.52 (3) (h) of the statutes is amended to read:

16 30.52 (3) (h) *Fee for issuance upon transfer of ownership.* Notwithstanding
17 pars. (b) to (g), the fee for the issuance of a certificate of number or registration to the
18 new owner upon transfer of ownership of a boat certified or registered under this
19 chapter by the previous owner is ~~\$2.50~~ \$3.75 if the certificate of number or
20 registration is issued for the remainder of the certification and registration period
21 for which the previous certificate of number or registration was issued.

22 ***-0461/1.9*** SECTION 864. 30.52 (3) (i) of the statutes is amended to read:

23 30.52 (3) (i) *Fleet fees.* A person owning or holding 3 or more boats may, at the
24 person's option, pay a fleet rate for these boats instead of the fees which otherwise
25 would be payable under pars. (b) to (g). Notwithstanding pars. (b) to (g), the fee for

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1 the issuance or renewal of certificates of number or registrations for boats under the
2 fleet rate is ~~\$18~~ \$27 plus 50% of the fees which would otherwise be applicable for the
3 boats under pars. (b) to (g).

4 ***-0461/1.10* SECTION 865.** 30.52 (3) (im) of the statutes, as created by 1997
5 Wisconsin Act 198, is amended to read:

6 30.52 (3) (im) *Dealer or manufacturer fees.* A manufacturer or dealer in boats
7 may, at the manufacturer's or dealer's option, pay a fee of ~~\$50~~ \$75 for the issuance
8 or renewal of a certificate of number.

9 ***-0197/5.5* SECTION 866.** 30.74 (1) (b) of the statutes, as affected by 1997
10 Wisconsin Act 198, is amended to read:

11 30.74 (1) (b) The department shall prescribe the course content, and the form
12 of the certificate and may collect a fee from each person who enrolls in the course.
13 The department may authorize instructors. An instructor conducting such courses
14 meeting standards established by it to retain a course under this subsection shall
15 collect the instruction fee from each person who receives instruction. The
16 department may determine the portion of the this fee, which may not exceed 50%,
17 that the instructor may retain to defray expenses incurred locally to operate the
18 program by the instructor in conducting the course. The instructor shall remit the
19 remainder of the fee shall be retained by or, if nothing is retained, the entire fee to
20 the department for the purpose of defraying a part of its expenses incurred to operate
21 the program. The department by rule shall set the fee for the course and the amount
22 of the fee that may be retained by instructors.

23 ***-0198/3.3* SECTION 867.** 30.77 (3) (dm) 1. of the statutes is amended to read:

24 30.77 (3) (dm) 1. In this paragraph, "local entity" means a city, village, town,
25 county, qualified lake association, as defined in s. 281.68 (1) (b), nonprofit

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1 conservation organization, as defined in s. 23.0955 (1), town sanitary district, public
2 inland lake protection and rehabilitation district or another local governmental unit,
3 as defined in s. 66.299 (1) (a), that is established for the purpose of lake management.

4 ***-0207/1.3* SECTION 868.** 31.385 (title) of the statutes is amended to read:

5 **31.385 (title) ~~Dam maintenance, repair, modification, abandonment~~**
6 **~~and removal safety; aid program.~~**

7 ***-0207/1.4* SECTION 869.** 31.385 (1) of the statutes is renumbered 31.385 (1m)
8 and amended to read:

9 31.385 (1m) The department shall promulgate the rules necessary to
10 administer a financial assistance program for municipalities and public inland lake
11 protection and rehabilitation districts for dam ~~maintenance, repair, modification,~~
12 ~~abandonment and removal safety projects.~~

13 ***-0207/1.5* SECTION 870.** 31.385 (1) of the statutes is created to read:

14 31.385 (1) In this section, “dam safety project” means the maintenance, repair,
15 modification, abandonment or removal of a dam to increase its safety or any other
16 activity that will increase the safety of a dam.

17 ***-0207/1.6* SECTION 871.** 31.385 (2) (intro.) of the statutes is amended to read:

18 31.385 (2) (intro.) The following standards shall apply to financial assistance
19 under this section for dam ~~maintenance, repair, modification, abandonment and~~
20 ~~removal safety projects:~~

21 ***-0207/1.7* SECTION 872.** 31.385 (2) (a) of the statutes is amended to read:

22 31.385 (2) (a) State financial assistance for a dam safety project is limited to
23 no more than 50% of the cost of a particular ~~the project involving dam maintenance,~~
24 ~~repair, modification, abandonment or removal~~ and no more than \$200,000 of state
25 ~~financial assistance for a particular project.~~

BILL**SECTION 873**

1 ***-0209/1.1*** **SECTION 873.** 31.385 (2) (ag) of the statutes is amended to read:
2 31.385 (2) (ag) Of the amounts appropriated under s. 20.866 (2) (tL), at least
3 \$250,000 shall be used for projects to remove dams that are less than 15 feet wide
4 high and that create impoundments of ~~50 acre-feet~~ 100 surface acres of water or less.
5 A project under this paragraph may include restoring the stream or river that was
6 dammed.

7 ***-0207/1.8*** **SECTION 874.** 31.385 (2) (bm) of the statutes is created to read:
8 31.385 (2) (bm) The department may provide financial assistance for an
9 activity other than the maintenance, repair, modification, abandonment or removal
10 of the dam only if the cost of that activity will be less than the cost of the maintenance,
11 repair, modification or removal of the dam.

12 ***-0207/1.9*** **SECTION 875.** 31.385 (2) (c) (intro.) of the statutes is amended to
13 read:

14 31.385 (2) (c) (intro.) No financial assistance may be provided under this
15 section for ~~the maintenance, repair, modification, abandonment or removal~~ of a dam
16 safety project unless at least one of the following applies:

17 ***-0207/1.10*** **SECTION 876.** 31.385 (2) (c) 1. of the statutes is amended to read:
18 31.385 (2) (c) 1. The department conducts an investigation or inspection of the
19 dam under this chapter and the owner of the dam requests financial assistance under
20 this section within 6 months after having received department directives, based on
21 the department's investigation or inspection of the dam, for the repair, modification
22 or abandonment and removal of the dam or for another activity to increase the safety
23 of the dam.

24 ***-0207/1.11*** **SECTION 877.** 31.385 (3) of the statutes is amended to read:

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1 31.385 (3) The department shall provide municipalities and public inland lake
2 protection and rehabilitation districts with technical assistance ~~in conducting for~~
3 ~~dam maintenance, repair, modification, abandonment and removal~~ safety projects
4 under this section. The department shall coordinate the financial assistance
5 program under this section with other related state and federal programs.

6 ***-1250/5.9*** SECTION 878. 32.02 (1) of the statutes is amended to read:

7 32.02 (1) Any county, town, village, city, including villages and cities
8 incorporated under general or special acts, school district, the department of health
9 and family services, the department of corrections, the board of regents of the
10 university of Wisconsin system, ~~the building commission,~~ a commission created by
11 contract under s. 66.30, with the approval of the municipality in which condemnation
12 is proposed, or any public board or commission, for any lawful purpose, but in the
13 case of city and village boards or commissions approval of that action is required to
14 be granted by the governing body. A mosquito control commission, created under s.
15 59.70 (12), may not acquire property by condemnation. The department of natural
16 resources may not acquire property by condemnation.

17 ***-1250/5.10*** SECTION 879. 32.02 (16) of the statutes is repealed and recreated
18 to read:

19 32.02 (16) The building commission, as specified in s. 13.48 (16), and, at the
20 request of the department of natural resources, for any public purpose.

21 ***-1034/2.1*** SECTION 880. 32.05 (7) (d) of the statutes is amended to read:

22 32.05 (7) (d) On or before said date of taking, a check, naming the parties in
23 interest as payees, for the amount of the award less outstanding delinquent tax liens,
24 proportionately allocated as in division in redemption under ss. 74.51 and 75.01
25 when necessary and less the condemnee's prorated taxes of the same year, if any,

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

8 ***-1034/2.2* SECTION 881.** 32.05 (7) (e) of the statutes is created to read:

9 32.05 (7) (e) Notwithstanding par. (d), if the condemnor seeks less than a 50%
10 interest in the property under sub. (3) (b), the condemnor may choose not to subtract
11 the condemnee's prorated taxes of the same year, if any, from the award payment and
12 may include the condemnor's prorated taxes of the same year, if any, in the award
13 payment.

14 ***-1250/5.11* SECTION 882.** 32.185 of the statutes is renumbered 32.185 (intro.)
15 and amended to read:

16 **32.185 Condemnor.** (intro.) ~~"Condemnor", for the purposes of In ss. 32.19 to~~
17 ~~32.27;~~

18 (1) Except as provided in sub. (2), "condemnor" means any:

19 (a) Any municipality, board, commission, public officer or corporation vested
20 with the power of eminent domain which acquires property for public purposes either
21 by negotiated purchase when authorized by statute to employ its powers of eminent
22 domain or by the power of eminent domain. "Condemnor" also means a displacing
23 agency. In this section, "displacing agency" means any

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1 **(b)** Any state agency, political subdivision of the state or person carrying out
2 a program or project with public financial assistance that causes a person to be a
3 displaced person, as defined in s. 32.19 (2) (e).

4 ***-1250/5.12*** SECTION 883. 32.185 (2) of the statutes is created to read:

5 32.185 (2) "Condemnor" does not include the department of natural resources.

6 ***-1836/2.4*** SECTION 884. 34.01 (2) (a) of the statutes is amended to read:

7 34.01 (2) (a) Any loss of public moneys, which have been deposited in a
8 designated public depository in accordance with this chapter, resulting from the
9 failure of any public depository to repay to any public depositor the full amount of
10 its deposit because the office of credit unions, administrator of federal credit unions,
11 U.S. comptroller of the currency, federal home loan bank board, U.S. office of thrift
12 supervision, federal deposit insurance corporation, resolution trust corporation,
13 division of banking or division of savings ~~and loan~~ institutions has taken possession
14 of the public depository or because the public depository has, with the consent and
15 approval of the office of credit unions, administrator of federal credit unions, U.S.
16 office of thrift supervision, federal deposit insurance corporation, resolution trust
17 corporation, division of banking or division of savings ~~and loan~~ institutions, adopted
18 a stabilization and readjustment plan or has sold a part or all of its assets to another
19 credit union, bank, savings bank or savings and loan association which has agreed
20 to pay a part or all of the deposit liability on a deferred payment basis or because the
21 depository is prevented from paying out old deposits because of rules of the office of
22 credit unions, administrator of federal credit unions, U.S. comptroller of the
23 currency, federal home loan bank board, U.S. office of thrift supervision, federal
24 deposit insurance corporation, resolution trust corporation, division of banking or
25 division of savings ~~and loan~~ institutions.

BILL**SECTION 885**

1 ***-1836/2.5*** SECTION 885. 34.10 of the statutes is amended to read:

2 **34.10 Reorganization and stabilization of financial institutions.**

3 Whenever the office of credit unions, administrator of federal credit unions, U.S.
4 comptroller of the currency, federal home loan bank board, U.S. office of thrift
5 supervision, federal deposit insurance corporation, resolution trust corporation,
6 division of banking or division of savings ~~and loan~~ institutions has taken charge of
7 a credit union, bank, savings bank or savings and loan association with a view of
8 restoring its solvency, pursuant to law, or with a view of stabilizing and readjusting
9 the structure of any national or state credit union, bank, savings bank or savings and
10 loan association located in this state, and has approved a reorganization plan or a
11 stabilization and readjustment agreement entered into between the credit union,
12 bank, savings bank or savings and loan association and depositors and unsecured
13 creditors, or when a credit union, bank, savings bank or savings and loan association,
14 with the approval of the office of credit unions, administrator of federal credit unions,
15 U.S. comptroller of the currency, federal home loan bank board, U.S. office of thrift
16 supervision, federal deposit insurance corporation, resolution trust corporation,
17 division of banking or division of savings ~~and loan~~ institutions proposes to sell its
18 assets to another credit union, bank, savings bank or savings and loan association
19 which agrees to assume a part or all of the deposit liability of such selling credit
20 union, bank, savings bank or savings and loan association and to pay the same on
21 a deferred payment basis, the governing board of the public depositor may, on the
22 approval of the division of banking, join in the execution of any reorganization plan,
23 or any stabilization and readjustment agreement, or any depositor's agreement
24 relative to a proposed sale of assets if, in its judgment and that of the division of
25 banking, the reorganization plan or stabilization and readjustment agreement or

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1 proposed sale of assets is in the best interest of all persons concerned. The joining
2 in any reorganization plan, or any stabilization and readjustment agreement, or any
3 proposed sale of assets which meets the approval of the division of banking does not
4 waive any rights under this chapter.

5 ~~*-0589/2.2*~~ **SECTION 886.** 36.11 (6) (b) of the statutes is amended to read:

6 36.11 (6) (b) The board may not make a grant under par. (a) to a person ~~if it~~
7 ~~receives a certification under s. 49.855 (7) that the person is delinquent in child~~
8 ~~support or maintenance payments or owes past support, medical expenses or birth~~
9 ~~expenses whose name appears on the statewide support lien docket under s. 49.854~~
10 ~~(2) (b), unless the person provides to the board a payment agreement that has been~~
11 ~~approved by the county child support agency under s. 59.53 (5) and that is consistent~~
12 ~~with rules promulgated under s. 49.858 (2) (a).~~

13 ~~*-1542/2.5*~~ **SECTION 887.** 36.11 (36) of the statutes is created to read:

14 36.11 (36) AQUACULTURE DEMONSTRATION FACILITY. The board shall operate the
15 Ashland full-scale aquaculture demonstration facility authorized under 1999
16 Wisconsin Act (this act), section 9107 (1) (a) 1.

17 ~~*-1696/7.32*~~ **SECTION 888.** 36.25 (5) (c) of the statutes is created to read:

18 36.25 (5) (c) If the secretary of administration determines that the federal
19 communications commission has approved the transfer of all broadcasting licenses
20 held by the educational communications board and the board of regents to the
21 corporation described under s. 39.81, this subsection does not apply on and after the
22 effective date of the last license transferred [revisor inserts date].

23 ~~*-0589/2.3*~~ **SECTION 889.** 36.25 (14) of the statutes is amended to read:

24 36.25 (14) GRADUATE STUDENT FINANCIAL AID. The board shall establish a grant
25 program for minority and disadvantaged graduate students enrolled in the system.

BILL**SECTION 889**

1 The grants shall be awarded from the appropriation under s. 20.285 (4) (b). The
2 board shall give preference in awarding grants under this subsection to residents of
3 this state. The board may not make a grant under this subsection to a person if it
4 receives a certification under s. 49.855 (7) that the person is delinquent in child
5 support or maintenance payments or owes past support, medical expenses or birth
6 expenses whose name appears on the statewide support lien docket under s. 49.854
7 (2) (b), unless the person provides to the board a payment agreement that has been
8 approved by the county child support agency under s. 59.53 (5) and that is consistent
9 with rules promulgated under s. 49.858 (2) (a).

10 ***-0424/1.5*** SECTION 890. 36.25 (24) of the statutes is amended to read:

11 36.25 (24) EMPLOYE-OWNED BUSINESSES PROGRAM. Through the University of
12 Wisconsin small business development center, in cooperation with the ~~department~~
13 ~~of commerce under s. 560.07 (2m)~~, the technical college system board and the
14 University of Wisconsin-extension, the board shall create, as needed, educational
15 programs to provide training in the management of employe-owned businesses and
16 shall provide technical assistance to employe-owned businesses in matters affecting
17 their management and business operations, including assistance with governmental
18 relations and assistance in obtaining management, technical and financial
19 assistance.

20 ***-0240/1.1*** SECTION 891. 36.25 (30) of the statutes is amended to read:

21 36.25 (30) ~~HAZARDOUS POLLUTION~~ POLLUTION PREVENTION PROGRAM. The board
22 shall establish maintain in the extension a ~~hazardous pollution prevention program~~
23 solid and hazardous waste education center to promote hazardous pollution
24 prevention, as defined in s. 299.13 (1) (e) (dm). In cooperation with the department
25 of natural resources and the department of commerce, the ~~program center~~ shall

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1 conduct an education and technical assistance program to promote hazardous
2 pollution prevention in this state.

3 ***-1080/1.5* SECTION 892.** 36.25 (32) (b) (intro.) of the statutes is amended to
4 read:

5 36.25 (32) (b) (intro.) From the appropriation under s. 20.285 (1) (fs) (a), the
6 board shall award grants totaling not more than \$500 annually per county to
7 sponsors of farm safety education, training or information programs. To be eligible
8 for a grant, a sponsor shall:

9 ***-1077/1.1* SECTION 893.** 36.27 (4) (a) of the statutes is amended to read:

10 36.27 (4) (a) In the 1993-94 to ~~1998-99~~ 2000-01 academic years, the board may
11 annually exempt from nonresident tuition, but not from incidental or other fees, up
12 to 200 students enrolled at the University of Wisconsin-Parkside as juniors or
13 seniors in programs identified by that institution as having surplus capacity and up
14 to 150 students enrolled at the University of Wisconsin-Superior in programs
15 identified by that institution as having surplus capacity.

16 ***-0589/2.4* SECTION 894.** 36.34 (1) (b) of the statutes is amended to read:

17 36.34 (1) (b) The board shall establish a grant program for minority
18 undergraduates enrolled in the system. The board shall designate all grants under
19 this subsection as Lawton grants. Grants shall be awarded from the appropriation
20 under s. 20.285 (4) (dd). The board may not make a grant under this subsection to
21 a person if it receives a certification under s. 49.855 (7) that the person is delinquent
22 in child support or maintenance payments or owes past support, medical expenses
23 or birth expenses whose name appears on the statewide support lien docket under
24 s. 49.854 (2) (b), unless the person provides to the board a payment agreement that

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1 has been approved by the county child support agency under s. 59.53 (5) and that is
2 consistent with rules promulgated under s. 49.858 (2) (a).

3 ***-2156/1* SECTION 895.** 36.34 (2) of the statutes is repealed.

4 ***-1111/1.2* SECTION 896.** 38.04 (18) of the statutes is created to read:

5 38.04 (18) STATEWIDE GUIDE. Annually, the board shall produce, and distribute
6 to students, parents, high school personnel and others, a guide containing
7 information on all of the technical colleges and their programs.

8 ***-1696/7.33* SECTION 897.** 38.125 of the statutes is amended to read:

9 **38.125 Public broadcasting stations.** If the district board governing the
10 Milwaukee area technical college determines to relinquish its public broadcasting
11 licenses, it shall, subject to the approval of the federal communications commission,
12 offer to assign the licenses to the educational communications board, ~~subject to~~
13 ~~approval of the federal communications commission~~ or, if all broadcasting licenses
14 held by the educational communications board and the board of regents of the
15 University of Wisconsin System have been transferred to the corporation described
16 under s. 39.81, to the corporation.

17 ***-2156/1* SECTION 898.** 38.28 (1m) (a) 1. of the statutes is amended to read:

18 38.28 (1m) (a) 1. "District aidable cost" means the annual cost of operating a
19 technical college district, including debt service charges for district bonds and
20 promissory notes for building programs or capital equipment, but excluding all
21 expenditures relating to auxiliary enterprises and community service programs, all
22 expenditures funded by or reimbursed with federal revenues, all receipts under ~~sub-~~
23 ~~sub. (6) and (7)~~ and ss. 38.12 (9), 38.14 (3) and (9), 118.15 (2) (a), 118.55 (7r) and
24 146.55 (5), all receipts from grants awarded under ss. 38.04 (8) and (20), 38.14 (11),

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1 38.26, 38.27, 38.33 and 38.38, all fees collected under s. 38.24 and driver education
2 and chauffeur training aids.

3 ***-1111/1.3* SECTION 899.** 38.28 (2) (b) 5. of the statutes is created to read:

4 38.28 (2) (b) 5. The board shall reduce each district's aid payment under subd.
5 2. by the district's share of the amount necessary to produce and distribute the
6 statewide guide under s. 38.04 (18), as determined by the board.

7 ***-1111/1.4* SECTION 900.** 38.28 (3) of the statutes is amended to read:

8 38.28 (3) ~~If the appropriation for state aid under s. 20.292 (1) (d) in any one year~~
9 ~~is insufficient to pay the full amount under sub. (2), state aid payments shall be~~
10 ~~prorated among the districts entitled thereto.~~ If the appropriation for state aid under
11 s. 20.292 (1) (fc) in any one year is insufficient to pay the full amount under subs. (2)
12 (c) and (g), funds in the appropriation shall be used first for the purposes of sub. (2)
13 (c) and any remaining funds shall be prorated among the districts entitled to support
14 under sub. (2) (g). If the appropriation for state aid under s. 20.292 (1) (fc) in any one
15 year is insufficient to pay the full amount under sub. (2) (c), funds in the
16 appropriation shall be prorated among the districts entitled to the funds.

17 ***-2156/1* SECTION 901.** 38.28 (7) of the statutes is repealed.

18 ***-2007/1.2* SECTION 902.** 38.42 (4) of the statutes is amended to read:

19 38.42 (4) RETRAINING FUND. (a) A consortium of telecommunications companies
20 shall agree to contribute \$3,000,000 to the telecommunications retraining fund over
21 a 3-year period beginning on July 20, 1994. If the retraining fund is depleted within
22 3 years and if requested by the telecommunications retraining board, the consortium
23 shall contribute up to an additional \$1,000,000.

24 (c) Moneys contributed under this subsection shall be credited to the
25 appropriation under s. 20.292 (1) (gt).

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1 ***-2007/1.3*** **SECTION 903.** 38.42 (4) (b) of the statutes is created to read:

2 38.42 (4) (b) If the telecommunications retraining board determines that
3 additional contributions from telecommunications companies are necessary to fund
4 grants awarded under this section in the 1999–2000 fiscal year, the consortium shall
5 contribute additional amounts determined by the telecommunications retraining
6 board.

7 ***-2007/1.4*** **SECTION 904.** 38.42 (6) of the statutes is amended to read:

8 38.42 (6) **SUNSET.** This section does not apply after June 30, ~~1999~~ 2000.

9 ***-1696/7.34*** **SECTION 905.** 39.10 of the statutes is created to read:

10 **39.10 Applicability.** If the secretary of administration determines that the
11 federal communications commission has approved the transfer of all broadcasting
12 licenses held by the educational communications board and the board of regents of
13 the University of Wisconsin System to the corporation described under s. 39.81, this
14 subchapter does not apply on and after the effective date of the last license
15 transferred [revisor inserts date].

16 ***-1696/7.35*** **SECTION 906.** 39.12 (4) of the statutes is amended to read:

17 39.12 (4) The board of directors of any corporation established under this
18 section shall consist of 5 members, including the executive director of the educational
19 communications board and 4 members of the educational communications board,
20 elected by the educational communications board, of which one shall be a legislator.
21 No 2 members of the board of directors may be from the same category of educational
22 communications board members under s. 15.57 (1) ~~to (7)~~.

23 ***-1517/4.3*** **SECTION 907.** 39.285 (3) of the statutes is amended to read:

24 39.285 (3) By April 10, 1998, and annually thereafter, each tribally controlled
25 college in this state is requested to develop and submit to the board for its review

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1 under sub. (1) a proposed formula for the awarding of grants under s. ~~39.30~~ 39.435,
2 except for grants awarded under s. 39.435 (2) or (5), for the upcoming academic year
3 to students enrolled at that tribally controlled college.

4 ***-1517/4.4* SECTION 908.** 39.30 (2) (intro.) of the statutes is amended to read:
5 39.30 (2) ELIGIBILITY. (intro.) A resident student enrolled at least half-time and
6 registered as a freshman, sophomore, junior or senior in an accredited, nonprofit,
7 ~~post-high~~ post-high school, educational institution in this state ~~or in a tribally~~
8 ~~controlled college in this state~~ shall be eligible for grants under this section for each
9 semester of attendance, but:

10 ***-0589/2.5* SECTION 909.** 39.30 (2) (e) of the statutes is amended to read:
11 39.30 (2) (e) The board may not make a grant to a student ~~if the board receives~~
12 ~~a certification under s. 49.855 (7) that the student is delinquent in child support or~~
13 ~~maintenance payments or owes past support, medical expenses or birth expenses~~
14 whose name appears on the statewide support lien docket under s. 49.854 (2) (b),
15 unless the student provides to the board a payment agreement that has been
16 approved by the county child support agency under s. 59.53 (5) and that is consistent
17 with rules promulgated under s. 49.858 (2) (a).

18 ***-1517/4.5* SECTION 910.** 39.30 (2) (f) of the statutes is amended to read:
19 39.30 (2) (f) No grants may be awarded under this section unless the ~~applicable~~
20 formula submitted under s. 39.285 (2) ~~or (3)~~ is approved or modified by the board
21 under s. 39.285 (1).

22 ***-1517/4.6* SECTION 911.** 39.30 (3) (g) of the statutes is repealed.

23 ***-0589/2.6* SECTION 912.** 39.38 (2) of the statutes is amended to read:

24 39.38 (2) Grants under this section shall be based on financial need, as
25 determined by the board. The maximum grant shall not exceed \$2,200 per year, of

BILL**SECTION 912**

1 which not more than \$1,100 may be from the appropriation under s. 20.235 (1) ~~(f)~~
2 (k). State aid from this appropriation may be matched by a contribution from a
3 federally recognized American Indian tribe or band that is deposited in the general
4 fund and credited to the appropriation account under s. 20.235 (1) (gm). Grants shall
5 be awarded to students for full-time or part-time attendance at any accredited
6 institution of higher education in this state. The board may not make a grant under
7 this section to a student ~~if the board receives a certification under s. 49.855 (7) that~~
8 ~~the student is delinquent in child support or maintenance payments or owes past~~
9 ~~support, medical expenses or birth expenses~~ whose name appears on the statewide
10 support lien docket under s. 49.854 (2) (b), unless the student provides to the board
11 a payment agreement that has been approved by the county child support agency
12 under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2)
13 (a). Grants shall be renewable for up to 5 years if a recipient remains in good
14 academic standing at the institution that he or she is attending.

15 ***-1830/1.2* SECTION 913.** 39.41 (title) of the statutes is repealed and recreated
16 to read:

17 **39.41 (title) Governor's scholarship program.**

18 ***-1830/1.3* SECTION 914.** 39.41 (9) of the statutes is created to read:

19 39.41 (9) In any printed material or other information disseminated or
20 otherwise distributed by the board, the scholarship program under this section shall
21 be referred to as the governor's scholarship program and scholars shall be referred
22 to as governor's scholars.

23 ***-1517/4.7* SECTION 915.** 39.435 (1) of the statutes is amended to read:

24 39.435 (1) There is established, to be administered by the board, a higher
25 education grant program for postsecondary resident students enrolled at least

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1 half-time and registered as freshmen, sophomores, juniors or seniors in accredited
2 institutions of higher education or in tribally controlled colleges in this state. Except
3 as authorized under sub. (5), such grants shall be made only to students enrolled in
4 nonprofit public institutions or tribally controlled colleges in this state.

5 ***-1947/1.1* SECTION 916.** 39.435 (4) (a) of the statutes is amended to read:

6 39.435 (4) (a) The board shall ~~promulgate rules establishing policies and~~
7 ~~procedures for determining dependent and independent status and for the~~
8 ~~calculation of award grants under this section based on a formula that accounts for~~
9 ~~expected parental and student contributions. The rules shall be~~ and is consistent
10 with generally accepted definitions and nationally approved needs analysis
11 methodology.

12 ***-1947/1.2* SECTION 917.** 39.435 (4) (b) and (c) of the statutes are repealed.

13 ***-0589/2.7* SECTION 918.** 39.435 (6) of the statutes is amended to read:

14 39.435 (6) The board may not make a grant under this section to a person if the
15 board receives a certification under s. 49.855 (7) that the person is delinquent in child
16 support or maintenance payments or owes past support, medical expenses or birth
17 expenses whose name appears on the statewide support lien docket under s. 49.854
18 (2) (b), unless the person provides to the board a payment agreement that has been
19 approved by the county child support agency under s. 59.53 (5) and that is consistent
20 with rules promulgated under s. 49.858 (2) (a).

21 ***-0589/2.8* SECTION 919.** 39.44 (4) of the statutes is amended to read:

22 39.44 (4) The board shall notify an institution or school receiving funds under
23 sub. (2) if ~~the board receives a certification under s. 49.855 (7) that a student is~~
24 ~~delinquent in child support or maintenance payments or owes past support, medical~~
25 ~~expenses or birth expenses~~ a student's name appears on the statewide support lien

BILL**SECTION 919**

1 docket under s. 49.854 (2) (b). An institution or school may not award a grant under
2 this section to a student if it receives a notification under this subsection concerning
3 that student, unless the student provides to the institution or school a payment
4 agreement that has been approved by the county child support agency under s. 59.53
5 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a).

6 ***-0589/2.9* SECTION 920.** 39.47 (2m) of the statutes is amended to read:

7 39.47 (2m) No resident of this state whose name appears on the statewide
8 support lien docket under s 49.854 (2) (b) may receive a waiver of nonresident tuition
9 under this section if the board receives a certification under s. 49.855 (7) that the
10 resident is delinquent in child support or maintenance payments or owes past
11 support, medical expenses or birth expenses, unless the resident provides to the
12 board a payment agreement that has been approved by the county child support
13 agency under s. 59.53 (5) and that is consistent with rules promulgated under s.
14 49.858 (2) (a).

15 ***-1516/4.7* SECTION 921.** 39.51 (title) of the statutes is repealed and recreated
16 to read:

17 **39.51 (title) School approvals.**

18 ***-1516/4.8* SECTION 922.** 39.51 (1) (a) of the statutes is repealed.

19 ***-1516/4.9* SECTION 923.** 39.51 (1) (e) of the statutes is renumbered 39.51 (1)
20 (e) (intro.) and amended to read:

21 39.51 (1) (e) (intro.) “School” ~~means any person, located within or outside this~~
22 ~~state, maintaining, advertising or conducting any course or course of instruction for~~
23 ~~profit or a tuition charge; but in subs. (7), (8) and (10) “school” means any private~~
24 ~~trade, correspondence, business or technical school not excepted under sub. (9), but~~
25 does not include any of the following:

BILL**SECTION 930**

1 one individual chosen by the governor shall jointly draft and file articles of
2 incorporation for a nonstock corporation under ch. 181 and shall take all actions
3 necessary to exempt the corporation from federal taxation under section 501 (c) (3)
4 of the Internal Revenue Code.

5 (2) PURPOSE; INITIAL BOARD OF DIRECTORS. The corporation may receive state aid
6 for initial costs under s. 20.218 (1) (a) if all of the following conditions are satisfied:

7 (a) The articles of incorporation state that the purpose of the corporation is to
8 provide educational broadcasting to this state and that, if the corporation dissolves
9 or discontinues educational broadcasting in this state, the corporation shall in good
10 faith take all reasonable measures to transfer or assign the corporation's assets,
11 licenses and rights to an entity whose purpose is to advance educational
12 broadcasting in this state.

13 (b) The articles of incorporation name as initial directors of the corporation the
14 secretary of administration; 2 representatives to the assembly and 2 senators,
15 chosen as are the members of standing committees in their respective houses; a
16 member of the board of regents of the University of Wisconsin System; and 3
17 individuals selected by the governor.

18 (c) No earlier than 30 days nor later than 45 days after the operational plan
19 under 1999 Wisconsin Act (this act), section 9101 (8) (c) is implemented, the initial
20 board of directors of the corporation submits an application to the federal
21 communications commission to transfer all broadcasting licenses held by the
22 educational communications board and the board of regents of the University of
23 Wisconsin System to the corporation.

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1 **(3) BROADCASTING OPERATIONS.** The corporation under sub. (1) may receive state
2 aid for operational costs under s. 20.218 (1) (b) if all of the following conditions are
3 satisfied:

4 (a) The federal communications commission approves the application for the
5 transfer of all broadcasting licenses under sub. (2) (c), as determined by the secretary
6 of administration.

7 (b) The board of directors of the corporation offers employment beginning on
8 the effective date of the last broadcasting license transferred under par. (a)
9 [revisor inserts date], as determined by the secretary of administration, to those
10 individuals designated in the operational plan under 1999 Wisconsin Act (this
11 act), section 9101 (8) (c) 1.

12 (c) The board of directors of the corporation honors affiliation agreements for
13 broadcasting purposes entered into by the educational communications board and
14 the board of regents of the University of Wisconsin System.

15 (d) The board of directors of the corporation negotiates with the board of regents
16 of the University of Wisconsin System and the secretary of administration for the use
17 of state-owned equipment and space necessary for the operations of educational
18 radio and television networks.

19 (e) The secretary of administration approves any amendment to the
20 corporation's articles of incorporation or bylaws.

21 (f) The corporation permits public inspection and copying of any record of the
22 corporation, as defined in s. 19.32 (1), to the same extent as required of, and subject
23 to the same terms and enforcement provisions that apply to, an authority under
24 subch. II of ch. 19.

BILL**SECTION 930**

1 (g) The corporation provides public access to its meetings to the same extent
2 as is required of, and subject to the same terms and enforcement provisions that
3 apply to, a governmental body under subch. V of ch. 19.

4 (h) The corporation provides employes of the legislative audit bureau with
5 access to all of the corporation's records.

6 (4) AID PAYMENTS. The secretary of administration shall pay aid under sub. (3)
7 in instalments, as determined by the secretary.

8 *~~0030/2.26~~* **SECTION 931.** 40.02 (28) of the statutes is amended to read:

9 40.02 (28) "Employer" means the state, including each state agency, any
10 county, city, village, town, school district, other governmental unit or
11 instrumentality of 2 or more units of government now existing or hereafter created
12 within the state and any federated public library system established under s. 43.19
13 whose territory lies within a single county with a population of 500,000 or more,
14 except as provided under ss. 40.51 (7) and 40.61 (3), ~~or~~ a local exposition district
15 created under subch. II of ch. 229 or a family care district created under s. 46.2895.

16 Each employer shall be a separate legal jurisdiction for OASDHI purposes.

17 *~~0030/2.27~~* **SECTION 932.** 40.02 (36) of the statutes is amended to read:

18 40.02 (36) "Governing body" means the legislature or the head of each state
19 agency with respect to employes of that agency for the state, the common council in
20 cities, the village board in villages, the town board in towns, the county board in
21 counties, the school board in school districts, or the board, commission or other
22 governing body having the final authority for any other unit of government, for any
23 agency or instrumentality of 2 or more units of government, for any federated public
24 library system established under s. 43.19 whose territory lies within a single county

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1 with a population of 500,000 or more ~~or~~, for a local exposition district created under
2 subch. II of ch. 229 or for a family care district created under s. 46.2895.

3 ***-0470/2.1* SECTION 933.** 40.02 (37) of the statutes is renumbered 40.02 (37)
4 (intro.) and amended to read:

5 40.02 (37) (intro.) “Health insurance” means ~~contractual~~ any of the following:

6 (a) Contractual arrangements which may include, but are not limited to,
7 indemnity or service benefits, or prepaid comprehensive health care plans, which
8 will provide full or partial payment of the financial expense incurred by employes
9 and dependents as the result of injury, illness or preventive medical procedures. The
10 plans may include hospitalization, surgical and medical care, as well as ancillary
11 items or services as determined by the group insurance board. The plans may
12 include the type of coverage normally referred to as “major medical” insurance.

13 ***-0470/2.2* SECTION 934.** 40.02 (37) (b) of the statutes is created to read:

14 40.02 (37) (b) For the purpose of health insurance premium credits under ss.
15 40.05 (4) (b), (bc), (bd), (be), (bf), (bm), (bp) and (bw) and 40.95, group health
16 insurance within the meaning of par. (a) which is contracted or provided by the group
17 insurance board under s. 40.03 (6) (a) or (b), including health care coverage under ss.
18 40.51 and 40.52, and, to the extent permitted by rules promulgated by the
19 department, health insurance provided by a county pursuant to an election to remain
20 covered under s. 753.07 (4) or 978.12 (6), including continuation coverage under s.
21 632.897 or federal law, but not conversion coverage.

22 ***-0797/2.1* SECTION 935.** 40.02 (48) (am) of the statutes is amended to read:

23 40.02 (48) (am) “Protective occupation participant” includes any participant
24 whose name is certified to the fund as provided in s. 40.06 (1) (d) and (dm) and who
25 is a conservation warden, conservation patrol boat captain, conservation patrol boat

BILL**SECTION 935**

1 engineer, conservation pilot, conservation patrol officer, forest fire control assistant,
2 member of the state traffic patrol, state motor vehicle inspector, police officer, fire
3 fighter, sheriff, undersheriff, deputy sheriff, state probation and parole officer,
4 county traffic police officer, state forest ranger, fire watcher employed by the
5 Wisconsin veterans home, state correctional-psychiatric officer, excise tax
6 investigator employed by the department of revenue, special criminal investigation
7 agent in the department of justice, assistant or deputy fire marshal, or person
8 employed under s. 61.66 (1).

9 ***-0797/2.2* SECTION 936.** 40.02 (48) (b) 4. of the statutes is created to read:

10 40.02 (48) (b) 4. A “member of the state traffic patrol” includes one division
11 administrator in the department of transportation who is counted under s. 230.08
12 (2) (e) 12. and whose duties include supervising the state traffic patrol, if the division
13 administrator is certified by the law enforcement standards board under s. 165.85
14 (4) (b) 1. as being qualified to be a law enforcement officer.

15 ***-1961/1.5* SECTION 937.** 40.02 (54) (a) of the statutes is repealed.

16 ***-0470/2.3* SECTION 938.** 40.03 (2) (rm) of the statutes is created to read:

17 40.03 (2) (rm) May promulgate rules, which do not conflict with the exclusion
18 from income under section 106 of the Internal Revenue Code, for including additional
19 health insurance plans under s. 40.02 (37) (b).

20 ***-1982/2.1* SECTION 939.** 40.04 (2) (d) of the statutes is amended to read:

21 40.04 (2) (d) The costs of investing the assets of the benefit plans and
22 retirement systems, including all costs due to s. 40.03 (1) (n), and the costs of legal
23 services authorized under s. 40.03 (1) (c) shall be paid from the appropriation under
24 s. 20.515 (1) (r) and charged directly against the appropriate investment income or
25 reserve accounts of the benefit plan or retirement system receiving the services.