

1           **SECTION 72fn.** 21.80 (1) (a) of the statutes, as created by 2001 Wisconsin Act  
2 26, is renumbered 21.80 (1) (a) (intro.) and amended to read:

3           21.80 (1) (a) (intro.) “Active service” means active any of the following:

4           1. Active service in the national guard or the state defense force under an order  
5 of the governor issued under this chapter or active service in the national guard  
6 under 32 USC 502 (f) that is not considered to be service in the uniformed services.

7           **SECTION 72fp.** 21.80 (1) (a) 2. of the statutes is created to read:

8           21.80 (1) (a) 2. Active service with the state laboratory of hygiene under s. 36.25  
9 (11) (em) for the purpose of assisting the department of health and family services  
10 under s. 250.042 during a state of emergency relating to public health declared by  
11 the governor under s. 166.03 (1) (b) 1.

12           **SECTION 72fq.** 21.80 (3) (a) 4. of the statutes, as created by 2001 Wisconsin Act  
13 26, is amended to read:

14           21.80 (3) (a) 4. ~~The person’s~~ In the case of active service in the national guard  
15 or the state defense force, the active service has not been terminated under other  
16 than honorable conditions.

17           **SECTION 72fr.** 21.80 (3) (c) 1. of the statutes, as created by 2001 Wisconsin Act  
18 26, is amended to read:

19           21.80 (3) (c) 1. Any period of active service, as defined in sub. (1) (a) 1., beyond  
20 that 5–year period that is required to complete an initial period of obligated active  
21 service.

22           **SECTION 72fs.** 21.80 (3) (c) 2. of the statutes, as created by 2001 Wisconsin Act  
23 26, is amended to read:

24           21.80 (3) (c) 2. Any period of active service, as defined in sub. (1) (a) 1., for which  
25 the person, through no fault of the person’s own, was unable to obtain orders

1 releasing the person from a period of active service before the expiration of the 5-year  
2 period.

3 **SECTION 72ft.** 21.80 (3) (c) 3. of the statutes, as created by 2001 Wisconsin Act  
4 26, is amended to read:

5 21.80 (3) (c) 3. Any period of active service, as defined in sub. (1)(a) 1., that was  
6 performed to fulfill any additional training requirements determined and certified  
7 in writing by the federal secretary of the army, the federal secretary of the air force,  
8 or the adjutant general to be necessary for professional development or for  
9 completion of skill training or retraining.

10 **SECTION 72fu.** 21.80 (3) (f) 1. of the statutes, as created by 2001 Wisconsin Act  
11 26, is amended to read:

12 21.80 (3) (f) 1. A person who submits an application for reemployment under  
13 par. (e) 2. or 3. must, on the request of the person's employer, provide to the employer  
14 documentation to establish that the application was submitted within the time  
15 limits specified in par. (e) 2. or 3., that the person's cumulative length of all absences  
16 from employment with the employer because of active service or service in the  
17 uniformed services does not, except as permitted under par. (c), exceed 5 years, and,  
18 in the case of active service in the national guard or the state defense force, that the  
19 person's service was not terminated under other than honorable conditions.”.

20 **97.** Page 25, line 15: after that line insert:

21 “**SECTION 72fs.** 23.09 (3) (b) of the statutes is amended to read:

22 23.09 (3) (b) If the department and the board of regents of the University of  
23 Wisconsin System enter into an agreement to create a faculty position at the  
24 University of Wisconsin–Madison for a forest landscape ecologist, the department

1 and the University of Wisconsin–Madison shall develop an annual work plan for the  
2 ecologist. In developing the annual work plan, the department shall consult with the  
3 ~~governor's council on forestry created by executive order under s. 14.019.~~”.

4 **98.** Page 25, line 15: after that line insert:

5 “**SECTION 72fb.** Chapter 22 (title) of the statutes, as created by 2001 Wisconsin  
6 Act 16, is repealed.

7 **SECTION 72fbm.** 22.01 (intro.) of the statutes is repealed.

8 **SECTION 72fc.** 22.01 (1), (2), (2m), (3) and (4) of the statutes, as affected by 2001  
9 Wisconsin Act 16, are renumbered 16.97 (1m), (2), (2m), (3) and (4).

10 **SECTION 72fd.** 22.01 (5) of the statutes, as created by 2001 Wisconsin Act 16,  
11 is repealed.

12 **SECTION 72fe.** 22.01 (5m) to (10) of the statutes, as affected by 2001 Wisconsin  
13 Act 16, are renumbered 16.97 (5m) to (10).

14 **SECTION 72ff.** 22.03 (title) of the statutes, as affected by 2001 Wisconsin Act  
15 16, is renumbered 16.971 (title) and amended to read:

16 **16.971 (title) Responsibilities of department division.**

17 **SECTION 72fg.** 22.03 (2) (intro.), (a) and (ae) of the statutes, as affected by 2001  
18 Wisconsin Act 16, are renumbered 16.971 (2) (intro.), (a) and (ae) and amended to  
19 read:

20 16.971 (2) (intro.) The ~~department~~ division shall:

21 (a) Ensure that an adequate level of information technology services is made  
22 available to all agencies by providing systems analysis and application programming  
23 services to augment agency resources, as requested. The ~~department~~ division shall  
24 also ensure that executive branch agencies, other than the board of regents of the

1 University of Wisconsin System, make effective and efficient use of the information  
2 technology resources of the state. The ~~department~~ division shall, in cooperation with  
3 agencies, establish policies, procedures and planning processes, for the  
4 administration of information technology services, which executive branch agencies  
5 shall follow. The policies, procedures and processes shall address the needs of  
6 agencies, other than the board of regents of the University of Wisconsin System, to  
7 carry out their functions. The ~~department~~ division shall monitor adherence to these  
8 policies, procedures and processes.

9 (ae) Except as provided in sub. (2m), review and approve, modify or reject all  
10 forms approved by a records and forms officer for jurisdiction, authority,  
11 standardization of design and nonduplication of existing forms. Unless the  
12 ~~department~~ division rejects for cause or modifies the form within 20 working days  
13 after receipt, it is considered approved. The ~~department's~~ division's rejection of any  
14 form is appealable to the public records board. If the head of an agency certifies to  
15 the ~~department~~ division that the form is needed on a temporary basis, approval by  
16 the ~~department~~ division is not required.

17 **SECTION 72fh.** 22.03 (2) (am) to (k) of the statutes, as affected by 2001  
18 Wisconsin Act 16, are renumbered 16.971 (2) (am) to (k).

19 **SECTION 72fi.** 22.03 (2) (L) to (m) of the statutes, as affected by 2001 Wisconsin  
20 Act 16, are renumbered 16.971 (2) (L) to (m) and amended to read:

21 16.971 (2) (L) Require each executive branch agency, other than the board of  
22 regents of the University of Wisconsin System, to adopt and submit to the  
23 ~~department~~ division, in a form specified by the ~~department~~ division, no later than  
24 March 1 of each year, a strategic plan for the utilization of information technology

1 to carry out the functions of the agency in the succeeding fiscal year for review and  
2 approval under s. ~~22.13~~ 16.976.

3 (Lm) No later than 60 days after enactment of each biennial budget act, require  
4 each executive branch agency, other than the board of regents of the University of  
5 Wisconsin System, that receives funding under that act for an information  
6 technology development project to file with the ~~department~~ division an amendment  
7 to its strategic plan for the utilization of information technology under par. (L). The  
8 amendment shall identify each information technology development project for  
9 which funding is provided under that act and shall specify, in a form prescribed by  
10 the ~~chief information officer administrator~~, the benefits that the agency expects to  
11 realize from undertaking the project.

12 (m) Assist in coordination and integration of the plans of executive branch  
13 agencies relating to information technology approved under par. (L) and, using these  
14 plans and the statewide long-range telecommunications plan under s. ~~22.41~~ 16.979  
15 (2) (a), formulate and revise biennially a consistent statewide strategic plan for the  
16 use and application of information technology. The ~~department~~ division shall, no  
17 later than September 15 of each even-numbered year, submit the statewide strategic  
18 plan to the cochairpersons of the joint committee on information policy and  
19 technology and the governor.

20 **SECTION 72fj.** 22.03 (2) (n) of the statutes, as affected by 2001 Wisconsin Act  
21 16, is renumbered 16.971 (2) (n).

22 **SECTION 72fk.** 22.03 (2m) (intro.) of the statutes, as affected by 2001 Wisconsin  
23 Act 16, is renumbered 16.971 (2m) (intro.) and amended to read:

24 16.971 (2m) (intro.) The following forms are not subject to review or approval  
25 by the ~~department~~ division:

1           **SECTION 72fl.** 22.03 (2m) (a) to (h) of the statutes, as affected by 2001  
2 Wisconsin Act 16, are renumbered 16.971 (2m) (a) to (h).

3           **SECTION 72fm.** 22.03 (3) and (4) (a) of the statutes, as affected by 2001  
4 Wisconsin Act 16, are renumbered 16.971 (3) and (4) (a) and amended to read:

5           16.971 (3) (a) The ~~chief information officer~~ administrator shall notify the joint  
6 committee on finance in writing of the proposed acquisition of any information  
7 technology resource that the ~~department~~ division considers major or that is likely to  
8 result in a substantive change of service, and that was not considered in the regular  
9 budgeting process and is to be financed from general purpose revenues or  
10 corresponding revenues in a segregated fund. If the cochairpersons of the committee  
11 do not notify the ~~chief information officer~~ administrator that the committee has  
12 scheduled a meeting for the purpose of reviewing the proposed acquisition within 14  
13 working days after the date of the ~~officer's~~ administrator's notification, the  
14 ~~department~~ division may approve acquisition of the resource. If, within 14 working  
15 days after the date of the ~~officer's~~ administrator's notification, the cochairpersons of  
16 the committee notify the ~~officer~~ administrator that the committee has scheduled a  
17 meeting for the purpose of reviewing the proposed acquisition, the ~~department~~  
18 division shall not approve acquisition of the resource unless the acquisition is  
19 approved by the committee.

20           (b) The ~~chief information officer~~ administrator shall promptly notify the joint  
21 committee on finance in writing of the proposed acquisition of any information  
22 technology resource that the ~~department~~ division considers major or that is likely to  
23 result in a substantive change in service, and that was not considered in the regular  
24 budgeting process and is to be financed from program revenues or corresponding  
25 revenues from program receipts in a segregated fund.

1           (4) (a) The department division may license or authorize executive branch  
2 agencies to license computer programs developed by executive branch agencies to the  
3 federal government, other states and municipalities. Any agency other than an  
4 executive branch agency may license a computer program developed by that agency  
5 to the federal government, other states and municipalities.

6           **SECTION 72fn.** 22.03 (4) (b) and (c) and (6) of the statutes, as affected by 2001  
7 Wisconsin Act 16, are renumbered 16.971 (4) (b) and (c) and (6).

8           **SECTION 72fo.** 22.03 (9) and (11) of the statutes, as affected by 2001 Wisconsin  
9 Act 16, are renumbered 16.971 (9) and (11) and amended to read:

10           16.971 (9) In conjunction with the public defender board, the director of state  
11 courts, the departments of corrections and justice and district attorneys, the  
12 ~~department of electronic government~~ division may maintain, promote and  
13 coordinate automated justice information systems that are compatible among  
14 counties and the officers and agencies specified in this subsection, using the moneys  
15 appropriated under s. ~~20.530~~ 20.505 (1) (ja), (kp) and (kq). The ~~department of~~  
16 ~~electronic government~~ division shall annually report to the legislature under s.  
17 13.172 (2) concerning the ~~department's~~ division's efforts to improve and increase the  
18 efficiency of integration of justice information systems.

19           (11) The ~~department~~ division may charge executive branch agencies for  
20 information technology development and management services provided to them by  
21 the department division under this section.

22           **SECTION 72fp.** 22.05 (title) of the statutes, as affected by 2001 Wisconsin Act  
23 16, is renumbered 16.972 (title) and amended to read:

24           **16.972 (title) Powers of the department division.**

1           **SECTION 72fq.** 22.05 (1) of the statutes, as affected by 2001 Wisconsin Act 16,  
2 is renumbered 16.972 (1).

3           **SECTION 72fr.** 22.05 (2) (intro.) and (a) to (d) of the statutes, as affected by 2001  
4 Wisconsin Act 16, are renumbered 16.972 (2) (intro.) and (a) to (d) and amended to  
5 read:

6           16.972 (2) (intro.) The ~~department~~ division may:

7           (a) Provide such telecommunications services to agencies as the ~~department~~  
8 division considers to be appropriate.

9           (b) Provide such computer services and telecommunications services to local  
10 governmental units and the broadcasting corporation and provide such  
11 telecommunications services to qualified private schools, postsecondary  
12 institutions, museums and zoos, as the ~~department~~ division considers to be  
13 appropriate and as the ~~department~~ division can efficiently and economically provide.  
14 The ~~department~~ division may exercise this power only if in doing so it maintains the  
15 services it provides at least at the same levels that it provides prior to exercising this  
16 power and it does not increase the rates chargeable to users served prior to exercise  
17 of this power as a result of exercising this power. The ~~department~~ division may  
18 charge local governmental units, the broadcasting corporation, and qualified private  
19 schools, postsecondary institutions, museums and zoos, for services provided to them  
20 under this paragraph in accordance with a methodology determined by the ~~chief~~  
21 ~~information officer~~ administrator. Use of telecommunications services by a qualified  
22 private school or postsecondary institution shall be subject to the same terms and  
23 conditions that apply to a municipality using the same services. The department  
24 shall prescribe eligibility requirements for qualified museums and zoos to receive  
25 telecommunications services under this paragraph.



1 (c) Provide such supercomputer services to agencies, local governmental units  
2 and entities in the private sector as the ~~department~~ division considers to be  
3 appropriate and as the ~~department~~ division can efficiently and economically provide.  
4 The ~~department~~ division may exercise this power only if in doing so it maintains the  
5 services it provides at least at the same levels that it provides prior to exercising this  
6 power and it does not increase the rates chargeable to users served prior to exercise  
7 of this power as a result of exercising this power. The ~~department~~ division may  
8 charge agencies, local governmental units and entities in the private sector for  
9 services provided to them under this paragraph in accordance with a methodology  
10 determined by the ~~chief information officer~~ administrator.

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

19 **SECTION 72frm.** 22.05 (2) (e) of the statutes, as affected by 2001 Wisconsin Act  
20 16, is renumbered 16.972 (2) (e).

21 **SECTION 72fs.** 22.05 (2) (f) and (g) of the statutes, as affected by 2001 Wisconsin  
22 Act 16, are renumbered 16.972 (2) (f) and (g) and amended to read:

23 16.972 (2) (f) Acquire, operate, and maintain any information technology  
24 equipment or systems required by the ~~department~~ division to carry out its functions,  
25 and provide information technology development and management services related

1 to those information technology systems. The ~~department~~ division may assess  
2 executive branch agencies, other than the board of regents of the University of  
3 Wisconsin System, for the costs of equipment or systems acquired, operated,  
4 maintained, or provided or services provided under this paragraph in accordance  
5 with a methodology determined by the ~~chief information officer~~ administrator. The  
6 ~~department~~ division may also charge any agency for such costs as a component of any  
7 services provided by the ~~department~~ division to the agency.

8 (g) Assume direct responsibility for the planning and development of any  
9 information technology system in the executive branch of state government outside  
10 of the University of Wisconsin System that the ~~chief information officer~~  
11 administrator determines to be necessary to effectively develop or manage the  
12 system, with or without the consent of any affected executive branch agency. The  
13 ~~department~~ division may charge any executive branch agency for the ~~department's~~  
14 division's reasonable costs incurred in carrying out its functions under this  
15 paragraph on behalf of that agency.

16 **SECTION 72ft.** 22.05 (2) (h) and (i) of the statutes, as created by 2001 Wisconsin  
17 Act 16, are renumbered 16.972 (2) (h) and (i).

18 **SECTION 72fu.** 22.07 (intro.), (1) and (2) of the statutes, as affected by 2001  
19 Wisconsin Act 16, are renumbered 16.973 (intro.), (1) and (2) and amended to read:

20 **16.973 Duties of the ~~department~~ division.** (intro.) The ~~department~~  
21 division shall:

22 (1) Provide or contract with a public or private entity to provide computer  
23 services to agencies. The ~~department~~ division may charge agencies for services  
24 provided to them under this subsection in accordance with a methodology  
25 determined by the ~~chief information officer~~ administrator.

1           (2) Promulgate methodologies for establishing all fees and charges established  
2 or assessed by the ~~department~~ division or the ~~chief information officer~~ administrator  
3 under this chapter.

4           **SECTION 72fv.** 22.07 (3) of the statutes, as affected by 2001 Wisconsin Act 16,  
5 is renumbered 16.973 (3).

6           **SECTION 72fw.** 22.07 (4) to (8) of the statutes, as affected by 2001 Wisconsin Act  
7 16, are renumbered 16.973 (4) to (8) and amended to read:

8           16.973 (4) Ensure responsiveness to the needs of agencies for delivery of  
9 high-quality information technology processing services on an efficient and  
10 economical basis, while not unduly affecting the privacy of individuals who are the  
11 subjects of the information being processed by the ~~department~~ division.

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

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

19           (7) Prescribe and revise as necessary performance measures to ensure  
20 financial controls and accountability, optimal personnel utilization, and customer  
21 satisfaction for all information technology functions in the executive branch outside  
22 of the University of Wisconsin System and annually, no later than March 31, report  
23 to the joint committee on information policy and technology and the board  
24 concerning the performance measures utilized by the ~~department~~ division and the

1 actual performance of the ~~department~~ division and the executive branch agencies  
2 measured against the performance measures then in effect.

3 (8) Offer the opportunity to local governmental units to voluntarily obtain  
4 computer or supercomputer services from the ~~department~~ division when those  
5 services are provided under s. ~~22.05~~ 16.972 (2) (b) or (c), and to voluntarily  
6 participate in any master contract established by the ~~department~~ division under s.  
7 ~~22.05~~ 16.972 (2) (h) or in the use of any informational system or device provided by  
8 the ~~department~~ division under ~~22.09 (3)~~ 16.971 (15).

9 **SECTION 72fx.** 22.07 (9) of the statutes, as created by 2001 Wisconsin Act 16,  
10 is renumbered 16.973 (9).

11 **SECTION 72fy.** 22.09 (intro.) and (1) to (3) of the statutes, as created by 2001  
12 Wisconsin Act 16, are renumbered 16.974 (intro.) and (1) to (3) and amended to read:

13 **16.974 Powers of the ~~chief information officer administrator~~ administrator.** (intro.)

14 The ~~chief information officer administrator~~ administrator may:

15 (1) Establish and collect assessments and charges for all authorized services  
16 provided by the ~~department~~ division, subject to applicable agreements under sub.  
17 (2).

18 (2) Subject to s. ~~22.05~~ 16.972 (2) (b), enter into and enforce an agreement with  
19 any agency, any authority, any unit of the federal government, any local  
20 governmental unit, or any entity in the private sector to provide services authorized  
21 to be provided by the ~~department~~ department to that agency, authority, unit, or entity  
22 at a cost specified in the agreement.

23 (3) Develop or operate and maintain any system or device facilitating Internet  
24 or telephone access to information about programs of agencies, authorities, local  
25 governmental units, or entities in the private sector, or otherwise permitting the

1 transaction of business by agencies, authorities, local governmental units, or entities  
2 in the private sector by means of electronic communication. The ~~chief information~~  
3 ~~officer~~ administrator may assess executive branch agencies, other than the board of  
4 regents of the University of Wisconsin System, for the costs of systems or devices that  
5 are developed, operated, or maintained under this subsection in accordance with a  
6 methodology determined by the ~~officer~~ administrator. The ~~chief information officer~~  
7 administrator may also charge any agency, authority, local governmental unit, or  
8 entity in the private sector for such costs as a component of any services provided by  
9 the ~~department~~ division to that agency, authority, local governmental unit, or entity.

10 **SECTION 72fz.** 22.09 (5) of the statutes, as created by 2001 Wisconsin Act 16,  
11 is renumbered 16.974 (5).

12 **SECTION 72fza.** 22.11 of the statutes, as affected by 2001 Wisconsin Act 16, is  
13 renumbered 16.975 and amended to read:

14 **16.975 Access to information.** The ~~department~~ division shall withhold from  
15 access under s. 19.35 (1) all information submitted to the ~~department~~ division by  
16 agencies, authorities, units of the federal government, local governmental units or  
17 entities in the private sector for the purpose of processing. The ~~department~~ division  
18 may not process such information without the consent of the agency, authority, unit  
19 or other entity which submitted the information and may not withhold such  
20 information from the agency, authority, unit or other entity or from any other person  
21 authorized by the agency, authority, unit or entity to have access to the information.  
22 The agency, authority, unit or other entity submitting the information remains the  
23 custodian of the information while it is in the custody of the ~~department~~ division and  
24 access to such information by that agency, authority, unit or entity or any other

1 person shall be determined by that agency, authority, unit or other entity and in  
2 accordance with law.

3 **SECTION 72fzb.** 22.13 (title) of the statutes, as created by 2001 Wisconsin Act  
4 16, is renumbered 16.976 (title).

5 **SECTION 72fzc.** 22.13 (1) of the statutes, as created by 2001 Wisconsin Act 16,  
6 is renumbered 16.976 (1) and amended to read:

7 16.976 (1) As a part of each proposed strategic plan submitted under s. ~~22.03~~  
8 16.971 (2) (L), the ~~department~~ division shall require each executive branch agency  
9 to address the business needs of the agency and to identify all proposed information  
10 technology development projects that serve those business needs, the priority for  
11 undertaking such projects, and the justification for each project, including the  
12 anticipated benefits of the project. Each proposed plan shall identify any changes  
13 in the functioning of the agency under the plan. In each even-numbered year, the  
14 plan shall include identification of any information technology development project  
15 that the agency plans to include in its biennial budget request under s. 16.42 (1).

16 **SECTION 72fzd.** 22.13 (2) of the statutes, as created by 2001 Wisconsin Act 16,  
17 is renumbered 16.976 (2).

18 **SECTION 72fze.** 22.13 (3) to (6) of the statutes, as created by 2001 Wisconsin  
19 Act 16, are renumbered 16.976 (3) to (6) and amended to read:

20 16.976 (3) Following receipt of a proposed strategic plan from an executive  
21 branch agency, the ~~chief information officer~~ administrator shall, before June 1, notify  
22 the agency of any concerns that the ~~officer~~ administrator may have regarding the  
23 plan and provide the agency with his or her recommendations regarding the  
24 proposed plan. The ~~chief information officer~~ administrator may also submit any  
25 concerns or recommendations regarding any proposed plan to the board for its

1 consideration. The board shall then consider the proposed plan and provide the ~~chief~~  
2 ~~information officer~~ administrator with its recommendations regarding the plan. The  
3 executive branch agency may submit modifications to its proposed plan in response  
4 to any recommendations.

5 (4) Before June 15, the ~~chief information officer~~ administrator shall consider  
6 any recommendations provided by the board under sub. (3) and shall then approve  
7 or disapprove the proposed plan in whole or in part.

8 (5) No executive branch agency, other than the board of regents of the  
9 University of Wisconsin System, may implement a new or revised information  
10 technology development project authorized under a strategic plan until the  
11 implementation is approved by the ~~chief information officer~~ administrator in  
12 accordance with procedures prescribed by the ~~officer~~ administrator.

13 (6) The ~~department~~ division shall consult with the joint committee on  
14 information policy and technology in providing guidance for planning by executive  
15 branch agencies.

16 **SECTION 72fzf.** 22.15 (intro.) of the statutes, as created by 2001 Wisconsin Act  
17 16, is renumbered 16.977 (intro.) and amended to read:

18 **16.977 Information technology portfolio management.** (intro.) With the  
19 assistance of executive branch agencies and the advice of the board, the ~~department~~  
20 division shall manage the information technology portfolio of state government in  
21 accordance with a management structure that includes all of the following:

22 **SECTION 72fzg.** 22.15 (1) to (3) of the statutes, as created by 2001 Wisconsin  
23 Act 16, are renumbered 16.977 (1) to (3).

24 **SECTION 72fzh.** 22.17 (title) of the statutes, as created by 2001 Wisconsin Act  
25 16, is renumbered 16.978 (title).

1           **SECTION 72fzi.** 22.17 (1) to (4) of the statutes, as created by 2001 Wisconsin Act  
2 16, are renumbered 16.978 (1) to (4) and amended to read:

3           16.978 (1) The board shall provide the ~~chief information officer~~ administrator  
4 with its recommendations concerning any elements of the strategic plan of an  
5 executive branch agency that are referred to the board under s. ~~22.13~~ 16.976 (3).

6           (2) The board may advise the ~~chief information officer~~ administrator with  
7 respect to management of the information technology portfolio of state government  
8 under s. ~~22.15~~ 16.977.

9           (3) The board may, upon petition of an executive branch agency, review any  
10 decision of the ~~chief information officer~~ administrator under this chapter affecting  
11 that agency. Upon review, the board may affirm, modify, or set aside the decision. If  
12 the board modifies or sets aside the decision of the ~~chief information officer~~  
13 administrator, the decision of the board stands as the decision of the ~~chief~~  
14 ~~information officer~~ administrator and the decision is not subject to further review or  
15 appeal.

16           (4) The board may monitor progress in attaining goals for information  
17 technology and telecommunications development set by the ~~chief information officer~~  
18 administrator or executive branch agencies, other than the board of regents of the  
19 University of Wisconsin System, and may make recommendations to the ~~officer~~  
20 administrator or agencies concerning appropriate means of attaining those goals.

21           **SECTION 72fzj.** 22.19 of the statutes, as affected by 2001 Wisconsin Act 16, is  
22 renumbered 16.9785 and amended to read:

23           **16.9785 Purchases of computers by teachers.** The ~~department~~ division  
24 shall negotiate with private vendors to facilitate the purchase of computers and other  
25 educational technology, as defined in s. 24.60 (1r), by public and private elementary



1 and secondary school teachers for their private use. The ~~department~~ division shall  
2 attempt to make available types of computers and other educational technology  
3 under this section that will encourage and assist teachers in becoming  
4 knowledgeable about the technology and its uses and potential uses in education.

5 **SECTION 72fzk.** 22.41 (title) of the statutes, as affected by 2001 Wisconsin Act  
6 16, is renumbered 16.979 (title).

7 **SECTION 72fzL.** 22.41 (2) (intro.) of the statutes, as affected by 2001 Wisconsin  
8 Act 16, is renumbered 16.979 (2) (intro.) and amended to read:

9 16.979 (2) POWERS AND DUTIES. (intro.) The ~~department~~ division shall ensure  
10 maximum utility, cost–benefit and operational efficiency of all telecommunications  
11 systems and activities of this state, and those which interface with cities, counties,  
12 villages, towns, other states and the federal government. The ~~department~~ division,  
13 with the assistance and cooperation of all other agencies, shall:

14 **SECTION 72fzm.** 22.41 (2) (a) to (f) of the statutes, as affected by 2001 Wisconsin  
15 Act 16, are renumbered 16.979 (2) (a) to (f).

16 **SECTION 72fzn.** 22.41 (3) of the statutes, as affected by 2001 Wisconsin Act 16,  
17 is renumbered 16.979 (3) and amended to read:

18 16.979 (3) PRIVATE COLLEGE AND UNIVERSITY PARTICIPATION IN STATE  
19 TELECOMMUNICATIONS NETWORK. The ~~department~~ division may allow regionally  
20 accredited 4–year nonprofit colleges and universities that are incorporated in this  
21 state or that have their regional headquarters and principal place of business in this  
22 state to participate in any telecommunications network administered by the  
23 ~~department~~ division.”.

24 **99.** Page 25, line 16: delete lines 16 to 18.

1           **100.** Page 26, line 11: after that line insert:

2           “**SECTION 72L.** 23.10 (1m) of the statutes is created to read:

3           23.10 (**1m**) The department shall designate a conservation warden as the chief  
4 warden and may designate one or more deputy chief wardens. The chief warden  
5 shall have the duty to direct, supervise, and control conservation wardens in the  
6 performance of their duties under sub. (1) and s. 29.921. The chief warden shall  
7 designate an employee of the department as an internal affairs officer to investigate  
8 complaints against conservation wardens when the chief warden determines an  
9 investigation is necessary and shall designate an employee of the department as a  
10 complaint officer to resolve complaints against conservation wardens.”.

11           **101.** Page 27, line 21: delete the material beginning with that line and ending  
12 with page 28, line 2.

13           **102.** Page 28, line 2: after that line insert:

14           “**SECTION 72t.** 23.22 of the statutes is created to read:

15           **23.22 Invasive species.** (1) **DEFINITIONS.** In this section:

16           (a) “Control” means to cut, remove, destroy, suppress, or prevent the  
17 introduction or spread of.

18           (b) “Council” means the invasive species council.

19           (c) “Invasive species” means nonindigenous species whose introduction causes  
20 or is likely to cause economic or environmental harm or harm to human health.

21           (d) “State agency” means a board, commission, committee, department, or  
22 office in the state government.

23           (2) **DEPARTMENT RESPONSIBILITIES.** (a) The department shall establish a  
24 statewide program to control invasive species in this state.

1 (b) As part of the program established under par. (a), the department shall do  
2 all of the following:

3 1. Create and implement a statewide management plan to control invasive  
4 species in this state, which shall include inspections as specified under sub. (5).

5 2. Administer the program established under s. 23.24 as it relates to invasive  
6 aquatic plants.

7 3. Encourage cooperation among state agencies and other entities to control  
8 invasive species in this state.

9 4. Seek public and private funding for the program.

10 6. Promulgate rules to classify invasive species for purposes of the program.

11 In promulgating these rules, the department shall consider the recommendations of  
12 the council under sub. (3) (a).

13 (c) Under the program established under par. (a), the department shall  
14 promulgate rules to establish a procedure to award cost-sharing grants to public and  
15 private entities for up to 50% of the costs of projects to control invasive species. Any  
16 rules promulgated under this paragraph shall establish criteria for determining  
17 eligible projects and eligible grant recipients and shall allow cost-share  
18 contributions to be in the form of money or in-kind goods or services or any  
19 combination thereof. In promulgating these rules, the department shall consider the  
20 recommendations of the council under sub. (3) (c).

21 **(3) COUNCIL DUTIES.** (a) The council shall make recommendations to the  
22 department for a system for classifying invasive species under the program  
23 established under sub. (2). The recommendations shall contain criteria for each  
24 classification to be used, the allowed activities associated with each classification,  
25 criteria for determining state priorities for controlling invasive species under each

1 classification, and criteria for determining the types of actions to be taken in  
2 response to the introduction or spread of a native species under each classification.

3 (b) Under the program established under sub. (2), the council shall conduct  
4 studies of issues related to controlling invasive species. The studies shall address  
5 all of the following:

6 1. The effect of the state's bait industry on the introduction and spread of  
7 invasive species.

8 2. The effect of the state's pet industry on the introduction and spread of  
9 invasive species.

10 3. The acquisition of invasive species through mail order and Internet sales.

11 4. Any other issue as determined by the council.

12 (c) The council shall make recommendations to the department on the  
13 establishment of a procedure for awarding cost-sharing grants under sub. (2) (c) to  
14 public and private entities for up to 50% of the costs of eligible projects to control  
15 invasive species. The recommendations shall contain criteria for determining  
16 eligibility for these grants and for determining which applicants should be awarded  
17 the grants.

18 (d) To assist the council in its work, the council shall create 4 subcommittees  
19 on the subjects of education, research, regulation, and interagency coordination. The  
20 council may create additional subcommittees on other subjects.

21 (5) INSPECTIONS. As part of the statewide management plan, the department  
22 shall create a watercraft inspection program under which the department shall  
23 conduct periodic inspections of boats, boating equipment, and boat trailers entering  
24 and leaving navigable waters and shall educate boaters about the threat of invasive

1 species that are aquatic species. The department shall encourage the use of  
2 volunteers or may use department employees for these inspections.

3 (6) REPORTS. (a) The department shall submit to the legislature under s. 13.172  
4 (2), and to the governor and the council, a biennial report that includes all of the  
5 following:

6 1. Details on the administration of the program established under sub. (2),  
7 including an assessment as to the progress that is being made in controlling invasive  
8 species in this state.

9 2. A description of state funding that has been expended under the program.

10 3. A description of funding from other sources that has been expended to control  
11 invasive species in this state.

12 4. An assessment of the future needs of the program.

13 (b) The department shall submit the biennial report under par. (a) before July  
14 1 of each even-numbered year. The first biennial report shall be submitted no later  
15 than July 1, 2004. Each report shall cover the 24-month period ending on the March  
16 31 that immediately precedes the date of the report.

17 (c) In addition to the report required under par. (a), the department shall  
18 submit an interim performance report to the legislature under s. 13.172 (2), and to  
19 the governor and the council, on the progress that has been made on the control of  
20 invasive species. The department shall submit this interim performance report  
21 before July 1 of each odd-numbered year. The first interim performance report shall  
22 be submitted no later than July 1, 2005. Each interim performance report shall cover  
23 the 12-month period ending on the March 31 that immediately precedes the date of  
24 the interim performance report.

1           (7) APPEARANCE BEFORE LEGISLATURE. Upon request of a standing committee of  
2 the legislature with jurisdiction over matters related to the environment, natural  
3 resources, or agriculture, the director of the program shall appear to testify.

4           **SECTION 72td.** 23.23 (title) of the statutes is repealed.

5           **SECTION 72tj.** 23.23 (1) of the statutes is renumbered 23.235 (1) (b) and  
6 amended to read:

7           23.235 (1) (b) ~~In this section, “purple~~ “Purple loosestrife” means any nonnative  
8 member of the genus *Lythrum*.

9           **SECTION 72tm.** 23.23 (2) of the statutes is renumbered 23.235 (3m) and  
10 amended to read:

11           23.235 (3m) RESEARCH. The Under the program established under s. 23.22, the  
12 department shall make a reasonable effort to conduct research to determine  
13 alternative methods to contain and control purple loosestrife in the most  
14 environmentally sound manner and may conduct other research on the control of  
15 nuisance weeds. The secretaries of natural resources and of agriculture, trade and  
16 consumer protection may authorize any person to plant or cultivate nuisance weeds  
17 for the purpose of controlled experimentation.

18           **SECTION 72tq.** 23.23 (3) (a) of the statutes is renumbered 23.235 (2m) (a) and  
19 amended to read:

20           23.235 (2m) (a) The Under the program established under s. 23.22, the  
21 department shall make a reasonable effort to develop a statewide ~~program~~ plan to  
22 control purple loosestrife on both public and private lands, as provided in this  
23 subsection.

24           **SECTION 72tv.** 23.23 (3) (b) of the statutes is renumbered 23.235 (2m) (b) and  
25 amended to read:

1           23.235 (2m) (b) The department shall make a reasonable effort to implement  
2 control and quarantine methods on public lands as soon as practicable. The  
3 department shall make a reasonable effort to employ the least environmentally  
4 harmful methods available that are effective, based on research conducted under  
5 sub. ~~(2)~~ (3m).

6           **SECTION 72ud.** 23.23 (3) (c) of the statutes is renumbered 23.235 (2m) (c).

7           **SECTION 72uj.** 23.23 (3) (d) of the statutes is renumbered 23.235 (2m) (d).

8           **SECTION 72um.** 23.23 (3) (e) of the statutes is renumbered 23.235 (2m) (e).

9           **SECTION 72uq.** 23.23 (4) (a) of the statutes is renumbered 23.235 (4) (a) and  
10 amended to read:

11           23.235 (4) (a) ~~The~~ Under the program established under s. 23.22, the  
12 department shall make a reasonable effort to develop a statewide education ~~program~~  
13 effort on the effects of ~~purple loosestrife~~ nuisance weeds, as provided in this  
14 subsection.

15           **SECTION 72uv.** 23.23 (4) (b) of the statutes is renumbered 23.235 (4) (b) and  
16 amended to read:

17           23.235 (4) (b) The department shall make a reasonable effort to educate the  
18 authorities in charge of the maintenance of all federal, state and county trunk  
19 highways and all forest and park land in this state on methods to identify and control  
20 ~~purple loosestrife and multiflora rose~~ nuisance weeds. The department of  
21 transportation and all other authorities in charge of the maintenance of highways,  
22 forests and parks may cooperate with the department in efforts under this  
23 paragraph.

24           **SECTION 72vd.** 23.23 (4) (c) of the statutes is renumbered 23.235 (4) (c).

1           **SECTION 72vj.** 23.235 (1) of the statutes is renumbered 23.235 (1) (intro.) and  
2 amended to read:

3           23.235 (1) DEFINITIONS. (intro.) In this section, “nuisance:

4           (a) “Nuisance weeds” means ~~any nonnative member of the genus Lythrum~~  
5 (purple loosestrife) or hybrids thereof and multiflora rose.

6           **SECTION 72vm.** 23.235 (2) of the statutes, as affected by 2001 Wisconsin Act  
7 16, is amended to read:

8           23.235 (2) PROHIBITION. Except as provided in sub. (3) (3m), no person may sell,  
9 offer for sale, distribute, plant, or cultivate any multiflora rose or seeds thereof.

10           **SECTION 72vq.** 23.235 (2m) (title) of the statutes is created to read:

11           23.235 (2m) (title) CONTROL EFFORTS.

12           **SECTION 72vv.** 23.235 (3) of the statutes is repealed.

13           **SECTION 72wd.** 23.235 (4) (title) of the statutes is created to read:

14           23.235 (4) (title) EDUCATION.

15           **SECTION 72wj.** 23.235 (5) of the statutes is amended to read:

16           23.235 (5) PENALTY. Any person who knowingly violates this section ~~sub. (2)~~  
17 shall forfeit not more than \$100. Each violation of this section is a separate offense.

18           **SECTION 72wm.** 23.24 (1) (g) of the statutes, as created by 2001 Wisconsin Act  
19 16, is amended to read:

20           23.24 (1) (g) “Invasive aquatic plant” means an aquatic plant that is designated  
21 under sub. (2) (b) 1.

22           **SECTION 72wq.** 23.24 (2) (title) of the statutes, as created by 2001 Wisconsin  
23 Act 16, is repealed and recreated to read:

24           23.24 (2) (title) DEPARTMENT DUTIES.



1           **SECTION 72wv.** 23.24 (2) (a) 1. of the statutes, as created by 2001 Wisconsin Act  
2 16, is amended to read:

3           23.24 (2) (a) 1. ~~Protect~~ Implement efforts to protect and develop diverse and  
4 stable communities of native aquatic plants.

5           **SECTION 72xd.** 23.24 (2) (a) 3. of the statutes, as created by 2001 Wisconsin Act  
6 16, is renumbered 23.22 (2) (b) 5. and amended to read:

7           23.22 (2) (b) 5. Provide education and encourage and conduct research  
8 concerning invasive ~~aquatic plants species~~.

9           **SECTION 72xj.** 23.24 (2) (b) (intro.) and 1. of the statutes, as created by 2001  
10 Wisconsin Act 16, are consolidated, renumbered 23.24 (2) (b) and amended to read:

11           23.24 (2) (b) Under the program implemented under par. (a), the department  
12 shall ~~do all of the following:~~ 1. ~~Designate~~ designate by rule which aquatic plants are  
13 invasive aquatic plants for purposes of this section. The department shall designate  
14 Eurasian water milfoil, curly leaf pondweed, and purple loosestrife as invasive  
15 aquatic plants and may designate any other aquatic plant as an invasive aquatic  
16 plant if it has the ability to cause significant adverse change to desirable aquatic  
17 habitat, to significantly displace desirable aquatic vegetation, or to reduce the yield  
18 of products produced by aquaculture.

19           **SECTION 72xm.** 23.24 (2) (b) 2. of the statutes, as created by 2001 Wisconsin  
20 Act 16, is renumbered 23.24 (2) (a) 4.

21           **SECTION 72xq.** 23.24 (2) (c) (intro.) of the statutes, as created by 2001 Wisconsin  
22 Act 16, is amended to read:

23           23.24 (2) (c) (intro.) The requirements promulgated under par. ~~(b) 2.~~ (a) 4. may  
24 specify any of the following:

1           **SECTION 72xv.** 23.24 (3) (a) (intro.) of the statutes, as created by 2001 Wisconsin  
2 Act 16, is amended to read:

3           23.24 (3) (a) (intro.) Unless a person has a valid aquatic plant management  
4 permit issued ~~under the program established under sub. (2) by the department~~, no  
5 person may do any of the following:"

6           **103.** Page 28, line 8: after that line insert:

7           **"SECTION 78r.** 25.17 (71) of the statutes is created to read:

8           25.17 (71) (a) Before June 30, 2004, make an effort to commit to invest an  
9 amount not less than \$50,000,000 in venture capital investment firms. The amount  
10 that is committed to be invested under this paragraph shall be in addition to any  
11 amount that is invested in venture capital investment firms before the effective date  
12 of this paragraph .... [revisor inserts date]. In selecting the venture capital  
13 investment firms in which to make investments, the board is subject to the standard  
14 of responsibility under s. 25.15 (2) and shall consider all of the following factors:

15           1. The experience of the venture capital investment firms in making  
16 investments.

17           2. The commitment of the venture capital investment firms to making venture  
18 capital investments in health care, biotechnology, and other technological  
19 industries.

20           3. The willingness of the venture capital investment firms to make at least 75%  
21 of the investments in businesses headquartered in this state.

22           4. Whether the venture capital investment firms have a place of business in this  
23 state.

1           5. The overall experience of the venture capital investment firms in making  
2 investments in businesses that are in the venture capital stage.

3           6. The relationships that the venture capital investment firms have with  
4 technology transfer organizations, such as the Wisconsin Alumni Research  
5 Foundation, Inc.

6           7. The ability of the venture capital investment firms to do lead and follow-on  
7 investments.

8           (b) Any venture capital investment firm in which the investment board makes  
9 an investment under par. (a) shall make an effort to invest in businesses located in  
10 the areas of Green Bay, Eau Claire, Madison, Janesville–Beloit, La Crosse, Stevens  
11 Point–Marshfield, Racine–Kenosha, Milwaukee, Sheboygan–Manitowoc, Superior,  
12 the Fox River Valley, and Wausau and within the boundaries of any federally  
13 recognized Indian reservation. The investment board shall determine the  
14 geographic boundaries of each area.

15           (c) Nothing in this subsection limits the authority of the board to make any  
16 other investments that are otherwise authorized by law or restricts the authority of  
17 the board or any venture capital investment firm to make investments in any area  
18 of this state.”.

19           **104.** Page 28, line 8: after that line insert:

20           “**SECTION 80m.** 25.60 of the statutes, as affected by 2001 Wisconsin Act 16, is  
21 amended to read:

22           **25.60 Budget stabilization fund.** There is created a separate nonlapsible  
23 trust fund designated as the budget stabilization fund, consisting of moneys

1 transferred to the fund from the general fund under s. 16.518 (3) and moneys  
2 deposited into the fund under 2001 Wisconsin Act ... (this act), section 9107 (1b)."

3 **105.** Page 28, line 8: after that line insert:

4 "SECTION 79q. 25.17 (16) (a) 1. of the statutes, as created by 2001 Wisconsin  
5 Act 16, is repealed.

6 SECTION 79r. 25.17 (16) (a) 2. of the statutes, as created by 2001 Wisconsin Act  
7 16, is amended to read:

8 25.17 (16) (a) 2. All proceeds of, and investment earnings on, investments of  
9 the permanent endowment fund made under s. 25.18 (1) (p) that are received in the  
10 fiscal year, less the amount transferred to the tobacco control fund under s. 13.101  
11 (16) (b) in that year."

12 **106.** Page 29, line 3: after that line insert:

13 "SECTION 83s. 26.02 of the statutes is created to read:

14 **26.02 Council on forestry. (1) DUTIES.** The council on forestry shall advise  
15 the governor, the legislature, the department of natural resources, the department  
16 of commerce, and other state agencies, as determined to be appropriate by the  
17 council, on all of the following topics as they affect forests located in this state:

- 18 (a) The protection of forests from fire, insects, and disease.  
19 (b) The practice of sustainable forestry, as defined in s. 28.04 (1) (e).  
20 (c) Reforestation and forestry genetics.  
21 (d) Management and protection of urban forests.  
22 (e) Increasing the public's knowledge and awareness of forestry issues.  
23 (f) Forestry research.

1 (g) Increasing the economic development of the forestry industry and  
2 employment in the forestry industry.

3 (h) Marketing and use of forest products.

4 (i) Legislation that impacts on the management of forest lands in this state.

5 (j) Staffing and funding needs for forestry programs conducted by the state.

6 (2) REPORT. (a) The council on forestry shall prepare a biennial report on the  
7 status of the state's forest resources and forestry industry. The report shall include  
8 a summary of each of the following:

9 1. The magnitude, nature, and extent of the forest resources in this state.

10 2. The current use in this state for forest products and the benefits that these  
11 forest products provide to the state.

12 3. The projected future demand for forest products and the projected benefits  
13 that these forest products will provide to the state in the future.

14 4. The types of owners and forms of ownership that apply to forests in this state,  
15 including the reasons why persons own forest land.

16 5. The success of existing incentives that are offered to stimulate the  
17 development of forest resources.

18 6. The possible economic opportunities in this state that may result if improved  
19 forest-product marketing, and increased business dealing in or use of forest  
20 products, occurs in this state.

21 7. Recommendations for increasing the economic development of the forestry  
22 industry and employment in the forestry industry.

23 8. The effect of state and local governmental laws and policy on forestry  
24 management and the location of markets for forest products.

1           9. Recommendations as to staffing and funding needs for forestry programs  
2 and other conservation programs related to forestry that are conducted by the state  
3 to support and enhance the development of forest resources.

4           10. Recommendations as to the need to increase the public's knowledge and  
5 awareness of forestry issues.

6           (b) The council on forestry shall submit the report under this subsection no  
7 later than June 1 of each odd-numbered year for distribution to the governor and to  
8 the appropriate standing committees of the legislature under s. 13.172 (3). The first  
9 report shall be submitted no later than June 1, 2005. Each report shall cover the  
10 24-month period ending on the December 31 immediately preceding the date of the  
11 report.”.

12           **107.** Page 29, line 17: after that line insert:

13           “**SECTION 84j.** 29.001 (20) of the statutes is created to read:

14           29.001 (20) “Deer” means white-tailed deer and does not include farm-raised  
15 deer.

16           **SECTION 84k.** 29.001 (22) of the statutes is created to read:

17           29.001 (22) “Elk” means elk that is present in the wild and that does not have  
18 an ear tag or other mark identifying it as being raised on a farm.

19           **SECTION 84m.** 29.001 (36) of the statutes is amended to read:

20           29.001 (36) “Game animals” ~~includes~~ means deer, moose, elk, bear, rabbits,  
21 squirrels, fox ~~and~~, raccoon, and any other wild animals specified by the department.

22           **SECTION 84mb.** 29.024 (2) (a) of the statutes is amended to read:

1           29.024 (2) (a) ~~A~~ Except as provided in s. 29.182 (4), a hunting, trapping, or  
2 fishing approval may be issued only to and obtained only by a natural person entitled  
3 to the approval.

4           **SECTION 84md.** 29.024 (2) (d) of the statutes is amended to read:

5           29.024 (2) (d) Except as provided under s. 29.182 (4) or 29.519 (2) (d) or by rule,  
6 no person may transfer his or her approval or permit the use of any approval by any  
7 other person.

8           **SECTION 84mf.** 29.047 (1m) of the statutes is amended to read:

9           29.047 (1m) Unless prohibited by the laws of an adjoining state, any person  
10 who has lawfully killed a deer or an elk in this state may take the deer or elk or its  
11 carcass into the adjoining state and ship the deer or elk or carcass from any point in  
12 the adjoining state to any point in this state.

13          **SECTION 84mh.** 29.089 (3) of the statutes is amended to read:

14          29.089 (3) A person may hunt deer, elk, wild turkeys, or small game in a state  
15 park, or in a portion of a state park, if the department has authorized by rule the  
16 hunting of that type of game in the state park, or in the portion of the state park, and  
17 if the person holds the approvals required under this chapter for hunting that type  
18 of game.

19          **SECTION 84mj.** 29.161 of the statutes is amended to read:

20          **29.161 Resident small game hunting license.** A resident small game  
21 hunting license shall be issued subject to s. 29.024 by the department to any resident  
22 applying for this license. The resident small game hunting license does not authorize  
23 the hunting of bear, deer, elk, or wild turkey.

24          **SECTION 84mm.** 29.171 (2) of the statutes is amended to read:

1           29.171 (2) A resident archer hunting license authorizes the hunting of all  
2 game, except bear, elk, and wild turkey, during the open seasons for hunting that  
3 game with bow and arrow established by the department. This license authorizes  
4 hunting with a bow and arrow only, unless hunting with a crossbow is authorized by  
5 a Class A, Class B, or Class C permit issued under s. 29.193 (2) or a permit issued  
6 under sub. (4).

7           **SECTION 84mp.** 29.182 of the statutes is created to read:

8           **29.182 Elk hunting licenses.** (1) DEPARTMENT AUTHORITY. The department  
9 may issue elk hunting licenses and may limit the number of elk hunters and elk  
10 harvested in any area of the state. The department may establish by rule closed  
11 zones where elk hunting is prohibited.

12           (2) APPLICATION. A person who applies for an elk hunting license under this  
13 section shall pay the processing fee under s. 29.553 at the time of application.

14           (3) AUTHORIZATION. (a) A resident elk hunting license authorizes a resident of  
15 this state to hunt elk with a firearm or bow and arrow, or with a crossbow, if the  
16 resident has a Class A, Class B, or Class C permit issued under s. 29.193 (2) that  
17 authorizes hunting with a crossbow, or if the resident has a crossbow permit issued  
18 under s. 29.171 (4) (a).

19           (b) A nonresident elk hunting license authorizes a nonresident of this state to  
20 hunt elk with a firearm or with a bow and arrow.

21           (4) ISSUANCE. (a) Except as provided in pars. (c) and (d) and sub. (4m), if the  
22 department issues elk hunting licenses, the department shall issue a resident or  
23 nonresident elk hunting license to any person who applies for such a license, and who  
24 pays the fees required for the license.



1           (b) In issuing resident elk hunting licenses and nonresident elk hunting  
2 licenses under this section, the department shall determine the number of licenses  
3 it will issue in a given elk hunting season and shall allocate the licenses to residents  
4 and nonresidents in the following manner:

5           1. If the total number of licenses to be issued is 100 licenses or less, the licenses  
6 shall be allocated for issuance only as resident elk hunting licenses.

7           2. If the number of licenses to be issued is more than 100 licenses, the first 100  
8 licenses and 95% of the amount over 100 shall be allocated for issuance as resident  
9 elk hunting licenses and the remaining licenses shall be allocated for issuance as  
10 nonresident elk hunting licenses.

11           (c) If the number of applicants for resident elk hunting licenses exceeds the  
12 number of resident elk hunting licenses that are available under par. (b), the  
13 department shall select at random the residents to be issued the licenses. If the  
14 number of applicants for resident elk hunting licenses is less than the number of  
15 resident elk hunting licenses available under par. (b), the department shall  
16 reallocate the unissued licenses to be issued as nonresident elk hunting licenses  
17 under par. (d).

18           (d) If the number of applicants for nonresident elk hunting licenses exceeds the  
19 number of nonresident elk hunting licenses that are available under par. (b), the  
20 department shall select at random the nonresidents to be issued the licenses. If the  
21 number of applicants for nonresident elk hunting licenses is less than the number  
22 of nonresident elk hunting licenses available under par. (b), the department shall  
23 reallocate the unissued licenses to be issued as resident elk hunting licenses.

24           (e) In addition to any other elk hunting license that the department issues  
25 under this subsection, the department shall issue one resident elk hunting license

1 in an elk hunting season to an organization known as the Rocky Mountain Elk  
2 Foundation if the organization applies for the license for that season and pays the  
3 required fees for the license. The organization may apply for the license only during  
4 the first 5 elk hunting seasons for which licenses are issued under this section.

5 (f) The organization known as the Rocky Mountain Elk Foundation shall award  
6 the license that is issued under par. (e) as a prize in a raffle conducted by a subunit  
7 of the organization that is licensed to conduct raffles under ch. 563.

8 (g) The organization known as the Rocky Mountain Elk Foundation shall  
9 transfer the license awarded or under par. (f) only to a person who is qualified to  
10 receive a resident elk hunting license and shall transfer to that person the carcass  
11 tag and back tag that was issued by the department to the organization under subs.  
12 (6) and (7).

13 (h) If the organization known as the Rocky Mountain Elk Foundation fails to  
14 transfer the license under par. (g), the license shall become invalid, and the  
15 department may issue another resident elk hunting license under this subsection.

16 (i) The organization known as the Rocky Mountain Elk Foundation shall use  
17 the proceeds from the raffle under par. (f) in this state to promote elk management,  
18 to promote the reintroduction of eastern elk, or to further elk research.

19 **(4m) LIMITATION OF ONE LICENSE.** A person may be issued, or transferred under  
20 par. (g), only one resident elk hunting license in his or her lifetime, and the resident  
21 elk hunting license shall be valid for only one elk hunting season. The issuance, or  
22 transfer under par. (g), of the license to the person is subject to s. 29.024 (2g).

23 **(5) FEES.** Fees received from the issuance of licenses under this section shall  
24 be credited to the appropriation account under s. 20.370 (1) (hq).

1           (6) CARCASS TAG. The department shall issue an elk carcass tag to each person  
2 and organization who is issued an elk hunting license under this section.

3           (7) BACK TAG. (a) The department shall issue a back tag to each person and  
4 organization who is issued an elk hunting license under this section.

5           (b) No person may hunt elk unless there is attached to the center of the person's  
6 coat, shirt, jacket, or similar outermost garment where it can be clearly seen, the  
7 back tag issued to the person under par. (a).

8           **SECTION 84n.** 29.204 of the statutes is amended to read:

9           **29.204 Nonresident annual small game hunting license.** A nonresident  
10 annual small game hunting license shall be issued subject to s. 29.024 by the  
11 department to any nonresident applying for this license. The nonresident annual  
12 small game hunting license authorizes the hunting of small game during the  
13 appropriate open season but does not authorize the hunting of deer, elk, bear, wild  
14 turkey, or fur-bearing animals.

15          **SECTION 84nb.** 29.207 of the statutes is amended to read:

16          **29.207 Nonresident 5-day small game hunting license.** A nonresident  
17 5-day small game hunting license shall be issued subject to s. 29.024 by the  
18 department to any nonresident applying for this license. The nonresident 5-day  
19 small game hunting license authorizes the hunting of small game for which there is  
20 an open season during the 5-day period for which it is issued but does not authorize  
21 the hunting of deer, elk, bear, wild turkey, or fur-bearing animals.

22          **SECTION 84nd.** 29.213 of the statutes is amended to read:

23          **29.213 Nonresident fur-bearing animal hunting license.** A nonresident  
24 fur-bearing animal hunting license shall be issued subject to s. 29.024 by the  
25 department to any nonresident applying for this license. The nonresident

1 fur-bearing animal hunting license authorizes the hunting of skunk, raccoon, fox,  
2 weasel, opossum, coyote, bobcat and cougar during the appropriate open season but  
3 does not authorize the hunting of other fur-bearing animals, other small game, deer,  
4 elk, or bear.

5 **SECTION 84nf.** 29.216 (2) of the statutes is amended to read:

6 29.216 (2) AUTHORIZATION. The nonresident archer hunting license authorizes  
7 the hunting of all game, except bear, elk, wild turkey, and fur-bearing animals,  
8 during the open season for the hunting of that game with a bow and arrow. This  
9 license authorizes hunting with a bow and arrow only unless hunting with a  
10 crossbow is authorized by a Class A, Class B, or Class C permit issued under s.  
11 29.193 (2).

12 **SECTION 84nh.** 29.314 (3) (title) of the statutes is amended to read:

13 29.314 (3) (title) SHINING DEER, ELK, OR BEAR WHILE HUNTING OR POSSESSING  
14 WEAPONS PROHIBITED.

15 **SECTION 84nj.** 29.314 (3) (a) of the statutes is amended to read:

16 29.314 (3) (a) *Prohibition.* No person may use or possess with intent to use a  
17 light for shining deer, elk, or bear while the person is hunting deer, elk, or bear or in  
18 possession of a firearm, bow and arrow, or crossbow.

19 **SECTION 84nm.** 29.347 (title) of the statutes is amended to read:

20 **29.347 (title) Possession of deer and elk; heads and skins.**

21 **SECTION 84np.** 29.347 (2) of the statutes is amended to read:

22 29.347 (2) DEER OR ELK CARCASS TAGS. Except as provided under sub. (5) and s.  
23 29.324 (3), any person who kills a deer shall immediately attach to the ear or antler  
24 of the deer a current validated deer carcass tag which is authorized for use on the  
25 type of deer killed. Any person who kills an elk shall immediately attach to the ear

1 or antler of the elk a current validated elk carcass tag. Except as provided under sub.  
2 (2m) or s. 29.871 (7), (8), or (14) or 29.89 (6), no person may possess, control, store,  
3 or transport a deer carcass unless it is tagged as required under this subsection.  
4 Except as provided under sub. (2m), no person may possess, control, store, or  
5 transport an elk carcass unless it is tagged as required under this subsection. A  
6 person who kills a deer or elk shall register the deer or elk in the manner required  
7 by the department. The carcass tag may not be removed before registration. The  
8 removal of a carcass tag from a deer or elk before registration renders the deer or elk  
9 untagged.

10 **SECTION 84nq.** 29.347 (2m) (a) of the statutes is amended to read:

11 29.347 (2m) (a) A deer carcass tag attached under sub. (2) and a registration  
12 tag attached by the department or a car kill tag attached under sub. (5) may be  
13 removed from a gutted carcass at the time of butchering, but the person who killed  
14 or obtained the deer or elk shall retain all tags until the meat is consumed.

15 **SECTION 84ns.** 29.347 (2m) (b) of the statutes is amended to read:

16 29.347 (2m) (b) Any person who retains a tag under par. (a) may give deer or  
17 elk meat to another person. The person who receives the gift of deer or elk meat is  
18 not required to possess a tag.

19 **SECTION 84nt.** 29.347 (3) of the statutes is amended to read:

20 29.347 (3) HEADS AND SKINS. The head and skin of any deer or elk lawfully  
21 killed, when severed from the rest of the carcass, are not subject to this chapter; but  
22 no person ~~shall~~ may have possession or control of the green head or green skin of a  
23 deer or elk during the period beginning 30 days after the close of the ~~open deer~~  
24 applicable season and the opening of the succeeding applicable season, ~~or.~~ Unless

1 authorized by the department, no person may at any time have possession or control  
2 of a deer or elk head in the velvet, or a deer or elk skin in the red, blue, or spotted coat.

3 **SECTION 84nu.** 29.347 (4) of the statutes is amended to read:

4 29.347 (4) ~~ANTLERS REMOVED OR BROKEN. Any deer taken during an open season~~  
5 ~~for hunting antlered deer only or for hunting antlerless deer only~~ from which the  
6 antlers have been removed, broken, shed, or altered so as to make determination of  
7 the legality of the deer impossible is an illegal deer if the deer is taken during an open  
8 season for hunting only antlered deer or during an open season for hunting only  
9 antlerless deer. Any elk from which the antlers have been removed, broken, shed,  
10 or altered so as to make determination of the legality of the elk impossible is an illegal  
11 elk if the elk is taken during an open season for hunting only antlered elk or during  
12 an open season for hunting antlerless elk.

13 **SECTION 84nv.** 29.347 (6) of the statutes is repealed.

14 **SECTION 84pb.** 29.361 (title) of the statutes is amended to read:

15 **29.361 (title) Transportation of deer or elk.**

16 **SECTION 84pd.** 29.361 (1) of the statutes is amended to read:

17 29.361 (1) No common carrier may receive for transportation or transport or  
18 attempt to transport any deer or elk or the carcass of any deer or elk except as  
19 provided in this section.

20 **SECTION 84pr.** 29.361 (2) of the statutes is amended to read:

21 29.361 (2) Any person may transport a lawfully taken deer or elk if it is properly  
22 tagged and registered, except as otherwise provided by rule during the open season  
23 for deer or elk and for 3 days thereafter.

24 **SECTION 84pt.** 29.361 (2m) of the statutes is amended to read:

1           29.361 (2m) Any person may transport an antlerless deer killed under the  
2 authority of his or her hunter's choice, bonus, or other deer hunting permit on any  
3 highway, as defined s. 340.01 (22), in order to register the deer in the deer  
4 management area where the deer deer was killed or in an adjoining management  
5 area.

6           **SECTION 84pv.** 29.361 (5) of the statutes is amended to read:

7           29.361 (5) This section does not apply to a person who has a valid taxidermist  
8 permit and who is transporting, attempting to transport, or receiving the carcass of  
9 a deer or elk in connection with his or her business.

10          **SECTION 84px.** 29.361 (6) of the statutes is repealed.

11          **SECTION 84rb.** 29.539 (1) (a) 1. of the statutes is amended to read:

12          29.539 (1) (a) 1. Deer, elk, bear, squirrel, game bird, game fish, or the carcass  
13 of any of these wild animals at any time.

14          **SECTION 84rd.** 29.541 (1) (a) 1. of the statutes is amended to read:

15          29.541 (1) (a) 1. The meat of any deer, elk, bear, squirrel, game bird, or game  
16 fish taken from inland waters at any time.

17          **SECTION 84rf.** 29.553 (1) (hm) of the statutes is created to read:

18          29.553 (1) (hm) Elk hunting license.

19          **SECTION 84rh.** 29.563 (2) (a) 5m. of the statutes is created to read:

20          29.563 (2) (a) 5m. Elk: \$39.25.

21          **SECTION 84rj.** 29.563 (2) (b) 3m. of the statutes is created to read:

22          29.563 (2) (b) 3m. Elk: \$199.25.

23          **SECTION 84rm.** 29.563 (12) (a) 5. of the statutes is created to read:

24          29.563 (12) (a) 5. Elk: \$13.

25          **SECTION 84rp.** 29.563 (14) (a) 3. of the statutes is created to read:

1           29.563 (14) (a) 3. The processing fee for applications for elk hunting licenses:  
2           \$2.75.

3           **SECTION 84rr.** 29.563 (14) (c) 3. of the statutes is amended to read:

4           29.563 (14) (c) 3. Each application for a hunter's choice permit, bonus deer  
5           hunting permit, elk hunting license, wild turkey hunting license, Canada goose  
6           hunting permit, sharp-tailed grouse hunting permit, bobcat hunting and trapping  
7           permit, otter trapping permit, fisher trapping permit, or sturgeon fishing permit: 25  
8           cents.

9           **SECTION 84rt.** 29.567 of the statutes is created to read:

10          **29.567 Voluntary contributions; elk research.** (1) Any applicant for an  
11          elk hunting license under s. 29.182 may, in addition to paying any fee charged for the  
12          license, elect to make a voluntary contribution of at least \$1 to be used for elk  
13          research.

14          (2) All moneys collected under sub. (1) shall be credited to the appropriation  
15          account under s. 20.370 (1) (hq).

16          **SECTION 84sb.** 29.595 of the statutes is created to read:

17          **29.595 Elk hunter education program.** (1) **ESTABLISHMENT.** The  
18          department shall establish and conduct an elk hunter education program.

19          (2) **INSTRUCTION.** The elk hunter education program shall provide a course of  
20          instruction that includes all of the following:

21               (a) History and recovery of elk in this state and the eastern United States.

22               (b) Elk census and population estimation methods used in this state.

23               (c) Elk biology and disease prevention.

24               (d) Elk hunting techniques and hunter ethics.

25               (e) Elk hunting zones.



1 (f) Rules promulgated by the department concerning elk hunting.

2 (g) Native American hunting.

3 **(3) CERTIFICATE OF ACCOMPLISHMENT.** (a) The department shall issue a  
4 certificate of accomplishment to a person who successfully completes the course of  
5 instruction under the elk hunter education program.

6 (b) Except as provided in par. (c), no person may be issued an elk hunting license  
7 unless he or she holds a valid certificate of accomplishment issued under this  
8 subsection.

9 (c) A person may be issued an elk hunting license if the person holds evidence  
10 that demonstrates to the satisfaction of the department that he or she has  
11 successfully completed in another state or province an elk hunter education course  
12 and if the course is recognized by the department under a reciprocity agreement with  
13 that state or province.

14 **(4) FEE PROHIBITED.** The department may not charge a fee for the course of  
15 instruction or the certificate of accomplishment.

16 **SECTION 84sd.** 29.875 (title) of the statutes is amended to read:

17 **29.875 (title) Disposal of escaped deer or elk.**

18 **SECTION 84sf.** 29.875 (1) of the statutes is renumbered 29.875 (1r).

19 **SECTION 84sg.** 29.875 (1g) of the statutes is created to read:

20 29.875 (1g) In this section, “deer” means any species of deer.

21 **SECTION 84sj.** 29.875 (2) of the statutes is amended to read:

22 29.875 (2) Notwithstanding sub. (1) (1r), the department may dispose of the  
23 deer immediately if the department of agriculture, trade and consumer protection  
24 determines that the deer poses a risk to public safety or to the health of other  
25 domestic or wild animals.

1           **SECTION 84sm.** 29.889 (1) (f) of the statutes is created to read:

2           29.889 (1) (f) Elk, if the department has promulgated a rule that establishes  
3 a season for hunting elk.

4           **SECTION 84sp.** 29.921 (7) of the statutes is amended to read:

5           29.921 (7) **DOGS INJURING WILDLIFE.** A warden may kill a dog found running,  
6 injuring, causing injury to, or killing, any deer, ~~other than farm-raised deer or elk,~~  
7 or destroying game birds, their eggs, or nests, if immediate action is necessary to  
8 protect the deer, elk, or game birds, their nests or eggs, from injury or death.

9           **SECTION 84sr.** 29.927 (8) of the statutes is amended to read:

10          29.927 (8) Any dog found running deer, ~~except farm-raised deer, or elk~~ at any  
11 time, or used in violation of this chapter.

12          **SECTION 84st.** 29.934 (1) (e) of the statutes is amended to read:

13          29.934 (1) (e) This subsection does not apply to a deer killed, or so injured that  
14 it must be killed, by a collision with a motor vehicle on a highway. ~~For purposes of~~  
15 ~~this subsection, “deer” does not include farm-raised deer.”~~

16          **108.** Page 29, line 17: after that line insert:

17          “**SECTION 84m.** 29.038 (1) (a) of the statutes, as affected by 2001 Wisconsin Act  
18 16, is amended to read:

19          29.038 (1) (a) “Local governmental unit” has the meaning given in s. ~~22.01~~  
20 16.97 (7).”.

21          **109.** Page 29, line 17: after that line insert:

22          “**SECTION 84n.** 26.39 (4) of the statutes, as created by 2001 Wisconsin Act 16,  
23 is renumbered 26.39 (4) (a) and amended to read:

1           26.39 (4) (a) The department shall credit to the appropriation account under  
2 s. 20.370 (1) (cu) the moneys received as surcharges under s. 28.06 (2m) during fiscal  
3 year 2001–02, up to a total amount of \$300,000. The department shall credit any  
4 balance over \$300,000 that remains from the moneys received as such surcharges  
5 during fiscal year 2001–02 to the appropriation account under s. 20.370 (1) (cv).

6           **SECTION 84p.** 26.39 (4) (b) of the statutes is created to read:

7           26.39 (4) (b) For fiscal year 2002–03 and each fiscal year thereafter, the  
8 department shall credit 50% of the moneys received as surcharges under s. 28.06  
9 (2m) during the applicable fiscal year to the appropriation account under s. 20.370  
10 (1) (cu) and the remaining 50% to the appropriation account under s. 20.370 (1) (cv).”.

11           **110.** Page 29, line 17: after that line insert:

12           **“SECTION 84nb.** 29.235 (2) of the statutes is amended to read:

13           29.235 (2) AUTHORIZATION; RESIDENT HUNTING, FISHING, AND TRAPPING PRIVILEGES.  
14 A resident conservation patron license confers upon the licensee all the combined  
15 privileges conferred by a resident small game hunting license, resident deer hunting  
16 license, resident wild turkey hunting license, resident archer hunting license,  
17 waterfowl hunting stamp, pheasant hunting stamp, a wild turkey hunting stamp,  
18 resident annual fishing license, ~~sturgeon spearing license~~, an inland waters trout  
19 stamp, a Great Lakes trout and salmon stamp, and trapping license.

20           **SECTION 84nc.** 29.235 (2m) of the statutes is amended to read:

21           29.235 (2m) AUTHORIZATION; NONRESIDENT HUNTING AND FISHING PRIVILEGES. A  
22 nonresident conservation patron license confers upon the licensee all the combined  
23 privileges conferred by a nonresident small game hunting license, nonresident deer  
24 hunting license, nonresident wild turkey hunting license, nonresident archer

1 hunting license, waterfowl hunting stamp, pheasant hunting stamp, a wild turkey  
2 hunting stamp, nonresident annual fishing license, ~~sturgeon spearing license~~, an  
3 inland waters trout stamp, and a Great Lakes trout and salmon stamp.

4 **SECTION 84nf.** 29.237 (1) of the statutes is renumbered 29.237 (1) (intro.) and  
5 amended to read:

6 29.237 (1) (intro.) In this section, ~~“validated”~~:

7 (b) “Validated” means marked with specified information in the manner  
8 required by the department.

9 **SECTION 84ng.** 29.237 (1) (a) of the statutes is created to read:

10 29.237 (1) (a) “Lake Winnebago and upper Fox and Wolf rivers system” means  
11 Buttes des Morts Lake, Winneconne Lake, Poygan Lake, Winnebago Lake, and all  
12 of the following:

13 1. Each stream that flows into any of these lakes, from the mouth of the stream  
14 upstream to the first dam on the stream.

15 2. The Fox River from the point that it flows into Lake Winnebago upstream  
16 to the dam above the city of Princeton.

17 3. Each tributary of the Fox River from the point that it flows into the Fox River  
18 upstream to the first dam on the tributary.

19 4. The Wolf River from its mouth upstream to the dam in the city of Shawano.

20 5. Each tributary of the Wolf River from the point that it flows into the Wolf  
21 River to the first dam on the tributary.

22 **SECTION 84ni.** 29.237 (1m) (c) of the statutes is repealed.

23 **SECTION 84nk.** 29.237 (2) of the statutes is amended to read:

24 29.237 (2) The sturgeon spearing license shall be accompanied by sturgeon  
25 carcass tags in the quantity to correspond with the season bag limit for spearing ~~rock~~

1 or lake sturgeon established by the department. The serial numbers of these tags  
2 shall be entered on the license by the person issuing the license or by the department.

3 **SECTION 84nL.** 29.237 (3) of the statutes is amended to read:

4 29.237 (3) A sturgeon spearing license authorizes the spearing of ~~rock or lake~~  
5 sturgeon subject to any limit imposed under s. 29.192 (3) and only during the open  
6 season for spearing these sturgeon established by the department. No person may  
7 fish for sturgeon by means of a spear ~~unless the person is issued a conservation~~  
8 ~~patron license or~~ unless the person is issued a sturgeon spearing license. The  
9 ~~conservation patron license or the~~ sturgeon spearing license shall be carried on the  
10 person of the licensee at all times while fishing for sturgeon by means of a spear.

11 **SECTION 84nm.** 29.237 (4) of the statutes is amended to read:

12 29.237 (4) Any person having taken a ~~rock or lake~~ sturgeon by means of a spear  
13 shall immediately attach a current, validated sturgeon carcass tag issued to that  
14 person to the tail of the sturgeon. No person may possess, control, store or transport  
15 a ~~rock or lake~~ sturgeon carcass unless it is tagged as required under this section.

16 **SECTION 84no.** 29.237 (5) of the statutes is created to read:

17 29.237 (5) The department shall deposit receipts from the sale of sturgeon  
18 spearing licenses under this subsection into the conservation fund and shall credit  
19 these receipts to the appropriation account under s. 20.370 (4) (kw).

20 **SECTION 84nr.** 29.503 (3) of the statutes is amended to read:

21 29.503 (3) ~~ROCK AND LAKE LAKE~~ LAKE STURGEON. A wholesale fish dealer license does  
22 not authorize a person to sell, buy, barter, trade, possess, control or transport ~~rock~~  
23 ~~or lake~~ sturgeon.

24 **SECTION 84nv.** 29.563 (3) (a) 10. of the statutes is created to read:

25 29.563 (3) (a) 10. Sturgeon spearing: \$19.25.

1           **SECTION 84nw.** 29.563 (3) (b) 7. of the statutes is created to read:

2           29.563 (3) (b) 7. Sturgeon spearing: \$49.25.

3           **SECTION 84nx.** 29.563 (3) (d) (title) and 2. of the statutes are consolidated and  
4           renumbered 29.563 (3) (d).

5           **SECTION 84ny.** 29.563 (3) (d) 1. of the statutes is repealed.

6           **SECTION 84pd.** 29.569 (3) (b) of the statutes, as affected by 2001 Wisconsin Act  
7           77, is amended to read:

8           29.569 (3) (b) *Restrictions on issuance of sturgeon spearing licenses during the*  
9           *open season.* Except as provided in par. (bm), no sturgeon spearing license may be  
10          issued during a period beginning on November 1 and ending on the last day of the  
11          open season for the spearing of ~~reek~~ or lake sturgeon that follows that November 1.

12          **SECTION 84pf.** 29.569 (3) (bm) (intro.) of the statutes, as created by 2001  
13          Wisconsin Act 77, is amended to read:

14          29.569 (3) (bm) *Exceptions.* (intro.) A sturgeon spearing license may be issued  
15          during a period beginning on November 1 and ending on the last day of the open  
16          season for the spearing of ~~reek~~ or lake sturgeon that follows that November 1 to any  
17          of the following:”.

18          **111.** Page 29, line 17: after that line insert:

19          “**SECTION 84m.** 29.053 (1) of the statutes is amended to read:

20          29.053 (1) All fishing seasons on inland waters shall open on a Saturday. All  
21          fishing seasons on inland waters and outlying waters shall close on a Sunday.

22          **SECTION 84r.** 29.404 (1m) of the statutes is created to read:

23          29.404 (1m) **REMOVAL DATE.** If the department establishes by order or by rule  
24          a date no later than which a building, vehicle, tent, fish shanty, or similar shelter

1 must be removed from the ice under the authority granted the department under  
2 sub. (1), that date shall always fall on a Sunday.”

3 **112.** Page 30, line 3: after that line insert:

4 “**SECTION 86g.** 29.971 (3m) of the statutes is amended to read:

5 29.971 (**3m**) For unlawfully hunting a moose ~~or an elk~~, by a forfeiture of not  
6 less than \$1,000 nor more than \$2,000 and the mandatory revocation of all hunting  
7 approvals issued to the person. In addition, no hunting approval may be issued to  
8 the person for the time period specified by the court. The time period specified shall  
9 be not less than 3 years nor more than 5 years following the date of conviction under  
10 this subsection.

11 **SECTION 86r.** 29.971 (11g) of the statutes is created to read:

12 29.971 (**11g**) (a) For hunting elk without a valid elk hunting license, for  
13 possessing an elk that does not have an elk carcass tag attached, for possessing an  
14 elk during the closed season, by a fine of not less than \$1,000 nor more than \$15,000  
15 or by imprisonment for not more than 6 months or both for the first violation, or by  
16 a fine of not more than \$20,000 or imprisonment for not more than one year or both  
17 for any subsequent violation. In addition, the court shall revoke all hunting and  
18 trapping approvals issued to the person under this chapter and shall prohibit the  
19 issuance of any new hunting and trapping approvals under this chapter to the person  
20 for 5 years.

21 (b) Except as provided under par. (a), for the violation of any provision of this  
22 chapter or rules promulgated under this chapter relating to elk hunting or to the  
23 violation of an elk carcass tag or registration of an elk, by a forfeiture of not more than  
24 \$5,000.”

1           **113.** Page 30, line 17: after that line insert:

2           “**SECTION 88b.** 29.977 (1) (am) of the statutes is created to read:

3           29.977 (1) (am) Any elk, \$2,000.

4           **SECTION 88e.** 29.977 (1) (b) of the statutes is amended to read:

5           29.977 (1) (b) Any moose, elk, fisher, prairie chicken, or sand hill crane,

6           \$262.50.

7           **SECTION 88g.** 29.977 (1) (m) of the statutes is amended to read:

8           29.977 (1) (m) Any game or fur-bearing animal or bird not mentioned in pars.

9           (b) (am) to (h), \$17.50.

10          **SECTION 88m.** 29.983 (1) (b) 1m. of the statutes is created to read:

11          29.983 (1) (b) 1m. Any elk, \$2,000.

12          **SECTION 88n.** 29.983 (1) (b) 2. of the statutes is amended to read:

13          29.983 (1) (b) 2. For any moose, elk, fisher, prairie chicken, or sand hill crane,

14          \$262.50.

15          **SECTION 88p.** 29.983 (1) (b) 13. of the statutes is amended to read:

16          29.983 (1) (b) 13. For any game or fur-bearing animal or bird not mentioned  
17          in subds. 2- 1m. to 8., \$17.50.”.

18          **114.** Page 30, line 17: after that line insert:

19          “**SECTION 88g.** 29.977 (1) (i) of the statutes is amended to read:

20          29.977 (1) (i) Any muskellunge or ~~rock~~ or lake sturgeon, \$43.75.

21          **SECTION 88r.** 29.983 (1) (b) 9. of the statutes is amended to read:

22          29.983 (1) (b) 9. For any muskellunge, ~~rock~~ sturgeon or lake sturgeon, \$43.75.”.

23          **115.** Page 30, line 17: after that line insert:

24          “**SECTION 88g.** 30.1255 (title) of the statutes is amended to read:



1           **30.1255** (title) **Control Report on control of aquatic nuisance species.**

2           **SECTION 88q.** 30.1255 (3) (a) (intro.) of the statutes is amended to read:

3           30.1255 (3) (a) (intro.) The department shall submit ~~periodically~~ to the  
4 legislature biennial reports describing all of the following:

5           **SECTION 88qm.** 30.1255 (3) (b) of the statutes is amended to read:

6           30.1255 (3) (b) The department shall submit the first report required under  
7 par. (a) before July 1, 1994, and shall submit subsequent reports before July 1 of each  
8 even-numbered year thereafter. Beginning with the report due before July 1, 2004,  
9 the department shall submit each report required under par. (a) as part of the  
10 corresponding biennial report under s. 23.22 (6).

11           **SECTION 88r.** 30.1255 (3) (c) of the statutes is repealed.”.

12           **116.** Page 31, line 17: after that line insert:

13           “**SECTION 93d.** 36.25 (11) (em) of the statutes is created to read:

14           36.25 (11) (em) The laboratory of hygiene board shall create and maintain a  
15 roster of scientists and other persons with technical expertise who are willing to work  
16 for the laboratory of hygiene if the governor declares that an emergency related to  
17 public health exists. If the governor declares such an emergency, the laboratory of  
18 hygiene board shall hire as limited-term employees the requisite number of persons  
19 from the roster to assist the department of health and family services under s.  
20 250.042. Salaries, benefits, and training of these employees shall be paid from the  
21 appropriation under s. 20.285 (1) (fg).”.

22           **117.** Page 31, line 17: after that line insert:

23           “**SECTION 93m.** 36.25 (38) (b) 6. of the statutes, as affected by 2001 Wisconsin  
24 Act 16, is amended to read:

1           36.25 (38) (b) 6. To pay the department of ~~electronic government~~  
2 administration for telecommunications services provided under s. ~~22.05~~ 16.972 (1).”

3           **118.** Page 31, line 17: after that line insert:

4           “**SECTION 93m.** 36.25 (38) (a) of the statutes is amended to read:

5           36.25 (38) (a) In this subsection, “educational technology” has the meaning  
6 given in s. ~~44.70(3)~~ 115.997 (3).”

7           **119.** Page 31, line 17: after that line insert:

8           “**SECTION 93r.** 36.27 (1) (a) of the statutes is amended to read:

9           36.27 (1) (a) Subject to pars. (am), (b) ~~and~~, (c), and (cm), the board may establish  
10 for different classes of students differing tuition and fees incidental to enrollment in  
11 educational programs or use of facilities in the system. Except as otherwise provided  
12 in this section, the board may charge any student who is not exempted by this section  
13 a nonresident tuition. The board may establish special rates of tuition and fees for  
14 the extension and summer sessions and such other studies or courses of instruction  
15 as the board deems advisable.

16           **SECTION 93s.** 36.27 (1) (cm) of the statutes is created to read:

17           36.27 (1) (cm) The board shall charge a student who has completed more than  
18 165 credits toward a first baccalaureate degree academic fees or tuition sufficient to  
19 recover the full cost of any additional course work.”

20           **120.** Page 31, line 17: after that line insert:

21           “**SECTION 93f.** 36.34 (1) (c) of the statutes is created to read:

22           36.34 (1) (c) 1. In this paragraph:

1           a. For purposes of determining the appropriation under s. 20.285 (4) (dd) for  
2 fiscal year 2003–04, “base amount” means the amount shown in the schedule under  
3 s. 20.005 for that appropriation for fiscal year 2002–03.

4           b. For purposes of determining the appropriation under s. 20.285 (4) (dd) for  
5 each fiscal year after fiscal year 2003–04, “base amount” means the appropriation  
6 determined under subd. 2. for the previous fiscal year.

7           2. Annually, by February 1, the board shall determine the appropriation under  
8 s. 20.285 (4) (dd) for the next fiscal year as follows:

9           a. The board shall determine the percentage by which the undergraduate  
10 academic fees charged for the current academic year at each institution within the  
11 University of Wisconsin System has increased or decreased from the undergraduate  
12 academic fees charged for the previous academic year.

13           b. The appropriation for the next fiscal year shall be the result obtained by  
14 increasing, to the nearest \$100, the base amount by the highest percentage increase  
15 determined under subd. 2. a., except that, if the undergraduate academic fees for the  
16 current academic year decreased or did not change from the undergraduate  
17 academic fees charged for the previous academic year at each institution specified  
18 in subd. 2. a., the appropriation shall be the base amount.”.

19           **121.** Page 32, line 2: after that line insert:

20           “**SECTION 94m.** 38.04 (28m) of the statutes is created to read:

21           38.04 (28m) ADVERTISING; FUNDING. The board may not use any general purpose  
22 revenue for advertising.”.

23           **122.** Page 32, line 15: after that line insert:

24           “**SECTION 99r.** 39.435 (7) of the statutes is created to read:

1           39.435 (7) (a) In this subsection:

2           1. For purposes of determining the appropriation under s. 20.235 (1) (fe) for  
3 fiscal year 2003–04, “base amount” means the amount shown in the schedule under  
4 s. 20.005 for that appropriation for fiscal year 2002–03.

5           2. For purposes of determining the appropriation under s. 20.235 (1) (fe) for  
6 each fiscal year after fiscal year 2003–04, “base amount” means the maximum  
7 appropriation amount determined under par. (b) for the previous fiscal year.

8           (b) Annually, by February 1, the board shall determine the appropriation under  
9 s. 20.235 (1) (fe) for the next fiscal year as follows:

10           1. The board shall determine the percentage by which the undergraduate  
11 academic fees charged for the current academic year at each institution within the  
12 University of Wisconsin System has increased or decreased from the undergraduate  
13 academic fees charged for the previous academic year.

14           2. The appropriation for the next fiscal year shall be the result obtained by  
15 increasing, to the nearest \$100, the base amount by the highest percentage increase  
16 determined under subd. 1., except that, if the undergraduate academic fees for the  
17 current academic year decreased or did not change from the undergraduate  
18 academic fees charged for the previous academic year at each institution specified  
19 in subd. 1., the appropriation shall be the base amount.”.

20           **123.** Page 32, line 23: after that line insert:

21           “SECTION 100j. 41.19 of the statutes, as affected by 2001 Wisconsin Act 16, is  
22 repealed.”.

23           **124.** Page 32, line 23: after that line insert:

24           “SECTION 100hn. 41.11 (6) of the statutes is created to read:



1 20.515 (2) (g) shall equal the amount necessary to pay all principal and interest costs  
2 on the loan, less any amount that is lapsed to the general fund under s. 20.515 (2)  
3 (a) at the end of the 2001–03 fiscal biennium. The secretary of administration may  
4 lapse the amounts under s. 20.515 (2) (g) in installments.”.

5 **127.** Page 33, line 2: after that line insert:

6 “**SECTION 100n.** 46.03 (18) (am) of the statutes is amended to read:

7 46.03 (18) (am) Paragraph (a) does not prevent the department from charging  
8 and collecting the cost of adoptive placement investigations and child care as  
9 authorized under s. 48.837 (7). Paragraph (a) also does not prevent a county  
10 department under s. 51.42 or 51.437 from charging and collecting the cost of an  
11 examination ordered under s. 938.295 (2) (a) as authorized under s. 938.295 (2) (c).”.

12 **128.** Page 33, line 2: after that line insert:

13 “**SECTION 100ng.** 45.358 (3) (g) of the statutes is amended to read:

14 45.358 (3) (g) A veteran who was discharged or released from active duty in the  
15 U.S. armed forces under honorable conditions and who was a resident of the state for  
16 at least 5 12 consecutive years months after completing entering reentering  
17 service on active duty.

18 **SECTION 100nm.** 45.43 (1) (title) of the statutes is amended to read:

19 45.43 (1) (title) ELECTION OR APPOINTMENT.

20 **SECTION 100nq.** 45.43 (1) (a) of the statutes is amended to read:

21 45.43 (1) (a) Except as provided under par. (b), the county board shall elect a  
22 county veterans’ service officer who shall be a Wisconsin resident who served on  
23 active duty, other than active duty for training, under honorable conditions in the  
24 U.S. armed forces or in forces incorporated as part of the U.S. armed forces ~~for 2~~

1 consecutive years, except service on active duty for training purposes. An individual  
2 who is discharged for reasons of hardship or a service-connected disability or  
3 released due to a reduction in the U.S. armed forces or for the good of the service prior  
4 to the completion of the required period of service is eligible for election to the office,  
5 regardless of the actual time served and who meets at least one of the conditions  
6 listed in s. 45.35 (5) (a) 1. a. to d. and at least one of the conditions listed in s. 45.35  
7 (5) (a) 2. a. to c.

8 **SECTION 100ns.** 45.43 (1) (am) of the statutes is created to read:

9 45.43 (1) (am) Except as provided under par. (b), the county board may appoint  
10 assistant county veterans' service officers who shall be Wisconsin residents who  
11 served on active duty, other than active duty for training, under honorable conditions  
12 in the U.S. armed forces or in forces incorporated as part of the U.S. armed forces and  
13 who meet at least one of the conditions listed in s. 45.35 (5) (a) 1. a. to d. and at least  
14 one of the conditions listed in s. 45.35 (5) (a) 2. a. to c.

15 **SECTION 100nv.** 45.43 (7m) (a) of the statutes, as created by 2001 Wisconsin Act  
16 16, is amended to read:

17 45.43 (7m) (a) Annually, from the appropriation under s. 20.485 (2) (s), the  
18 department shall award grants to counties that are not served by transportation  
19 services provided by the Wisconsin department of Disabled American Veterans to  
20 develop, maintain, and expand transportation services for disabled veterans. The  
21 grants may be used to support ~~multi-county~~ multicounty cooperative transportation  
22 services.”.

23 **129.** Page 33, line 2: after that line insert:

1           **SECTION 100ng.** Subchapter IV (title) of chapter 44 [precedes 44.70] of the  
2 statutes is repealed.

3           **SECTION 100nh.** 44.70 (intro.) of the statutes is renumbered 115.997 (intro.).

4           **SECTION 100nhm.** 44.70 (1) of the statutes is repealed.

5           **SECTION 100nj.** 44.70 (1d) of the statutes, as created by 2001 Wisconsin Act 16,  
6 is renumbered 115.997 (1d).

7           **SECTION 100nk.** 44.70 (1m) of the statutes, as affected by 2001 Wisconsin Act  
8 104, is renumbered 115.997 (1m).

9           **SECTION 100nL.** 44.70 (2) of the statutes is repealed.

10          **SECTION 100nm.** 44.70 (2g) of the statutes, as affected by 2001 Wisconsin Acts  
11 16 and 57, is renumbered 115.997 (2g).

12          **SECTION 100nn.** 44.70 (3) of the statutes is renumbered 115.997 (3).

13          **SECTION 100no.** 44.70 (3d) of the statutes, as created by 2001 Wisconsin Act  
14 16, is renumbered 115.997 (3d).

15          **SECTION 100nom.** 44.70 (3g) of the statutes is renumbered 115.997 (3g).

16          **SECTION 100np.** 44.70 (3j) of the statutes is renumbered 115.997 (3j).

17          **SECTION 100npn.** 44.70 (3m) of the statutes is renumbered 115.997 (3m).

18          **SECTION 100nq.** 44.70 (3r) of the statutes, as created by 2001 Wisconsin Act  
19 16, is renumbered 115.997 (3r).

20          **SECTION 100nqm.** 44.70 (4) of the statutes, as affected by 2001 Wisconsin Act  
21 16, is renumbered 115.997 (4).

22          **SECTION 100nr.** 44.70 (5) and (6) of the statutes are renumbered 115.997 (5)  
23 and (6).

24          **SECTION 100nrm.** 44.71 (title) of the statutes is repealed.

25          **SECTION 100ns.** 44.71 (1) of the statutes is repealed.



1           **SECTION 100nsg.** 44.71 (2) (title) of the statutes is repealed.

2           **SECTION 100nsm.** 44.71 (2) (intro.) and (1m) of the statutes, as affected by 2001  
3 Wisconsin Act 16, are renumbered 115.998 (intro.) and (1m) and amended to read:

4           **115.998    Technology for educational achievement in Wisconsin;**  
5 **departmental duties.** (intro.) The board department shall do all of the following:

6           **(1m)** In cooperation with school districts, cooperative educational service  
7 agencies, the technical college system board, and the board of regents of the  
8 University of Wisconsin System ~~and the department~~, promote the efficient,  
9 cost-effective procurement, installation, and maintenance of educational technology  
10 by school districts, cooperative educational service agencies, technical college  
11 districts, and the University of Wisconsin System.

12           **SECTION 100nt.** 44.71 (2) (b) of the statutes, as affected by 2001 Wisconsin Act  
13 16, is renumbered 115.998 (2m).

14           **SECTION 100ntm.** 44.71 (2) (c) of the statutes, as affected by 2001 Wisconsin  
15 Act 16, is renumbered 115.998 (3m) and amended to read:

16           115.998 **(3m)** ~~With the consent of the department, enter~~ Enter into cooperative  
17 purchasing agreements under s. 16.73 (1) under which participating school districts  
18 and cooperative educational service agencies may contract for their professional  
19 employees to receive training concerning the effective use of educational technology.

20           **SECTION 100nu.** 44.71 (2) (d) of the statutes, as affected by 2001 Wisconsin Act  
21 16, is renumbered 115.998 (4) and amended to read:

22           115.998 **(4)** In cooperation with the board of regents of the University of  
23 Wisconsin System, the technical college system board, ~~the department of public~~  
24 ~~instruction~~ and other entities, support the development of courses for the instruction

1 of professional employees who are licensed by the state superintendent of public  
2 ~~instruction~~ concerning the effective use of educational technology.

3 **SECTION 100num.** 44.71 (2) (e) of the statutes, as affected by 2001 Wisconsin  
4 Act 16, is renumbered 115.998 (5) and amended to read:

5 115.998 (5) ~~Subject to s. 44.73 (5), in cooperation with the department, provide~~  
6 Provide telecommunications access to educational agencies under the program  
7 established under s. 44.73 115.9995.

8 **SECTION 100nv.** 44.71 (2) (f) of the statutes, as affected by 2001 Wisconsin Act  
9 16, is renumbered 115.998 (6) and amended to read:

10 115.998 (6) No later than October 1 of each even-numbered year, submit a  
11 biennial report concerning the ~~board's~~ department's activities under this subchapter  
12 to the governor, and to the appropriate standing committees of the legislature under  
13 s. 13.172 (3).

14 **SECTION 100nvm.** 44.71 (2) (g) of the statutes, as affected by 2001 Wisconsin  
15 Act 16, is renumbered 115.998 (7) and amended to read:

16 115.998 (7) Coordinate the purchasing of educational technology materials,  
17 supplies, equipment, and contractual services for school districts, cooperative  
18 educational service agencies, technical college districts, and the board of regents of  
19 the University of Wisconsin System by the department of administration under s.  
20 16.72 (8), and, ~~in cooperation with the department and subject to the approval of the~~  
21 ~~department of electronic government~~, establish standards and specifications for  
22 purchases of educational technology hardware and software by school districts,  
23 cooperative educational service agencies, technical college districts, and the board  
24 of regents of the University of Wisconsin System.

1           **SECTION 100nw.** 44.71 (2) (h) of the statutes, as affected by 2001 Wisconsin Act  
2 16, is renumbered 115.998 (8) and amended to read:

3           115.998 (8) ~~With the approval of the department of electronic government,~~  
4 ~~purchase~~ Purchase educational technology equipment for use by school districts,  
5 cooperative educational service agencies, and public educational institutions in this  
6 state and permit the districts, agencies, and institutions to purchase or lease the  
7 equipment, with an option to purchase the equipment at a later date. This ~~paragraph~~  
8 ~~subsection~~ does not require the purchase or lease of any educational technology  
9 equipment from the ~~board~~ department.

10           **SECTION 100nwm.** 44.71 (2) (i) of the statutes, as created by 2001 Wisconsin  
11 Act 16, is renumbered 115.998 (9).

12           **SECTION 100nwt.** 44.71 (3) of the statutes, as affected by 2001 Wisconsin Act  
13 104, is repealed.

14           **SECTION 100nx.** 44.72 (title) of the statutes is renumbered 115.999 (title).

15           **SECTION 100ny.** 44.72 (1) (intro.) of the statutes, as affected by 2001 Wisconsin  
16 Act 16, is renumbered 115.999 (1) (intro.) and amended to read:

17           115.999 (1) EDUCATIONAL TECHNOLOGY TRAINING AND TECHNICAL ASSISTANCE  
18 GRANTS. (intro.) From the appropriation under s. ~~20.275 (1)~~ 20.255 (4) (et), the ~~board~~  
19 ~~department~~ shall award grants to cooperative educational service agencies and to  
20 consortia consisting of 2 or more school districts, charter school sponsors, secured  
21 correctional facilities, or cooperative educational service agencies, or one or more  
22 school districts, charter school sponsors, secured correctional facilities, or  
23 cooperative educational service agencies and one or more public library boards, to  
24 provide technical assistance and training in the use of educational technology. An  
25 applicant for a grant shall submit to the ~~board~~ department a plan that specifies the

1 school districts, charter school sponsors, secured correctional facilities, and public  
2 library boards that will participate in the program and describes how the funds will  
3 be allocated. The ~~board~~ department shall do all of the following:

4 **SECTION 100nym.** 44.72 (1) (a) of the statutes is renumbered 115.999 (1) (a) and  
5 amended to read:

6 115.999 (1) (a) Award grants to applicants on a competitive basis through one  
7 funding cycle annually, except that the ~~board~~ department shall ensure that at least  
8 one grant is awarded annually to an applicant located in the territory of each  
9 cooperative educational service agency.

10 **SECTION 100nz.** 44.72 (1) (b) and (c) of the statutes are renumbered 115.999  
11 (1) (b) and (c).

12 **SECTION 100nzm.** 44.72 (2) (title) of the statutes is renumbered 115.999 (2)  
13 (title).

14 **SECTION 100oa.** 44.72 (2) (b) 1. of the statutes is renumbered 115.999 (2) (b) 1.

15 **SECTION 100ob.** 44.72 (2) (b) 2. of the statutes, as affected by 2001 Wisconsin  
16 Act 104, is renumbered 115.999 (2) (b) 2. and amended to read:

17 115.999 (2) (b) 2. From the appropriations under s. ~~20.275 (1)~~ 20.255 (4) (f), (im),  
18 (jm), (js), and (mp), annually the ~~board~~ department shall pay \$5,000 to each eligible  
19 school district and \$5,000 to the department of corrections for each eligible  
20 correctional facility. The department of corrections shall allocate funds received  
21 under this subsection among the eligible secured correctional facilities as it deems  
22 appropriate. The ~~board~~ department shall distribute the balance in the appropriation  
23 to eligible school districts and to charter school sponsors in proportion to the  
24 weighted membership of each school district and in proportion to the number of  
25 pupils attending each charter school on the 3rd Friday of September. The weighted

1 membership for a school district shall be determined by dividing the statewide  
2 average equalized valuation per member by the school district's equalized valuation  
3 per member and multiplying the result by the school district's membership, as  
4 defined in s. 121.004 (5).

5 **SECTION 100oc.** 44.72 (2) (c) of the statutes, as affected by 2001 Wisconsin Act  
6 16, is renumbered 115.999 (2) (c) and amended to read:

7 115.999 (2) (c) A school district is eligible for a grant under par. (b) 2. only if the  
8 annual meeting in a common school district, or the school board in a unified school  
9 district or in a school district operating under ch. 119, adopts a resolution requesting  
10 the grant. A secured correctional facility is eligible for a grant under par. (b) 2. only  
11 if the secretary of corrections submits a written request to the ~~board~~ department.  
12 A charter school sponsor is eligible for a grant under par. (b) 2. only if it submits a  
13 written request to the ~~board~~ department. A grant under this subsection may not be  
14 used to replace funding available from other sources.

15 **SECTION 100od.** 44.72 (2) (d) of the statutes, as affected by 2001 Wisconsin Act  
16 16, is renumbered 115.999 (2) (d).

17 **SECTION 100oe.** 44.72 (2) (e) of the statutes is renumbered 115.999 (2) (e) and  
18 amended to read:

19 115.999 (2) (e) The ~~board~~ department shall distribute the grants under par. (b)  
20 2. annually on the first Monday in February.

21 **SECTION 100of.** 44.72 (3) of the statutes, as created by 2001 Wisconsin Act 16,  
22 is renumbered 115.999 (3) and amended to read:

23 115.999 (3) **COMPUTER TRAINING.** Annually, the ~~board~~ department shall pay to  
24 the Racine Unified School District the amount appropriated under s. ~~20.275 (1)~~

1     20.255 (4) (q) for training teachers and pupils in computers, including training in use  
2     of the Internet, Web design, computer animation, graphic design, and video skills.

3             **SECTION 100og.** 44.72 (4) (title) of the statutes is renumbered 115.999 (4) (title).

4             **SECTION 100oh.** 44.72 (4) (a), (b) and (c) of the statutes, as affected by 2001  
5     Wisconsin Act 16, are renumbered 115.999 (4) (a), (b) and (c) and amended to read:

6             115.999 (4) (a) *Financial assistance authorized.* The ~~board~~ department may  
7     provide financial assistance under this subsection to school districts and charter  
8     school sponsors from the proceeds of public debt contracted under s. 20.866 (2) (zc)  
9     and to public library boards from the proceeds of public debt contracted under s.  
10    20.866 (2) (zcm). Financial assistance under this subsection may be used only for the  
11    purpose of upgrading the electrical wiring of school and library buildings in existence  
12    on October 14, 1997, and installing and upgrading computer network wiring.

13            (b) *Financial assistance applications, terms and conditions.* The ~~board~~  
14    department shall establish application procedures for, and the terms and conditions  
15    of, financial assistance under this subsection, including a condition requiring a  
16    charter school sponsor to use financial assistance under this subsection for wiring  
17    upgrading and installation that benefits pupils attending the charter school. The  
18    ~~board~~ department shall make a loan to a school district, charter school sponsor, or  
19    public library board in an amount equal to 50% of the total amount of financial  
20    assistance for which the ~~board~~ department determines the school district, charter  
21    school sponsor, or public library board is eligible and provide a grant to the school  
22    district, charter school sponsor, or public library board for the remainder of the total.  
23    The terms and conditions of any financial assistance under this subsection may  
24    include provision of professional building construction services under s. 16.85 (15).  
25    The ~~board~~ department shall determine the interest rate on loans under this

1 subsection. The interest rate shall be as low as possible but shall be sufficient to fully  
2 pay all interest expenses incurred by the state in making the loans and to provide  
3 reserves that are reasonably expected to be required in the judgment of the ~~board~~  
4 department to ensure against losses arising from delinquency and default in the  
5 repayment of the loans. The term of a loan under this subsection may not exceed 10  
6 years.

7 (c) *Repayment of loans.* The ~~board~~ department shall credit all moneys received  
8 from school districts and charter school sponsors for repayment of loans under this  
9 subsection to the appropriation account under s. ~~20.275 (1)~~ 20.255 (4) (h). The ~~board~~  
10 department shall credit all moneys received from public library boards for  
11 repayment of loans under this subsection to the appropriation account under s.  
12 ~~20.275 (1)~~ 20.255 (4) (hb).

13 **SECTION 100oi.** 44.72 (4) (d) of the statutes is renumbered 115.999 (4) (d) and  
14 amended to read:

15 115.999 (4) (d) *Funding for financial assistance.* The ~~board~~ department, with  
16 the approval of the governor and subject to the limits of s. 20.866 (2) (zc) and (zcm),  
17 may request that the building commission contract public debt in accordance with  
18 ch. 18 to fund financial assistance under this subsection.

19 **SECTION 100oj.** 44.73 (title) of the statutes is renumbered 115.9995 (title).

20 **SECTION 100ok.** 44.73 (1) of the statutes, as affected by 2001 Wisconsin Act 16,  
21 is renumbered 115.9995 (1) and amended to read:

22 115.9995 (1) Except as provided in s. 196.218 (4t), the ~~board, in consultation~~  
23 ~~with the department and subject to the approval of the department of electronic~~  
24 ~~government~~ department, shall promulgate rules establishing an educational

1 telecommunications access program to provide educational agencies with access to  
2 data lines and video links.

3 **SECTION 100oL.** 44.73 (2) (intro.) of the statutes is renumbered 115.9995 (2)  
4 (intro.).

5 **SECTION 100om.** 44.73 (2) (a) of the statutes, as affected by 2001 Wisconsin Act  
6 16, is renumbered 115.9995 (2) (a) and amended to read:

7 115.9995 (2) (a) Allow an educational agency to make a request to the ~~board~~  
8 department for access to either one data line or one video link, except that any  
9 educational agency may request access to additional data lines if the agency shows  
10 to the satisfaction of the ~~board~~ department that the additional data lines are more  
11 cost-effective than a single data line and except that a school district that operates  
12 more than one high school or a public library board that operates more than one  
13 library facility may request access to both a data line and a video link and access to  
14 more than one data line or video link.

15 **SECTION 100on.** 44.73 (2) (b) of the statutes, as affected by 2001 Wisconsin Act  
16 16, is renumbered 115.9995 (2) (b).

17 **SECTION 100op.** 44.73 (2) (c) of the statutes is renumbered 115.9995 (2) (c).

18 **SECTION 100oq.** 44.73 (2) (d) of the statutes is renumbered 115.9995 (2) (d) and  
19 amended to read:

20 115.9995 (2) (d) Require an educational agency to pay the department of  
21 administration not more than \$250 per month for each data line or video link that  
22 is provided to the educational agency under the program established under sub. (1),  
23 except that the charge may not exceed \$100 per month for each data line or video link  
24 that relies on a transport medium that operates at a speed of 1.544 megabits per  
25 second.



1           **SECTION 100or.** 44.73 (2) (e) of the statutes is renumbered 115.9995 (2) (e).

2           **SECTION 100os.** 44.73 (2) (f) of the statutes, as created by 2001 Wisconsin Act  
3 16, is renumbered 115.9995 (2) (f).

4           **SECTION 100ot.** 44.73 (2g) of the statutes, as created by 2001 Wisconsin Act 16,  
5 is renumbered 115.9995 (2g).

6           **SECTION 100ou.** 44.73 (2r) of the statutes, as created by 2001 Wisconsin Act 16,  
7 is renumbered 115.9995 (2r), and 115.9995 (2r) (c), as renumbered, is amended to  
8 read:

9           115.9995 (2r) (c) A public library board shall provide the technology for  
10 educational achievement in Wisconsin board department with written notice within  
11 30 days after entering into or modifying a shared service agreement under par. (a).

12           **SECTION 100ov.** 44.73 (3) of the statutes, as affected by 2001 Wisconsin Act 16,  
13 is repealed.

14           **SECTION 100ovm.** 44.73 (4) of the statutes is renumbered 115.9995 (4).

15           **SECTION 100ow.** 44.73 (5) of the statutes is repealed.

16           **SECTION 100ox.** 44.73 (6) (a) of the statutes, as affected by 2001 Wisconsin Act  
17 16, is renumbered 115.9995 (6) (a) and amended to read:

18           115.9995 (6) (a) From the appropriation under s. ~~20.275 (1)~~ 20.255 (4) (s) or  
19 (tm), the board department may award an annual grant to a school district or private  
20 school that had in effect on October 14, 1997, a contract for access to a data line or  
21 video link, as documented by the board department. The board department shall  
22 determine the amount of the grant, which shall be equal to the cost incurred by the  
23 state to provide telecommunications access to a school district or private school  
24 under a contract entered into under s. ~~16.974 (1) or (3)~~ 16.971 (13) or (15) less the  
25 amount that the school district or private school would be paying under sub. (2) (d)

1 if the school district or private school were participating in the program established  
2 under sub. (1), except that the amount may not be greater than the cost that a school  
3 district or private school incurs under the contract in effect on October 14, 1997. A  
4 school district or private school receiving a grant under this subsection is not eligible  
5 to participate in the program under sub. (1). No grant may be awarded under this  
6 subsection after December 31, 2005.

7 **SECTION 100oy.** 44.73 (6) (b) of the statutes, as created by 2001 Wisconsin Act  
8 16, is renumbered 115.9995 (6) (b) and amended to read:

9 115.9995 (6) (b) Notwithstanding par. (a), the ~~board~~ department may award a  
10 school district that operates more than one high school and that had in effect on  
11 October 14, 1997, a contract for access to more than one data line or video link an  
12 annual grant for each data line or video link serving each high school covered by that  
13 contract.”.

14 **130.** Page 34, line 13: delete lines 13 to 21 and substitute:

15 **“SECTION 101b.** 48.21 (1) (a) of the statutes, as affected by 2001 Wisconsin Act  
16 61, is amended to read:

17 48.21 (1) (a) If a child who has been taken into custody is not released under  
18 s. 48.20, a hearing to determine whether the child shall continue to be held in custody  
19 under the criteria of ss. 48.205 to 48.209 shall be conducted by the judge or a circuit  
20 court commissioner within 48 hours of the time the decision to hold the child was  
21 made, excluding Saturdays, Sundays, and legal holidays. By the time of the hearing  
22 a petition under s. 48.25 shall be filed, except that no petition need be filed where a  
23 child is taken into custody under s. 48.19 (1) (b) or (d) 2. or 7. or where the child is  
24 a runaway from another state, in which case a written statement of the reasons for

1 holding a child in custody shall be substituted if the petition is not filed. If no hearing  
2 has been held within 48 hours, excluding Saturdays, Sundays, and legal holidays,  
3 or if no petition or statement has been filed at the time of the hearing, the child shall  
4 be released except as provided in par. (b). A parent not present at the hearing shall  
5 be granted a rehearing upon request for good cause shown.

6 **SECTION 101c.** 48.21 (3) (am) of the statutes is amended to read:

7 48.21 (3) (am) The parent, guardian, or legal custodian may waive his or her  
8 right to participate in the hearing under this section. Agreement in writing of the  
9 child is required if he or she is over 12. After any waiver, a hearing rehearing shall  
10 be granted at the request of any the parent, guardian, legal custodian, or any other  
11 interested party for good cause shown.

12 **SECTION 101d.** 48.21 (5) (b) 1. of the statutes, as affected by 2001 Wisconsin Act  
13 16, is repealed and recreated to read:

14 48.21 (5) (b) 1. A finding that continued placement of the child in his or her  
15 home would be contrary to the welfare of the child. Unless the judge or circuit court  
16 commissioner finds that any of the circumstances specified in s. 48.355 (2d) (b) 1. to  
17 5. applies, the order shall in addition include a finding as to whether the person who  
18 took the child into custody and the intake worker have made reasonable efforts to  
19 prevent the removal of the child from the home, while assuring that the child's health  
20 and safety are the paramount concerns, and a finding as to whether the person who  
21 took the child into custody and the intake worker have made reasonable efforts to  
22 make it possible for the child to return safely home or, if for good cause shown  
23 sufficient information is not available for the judge or circuit court commissioner to  
24 make a finding as to whether those reasonable efforts were made to prevent the  
25 removal of the child from the home, a finding as to whether those reasonable efforts

1 were made to make it possible for the child to return safely home and an order for  
2 the county department, department, in a county having a population of 500,000 or  
3 more, or agency primarily responsible for providing services to the child under the  
4 custody order to file with the court sufficient information for the judge or circuit court  
5 commissioner to make a finding as to whether those reasonable efforts were made  
6 to prevent the removal of the child from the home by no later than 5 days after the  
7 date of the order.

8 **SECTION 101e.** 48.21 (5) (b) 3. of the statutes is created to read:

9 48.21 (5) (b) 3. If the judge or circuit court commissioner finds that any of the  
10 circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies with respect to a parent,  
11 a determination that the county department, department, in a county having a  
12 population of 500,000 or more, or agency primarily responsible for providing services  
13 under the custody order is not required to make reasonable efforts with respect to the  
14 parent to make it possible for the child to return safely to his or her home.

15 **SECTION 101f.** 48.21 (5) (c) of the statutes is created to read:

16 48.21 (5) (c) The judge or circuit court commissioner shall make the findings  
17 specified in par. (b) 1. and 3. on a case-by-case basis based on circumstances specific  
18 to the child and shall document or reference the specific information on which those  
19 findings are based in the custody order. A custody order that merely references par.  
20 (b) 1. or 3. without documenting or referencing that specific information in the  
21 custody order or an amended custody order that retroactively corrects an earlier  
22 custody order that does not comply with this paragraph is not sufficient to comply  
23 with this paragraph.

24 **SECTION 101g.** 48.21 (5) (d) of the statutes is created to read:

1           48.21 (5) (d) 1. If the judge or circuit court commissioner finds that any of the  
2           circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies with respect to a parent,  
3           the judge or circuit court commissioner shall hold a hearing within 30 days after the  
4           date of that finding to determine the permanency plan for the child. If a hearing is  
5           held under this subdivision, the agency responsible for preparing the permanency  
6           plan shall file the permanency plan with the court not less than 5 days before the date  
7           of the hearing.

8           2. If a hearing is held under subd. 1., at least 10 days before the date of the  
9           hearing the court shall notify the child, any parent, guardian, and legal custodian  
10          of the child, and any foster parent, treatment foster parent, or other physical  
11          custodian described in s. 48.62 (2) of the child of the time, place, and purpose of the  
12          hearing.

13          3. The court shall give a foster parent, treatment foster parent, or other  
14          physical custodian described in s. 48.62 (2) who is notified of a hearing under subd.  
15          2. an opportunity to be heard at the hearing by permitting the foster parent,  
16          treatment foster parent, or other physical custodian to make a written or oral  
17          statement during the hearing, or to submit a written statement prior to the hearing,  
18          relevant to the issues to be determined at the hearing. A foster parent, treatment  
19          foster parent, or other physical custodian who receives a notice of a hearing under  
20          subd. 2. and an opportunity to be heard under this subdivision does not become a  
21          party to the proceeding on which the hearing is held solely on the basis of receiving  
22          that notice and opportunity to be heard.

23           **SECTION 101h.** 48.255 (1) (f) of the statutes is created to read:

24           48.255 (1) (f) If the child is being held in custody outside of his or her home,  
25           reliable and credible information showing that continued placement of the child in

1 his or her home would be contrary to the welfare of the child and, unless any of the  
2 circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies, reliable and credible  
3 information showing that the person who took the child into custody and the intake  
4 worker have made reasonable efforts to prevent the removal of the child from the  
5 home, while assuring that the child's health and safety are the paramount concerns,  
6 and to make it possible for the child to return safely home.

7 **SECTION 101i.** 48.255 (1m) (f) of the statutes is created to read:

8 48.255 (1m) (f) If the expectant mother is a child and the child expectant  
9 mother is being held in custody outside of her home, reliable and credible information  
10 showing that continued placement of the child expectant mother in her home would  
11 be contrary to the welfare of the child expectant mother and, unless any of the  
12 circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies, reliable and credible  
13 information showing that the person who took the child expectant mother into  
14 custody and the intake worker have made reasonable efforts to prevent the removal  
15 of the child expectant mother from the home, while assuring that the child expectant  
16 mother's health and safety are the paramount concerns, and to make it possible for  
17 the child expectant mother to return safely home.

18 **SECTION 101j.** 48.255 (2) of the statutes is amended to read:

19 48.255 (2) If any of the facts required under sub. (1) (a) to (cm) and (f) or (1m)  
20 (a) to (d) and (f) are not known or cannot be ascertained by the petitioner, the petition  
21 shall so state.

22 **SECTION 101k.** 48.315 (2m) of the statutes is created to read:

23 48.315 (2m) (a) No continuance or extension of a time limit specified in this  
24 chapter may be granted and no period of delay specified in sub. (1) may be excluded

1 in computing a time requirement under this chapter if the continuance, extension,  
2 or exclusion would result in any of the following:

3 1. The court making an initial finding under s. 48.21 (5) (b) 1., 48.355 (2) (b) 6.,  
4 or 48.357 (2v) (a) 1. that reasonable efforts have been made to prevent the removal  
5 of the child from the home, while assuring that the child's health and safety are the  
6 paramount concerns, or an initial finding under s. 48.21 (5) (b) 3., 48.355 (2) (b) 6r.,  
7 or 48.357 (2v) (a) 3. that those efforts were not required to be made because a  
8 circumstance specified in s. 48.355 (2d) (b) 1. to 5. applies, more than 60 days after  
9 the date on which the child was removed from the home.

10 2. The court making an initial finding under s. 48.38 (5m) that the agency  
11 primarily responsible for providing services to the child has made reasonable efforts  
12 to achieve the goals of the child's permanency plan more than 12 months after the  
13 date on which the child was removed from the home or making any subsequent  
14 findings under s. 48.38 (5m) as to those reasonable efforts more than 12 months after  
15 the date of a previous finding as to those reasonable efforts.

16 (b) Failure to comply with any time limit specified in par. (a) does not deprive  
17 the court of personal or subject matter jurisdiction or of competency to exercise that  
18 jurisdiction. If a party does not comply with a time limit specified in par. (a), the  
19 court, while assuring the safety of the child, may dismiss the proceeding with or  
20 without prejudice, release the child from custody, or grant any other relief that the  
21 court considers appropriate.

22 **SECTION 101L.** 48.32 (1) of the statutes, as affected by 2001 Wisconsin Act 61,  
23 is renumbered 48.32 (1) (a).

24 **SECTION 101m.** 48.32 (1) (b) of the statutes is created to read:

1           48.32 (1) (b) 1. If at the time the consent decree is entered into the child is placed  
2 outside the home under a voluntary agreement under s. 48.63 or is otherwise living  
3 outside the home without a court order and if the consent decree maintains the child  
4 in that placement or other living arrangement, the consent decree shall include a  
5 finding that placement of the child in his or her home would be contrary to the welfare  
6 of the child, a finding as to whether the county department, the department, in a  
7 county having a population of 500,000 or more, or the agency primarily responsible  
8 for providing services to the child has made reasonable efforts to prevent the removal  
9 of the child from the home, while assuring that the child's health and safety are the  
10 paramount concerns, unless the judge or circuit court commissioner finds that any  
11 of the circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies, and a finding as  
12 to whether the county department, department, or agency has made reasonable  
13 efforts to achieve the goal of the child's permanency plan, unless return of the child  
14 to the home is the goal of the permanency plan and the judge or circuit court  
15 commissioner finds that any of the circumstances specified in s. 48.355 (2d) (b) 1. to  
16 5. applies.

17           2. If the judge or circuit court commissioner finds that any of the circumstances  
18 specified in s. 48.355 (2d) (b) 1. to 5. applies with respect to a parent, the consent  
19 decree shall include a determination that the county department, department, in a  
20 county having a population of 500,000 or more, or agency primarily responsible for  
21 providing services under the consent decree is not required to make reasonable  
22 efforts with respect to the parent to make it possible for the child to return safely to  
23 his or her home.

24           3. The judge or circuit court commissioner shall make the findings specified in  
25 subds. 1. and 2. on a case-by-case basis based on circumstances specific to the child



1 and shall document or reference the specific information on which those findings are  
2 based in the consent decree. A consent decree that merely references subd. 1. or 2.  
3 without documenting or referencing that specific information in the consent decree  
4 or an amended consent decree that retroactively corrects an earlier consent decree  
5 that does not comply with this subdivision is not sufficient to comply with this  
6 subdivision.

7 **SECTION 101n.** 48.32 (1) (c) of the statutes is created to read:

8 48.32 (1) (c) 1. If the judge or circuit court commissioner finds that any of the  
9 circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies with respect to a parent,  
10 the judge or circuit court commissioner shall hold a hearing within 30 days after the  
11 date of that finding to determine the permanency plan for the child. If a hearing is  
12 held under this subdivision, the agency responsible for preparing the permanency  
13 plan shall file the permanency plan with the court not less than 5 days before the date  
14 of the hearing.

15 2. If a hearing is held under subd. 1., at least 10 days before the date of the  
16 hearing the court shall notify the child, any parent, guardian, and legal custodian  
17 of the child, and any foster parent, treatment foster parent, or other physical  
18 custodian described in s. 48.62 (2) of the child of the time, place, and purpose of the  
19 hearing.

20 3. The court shall give a foster parent, treatment foster parent, or other  
21 physical custodian described in s. 48.62 (2) who is notified of a hearing under subd.  
22 2. an opportunity to be heard at the hearing by permitting the foster parent,  
23 treatment foster parent, or other physical custodian to make a written or oral  
24 statement during the hearing, or to submit a written statement prior to the hearing,  
25 relevant to the issues to be determined at the hearing. A foster parent, treatment

1 foster parent, or other physical custodian who receives a notice of a hearing under  
2 subd. 2. and an opportunity to be heard under this subdivision does not become a  
3 party to the proceeding on which the hearing is held solely on the basis of receiving  
4 that notice and opportunity to be heard.

5 **SECTION 101p.** 48.33 (4) (intro.) of the statutes, as affected by 2001 Wisconsin  
6 Act 59, is amended to read:

7 48.33 (4) OTHER OUT-OF-HOME PLACEMENTS. (intro.) A report recommending  
8 placement of an adult expectant mother outside of her home shall be in writing. A  
9 report recommending placement of a child in a foster home, treatment foster home,  
10 group home, or residential care center for children and youth or in the home of a  
11 relative other than a parent shall be in writing and shall include all of the following:

12 **SECTION 101q.** 48.33 (4) (c) of the statutes is created to read:

13 48.33 (4) (c) Specific information showing that continued placement of the child  
14 in his or her home would be contrary to the welfare of the child, specific information  
15 showing that the county department, the department, in a county having a  
16 population of 500,000 or more, or the agency primarily responsible for providing  
17 services to the child has made reasonable efforts to prevent the removal of the child  
18 from the home, while assuring that the child's health and safety are the paramount  
19 concerns, unless any of the circumstances specified in s. 48.355 (2d) (b) 1. to 5.  
20 applies, and specific information showing that the county department, department,  
21 or agency has made reasonable efforts to achieve the goal of the child's permanency  
22 plan, unless return of the child to the home is the goal of the permanency plan and  
23 any of the circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies.

24 **SECTION 101r.** 48.335 (3g) of the statutes is created to read:

1           48.335 (3g) At hearings under this section, if the agency, as defined in s. 48.38  
2 (1) (a), is recommending placement of the child in a foster home, treatment foster  
3 home, group home, or residential care center for children and youth or in the home  
4 of a relative other than a parent, the agency shall present as evidence specific  
5 information showing that continued placement of the child in his or her home would  
6 be contrary to the welfare of the child, specific information showing that the county  
7 department, the department, in a county having a population of 500,000 or more, or  
8 the agency primarily responsible for providing services to the child has made  
9 reasonable efforts to prevent the removal of the child from the home, while assuring  
10 that the child's health and safety are the paramount concerns, unless any of the  
11 circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies, and specific information  
12 showing that the county department, department, or agency has made reasonable  
13 efforts to achieve the goal of the child's permanency plan, unless return of the child  
14 to the home is the goal of the permanency plan and any of the circumstances specified  
15 in s. 48.355 (2d) (b) 1. to 5. applies.

16           **SECTION 101s.** 48.355 (2) (b) 6. of the statutes is amended to read:

17           48.355 (2) (b) 6. If the child is placed outside the home, a finding that continued  
18 placement of the child in his or her home would be contrary to the ~~health, safety and~~  
19 ~~welfare of the child and, if sub. (2d) does not apply,~~ a finding as to whether the county  
20 department, the department, in a county having a population of 500,000 or more, or  
21 the agency primarily responsible for providing services under a court order has made  
22 reasonable efforts to prevent the removal of the child from the home, while assuring  
23 that the child's health and safety are the paramount concerns, ~~or, if applicable,~~  
24 unless the court finds that any of the circumstances specified in sub. (2d) (b) 1. to 5.  
25 applies, and a finding as to whether the county department, department, or agency

1 ~~primarily responsible for providing services under a court order~~ has made reasonable  
2 efforts to ~~make it possible for the child to return safely to his or her home~~ achieve the  
3 goal of the child's permanency plan, unless return of the child to the home is the goal  
4 of the permanency plan and the court finds that any of the circumstances specified  
5 in sub. (2d) (b) 1. to 5. applies. The court shall make the findings specified in this  
6 subdivision on a case-by-case basis based on circumstances specific to the child and  
7 shall document or reference the specific information on which those findings are  
8 based in the court order. A court order that merely references this subdivision  
9 without documenting or referencing that specific information in the court order or  
10 an amended court order that retroactively corrects an earlier court order that does  
11 not comply with this subdivision is not sufficient to comply with this subdivision.

12 **SECTION 101t.** 48.355 (2) (b) 6r. of the statutes is created to read:

13 48.355 (2) (b) 6r. If the court finds that any of the circumstances specified in  
14 sub. (2d) (b) 1. to 5. applies with respect to a parent, a determination that the county  
15 department, department, in a county having a population of 500,000 or more, or  
16 agency primarily responsible for providing services under the court order is not  
17 required to make reasonable efforts with respect to the parent to make it possible for  
18 the child to return safely to his or her home.

19 **SECTION 101u.** 48.355 (2b) of the statutes is amended to read:

20 48.355 (2b) **CONCURRENT REASONABLE EFFORTS PERMITTED.** A county  
21 department, the department, in a county having a population of 500,000 or more, or  
22 the agency primarily responsible for providing services to a child under a court order  
23 may, at the same time as the county department, department, or agency is making  
24 the reasonable efforts required under sub. (2) (b) 6. to prevent the removal of the child  
25 from the home or to make it possible for the child to return safely to his or her home,

1 work with the department, a county department under s. 48.57 (1) (e) or (hm), or a  
2 child welfare agency licensed under s. 48.61 (5) in making reasonable efforts to place  
3 the child for adoption, with a guardian, with a fit and willing relative, or in some  
4 other alternative permanent placement.

5 **SECTION 101v.** 48.355 (2c) (b) of the statutes is amended to read:

6 48.355 (2c) (b) When a court makes a finding under sub. (2) (b) 6. as to whether  
7 the county department, department, in a county having a population of 500,000 or  
8 more, or agency primarily responsible for providing services to the child under a  
9 court order has made reasonable efforts to ~~make it possible for the child to return~~  
10 ~~safely to his or her home~~ achieve the goal of the permanency plan, the court's  
11 consideration of reasonable efforts shall include, ~~but not be limited to~~, the  
12 considerations listed under par. (a) 1. to 5. and whether visitation schedules between  
13 the child and his or her parents were implemented, unless visitation was denied or  
14 limited by the court.

15 **SECTION 101w.** 48.355 (2d) (b) (intro.) of the statutes is amended to read:

16 48.355 (2d) (b) (intro.) Notwithstanding sub. (2) (b) 6., the court ~~need not~~ is not  
17 required to include in a dispositional order a finding as to whether the county  
18 department, the department, in a county having a population of 500,000 or more, or  
19 the agency primarily responsible for providing services under a court order has made  
20 reasonable efforts with respect to a parent of a child to prevent the removal of the  
21 child from the home, while assuring that the child's health and safety are the  
22 paramount concerns, ~~or, if applicable,~~ a finding as to whether the county department,  
23 department, or agency ~~primarily responsible for providing services under a court~~  
24 ~~order~~ has made reasonable efforts with respect to a parent of a child to ~~make it~~  
25 ~~possible for the child to return~~ achieve the permanency plan goal of returning the

1 child safely to his or her home, if the court finds, ~~as evidenced by a final judgment~~  
2 ~~of conviction~~, any of the following:

3 **SECTION 101x.** 48.355 (2d) (b) 1. of the statutes is amended to read:

4 48.355 (2d) (b) 1. That the parent has subjected the child to aggravated  
5 circumstances, as evidenced by a final judgment of conviction.

6 **SECTION 101y.** 48.355 (2d) (b) 2. of the statutes is amended to read:

7 48.355 (2d) (b) 2. That the parent has committed, has aided or abetted the  
8 commission of, or has solicited, conspired, or attempted to commit, a violation of s.  
9 940.01, 940.02, 940.03, or 940.05 or a violation of the law of any other state or federal  
10 law, if that violation would be a violation of s. 940.01, 940.02, 940.03, or 940.05 if  
11 committed in this state, as evidenced by a final judgment of conviction, and that the  
12 victim of that violation is a child of the parent.

13 **SECTION 101z.** 48.355 (2d) (b) 3. of the statutes is amended to read:

14 48.355 (2d) (b) 3. That the parent has committed a violation of s. 940.19 (2), (3),  
15 (4), or (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025, or 948.03 (2) (a) or (3) (a) or  
16 a violation of the law of any other state or federal law, if that violation would be a  
17 violation of s. 940.19 (2), (3), (4), or (5), 940.225 (1) or (2), 948.02 (1) or (2), 948.025,  
18 or 948.03 (2) (a) or (3) (a) if committed in this state, as evidenced by a final judgment  
19 of conviction, and that the violation resulted in great bodily harm, as defined in s.  
20 939.22 (14), or in substantial bodily harm, as defined in s. 939.22 (38), to the child  
21 or another child of the parent.

22 **SECTION 102b.** 48.355 (2d) (b) 3. of the statutes, as affected by 2001 Wisconsin  
23 Act .... (this act), is amended to read:

24 48.355 (2d) (b) 3. That the parent has committed a violation of s. 940.19 (3),  
25 1999 stats., a violation of s. 940.19 (2), ~~(3)~~, (4), or (5), 940.225 (1) or (2), 948.02 (1) or

1 (2), 948.025, or 948.03 (2) (a) or (3) (a) or a violation of the law of any other state or  
2 federal law, if that violation would be a violation of s. 940.19 (2), (3), (4), or (5), 940.225  
3 (1) or (2), 948.02 (1) or (2), 948.025, or 948.03 (2) (a) or (3) (a) if committed in this state,  
4 as evidenced by a final judgment of conviction, and that the violation resulted in  
5 great bodily harm, as defined in s. 939.22 (14), or in substantial bodily harm, as  
6 defined in s. 939.22 (38), to the child or another child of the parent.

7 **SECTION 102bd.** 48.355 (2d) (b) 4. of the statutes is amended to read:

8 48.355 (2d) (b) 4. That the parental rights of the parent to another child have  
9 been involuntarily terminated, as evidenced by a final order of a court of competent  
10 jurisdiction terminating those parental rights.

11 **SECTION 102bg.** 48.355 (2d) (b) 5. of the statutes, as created by 2001 Wisconsin  
12 Act 2, is amended to read:

13 48.355 (2d) (b) 5. That the parent has been found under s. 48.13 (2m) to have  
14 relinquished custody of the child under s. 48.195 (1) when the child was 72 hours old  
15 or younger, as evidenced by a final order of a court of competent jurisdiction making  
16 that finding.

17 **SECTION 102bm.** 48.355 (2d) (bm) of the statutes is created to read:

18 48.355 (2d) (bm) The court shall make a finding specified in par. (b) 1. to 5. on  
19 a case-by-case basis based on circumstances specific to the child and shall document  
20 or reference the specific information on which that finding is based in the  
21 dispositional order. A dispositional order that merely references par. (b) 1. to 5.  
22 without documenting or referencing that specific information in the dispositional  
23 order or an amended dispositional order that retroactively corrects an earlier  
24 dispositional order that does not comply with this paragraph is not sufficient to  
25 comply with this paragraph.