



State of Wisconsin
2001 - 2002 LEGISLATURE
January 2002 Special Session

LRBb2608/1
ALL:all:all

ASSEMBLY AMENDMENT 1,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO ASSEMBLY BILL 1

March 14, 2002 – Offered by Representatives JENSEN, GARD, FOTTI and LADWIG.

1 At the locations indicated, amend the substitute amendment as follows:
2 ***b2474/2.1* 1.** Page 3, line 12: after that line insert:
3 ***b2474/2.1*** “SECTION 1g. 7.15 (2) (d) of the statutes is amended to read:
4 7.15 (2) (d) Whenever the governing body of any municipality submits any
5 question to a vote of the electors or whenever a proper recall petition and certificate
6 are filed under s. 9.10, the municipal clerk shall issue a call for the election and
7 prepare and distribute ballots as required in the authorization of submission or as
8 provided in s. 9.10. The date of the referendum shall be established in accordance
9 with s. 8.065, and shall be fixed by the municipal clerk or board of election
10 commissioners unless otherwise provided by law or unless the governing body fixes
11 a date. The ballot for any referendum shall conform to s. 5.64 (2). If there is already

1 an official municipal referendum ballot for the election, the question may appear on
2 the same ballot.

3 *b2474/2.1* SECTION 1j. 8.05 (3) (d) and (e) of the statutes are amended to read:

4 8.05 (3) (d) The question of adoption of the nonpartisan primary under this
5 subsection may be submitted to the electors at any ~~regular~~ election authorized under
6 s. 8.065 to be held in the town or at a special election called for the purpose. When
7 a petition requesting adoption of the nonpartisan primary conforming to the
8 requirements of s. 8.40 signed by at least 20 electors of the town is filed with the town
9 clerk as provided in s. 8.37, the question shall be submitted to a vote.

10 (e) Petitions requesting a vote on the question at a regular town election shall
11 be filed in accordance with s. 8.37 no later than 5 p.m. the last Tuesday in February.
12 When the petition is filed, the clerk shall check its sufficiency. ~~Whether at a regular~~
13 ~~or special election, the~~ The clerk shall give separate notice by one publication in a
14 newspaper at least 5 days before the election.

15 *b2474/2.1* SECTION 1L. 8.06 of the statutes is amended to read:

16 **8.06 Special elections may be called.** Towns, cities, villages and school
17 districts may call special elections for any purpose whenever such action is
18 authorized or required by law. If an election is called for a special referendum, the
19 election shall be called and noticed under as provided in s. 8.55.

20 *b2474/2.1* SECTION 1n. 8.065 of the statutes is created to read:

21 **8.065 Scheduling of referenda.** (1) In this section, “local governmental
22 unit” has the meaning given in s. 16.97 (7).

23 (2) Unless otherwise required by law or unless authorized under sub. (3), a
24 referendum held by any local governmental unit that is authorized or required by
25 law to hold a referendum may only be held on the date of the spring primary, spring

1 election, September primary, or general election, or on the 2nd Tuesday in September
2 or the first Tuesday after the first Monday in November of an odd-numbered year.

3 (3) If a local governmental unit wishes to hold a special referendum on a date
4 that is not concurrent with an election specified in s. 5.02 (5), (18), (21), or (22) or on
5 a date other than the 2nd Tuesday in September or the first Tuesday after the first
6 Monday in November of an odd-numbered year, the local governmental unit may
7 petition the referendum appeal board for a determination that an emergency exists
8 with respect to a particular question. The referendum appeal board shall make a
9 determination within 10 days after receipt of a petition under this subsection. If the
10 referendum appeal board finds, with the concurrence of at least 4 members, that an
11 emergency exists which requires a special referendum to be held by a local
12 governmental unit on a date that is not concurrent with an election specified in s.
13 5.02 (5), (18), (21), or (22) or on a date other than the 2nd Tuesday in September or
14 the first Tuesday after the first Monday in November of an odd-numbered year, the
15 board may permit a referendum relating to the question specified in the petition to
16 be held on a date determined by the local governmental unit.

17 *b2474/2.1* SECTION 1p. 9.20 (4) of the statutes is amended to read:

18 9.20 (4) The common council or village board shall, without alteration, either
19 pass the ordinance or resolution within 30 days following the date of the clerk's final
20 certificate, or submit it to the electors at the next ~~spring or general~~ election
21 authorized under s. 8.065, if the election is more than 6 weeks after the date of the
22 council's or board's action on the petition or the expiration of the 30-day period,
23 whichever first occurs. If there are 6 weeks or less before the election, the ordinance
24 or resolution shall be voted on at the next election authorized under s. 8.065 (2) or
25 an election authorized under s. 8.065 (3) thereafter. ~~The council or board by a~~

1 ~~three-fourths vote of the members-elect may order a special election for the purpose~~
2 ~~of voting on the ordinance or resolution at any time prior to the next election, but not~~
3 ~~more than one special election for direct legislation may be ordered in any 6-month~~
4 ~~period.”.~~

5 *b2421/2.1* **2.** Page 5, line 4: after that line insert:

6 *b2421/2.1* **SECTION 6d.** 13.123 (2) of the statutes is repealed.

7 *b2421/2.1* **SECTION 6f.** 13.123 (3) (c) of the statutes is amended to read:

8 13.123 (3) (c) Paragraph (b) may not be construed to affect eligibility for any
9 allowance authorized under sub. (1) ~~or (2).~~”.

10 *b2425/2.1* **3.** Page 5, line 4: after that line insert:

11 *b2425/2.1* **SECTION 7m.** 13.205 of the statutes is created to read:

12 **13.205 Legislative hotline prohibited.** (1) Except as provided in sub. (2),
13 the joint committee on legislative organization, the assembly committee on
14 organization, and the senate committee on organization may not maintain a toll-free
15 telephone service for the use of members of the public to contact members of the
16 legislature or for the use of members of the legislature to contact members of the
17 public.

18 (2) An organization committee under sub. (1) may maintain or allow the
19 maintenance of one toll-free telephone service per member of the legislature for the
20 use of members of the public to contact the member of the legislature. The senate
21 committee on organization and the assembly committee on organization shall
22 publish the number of the toll-free telephone service of each member of its house.”.

23 *b2462/2.1* **4.** Page 5, line 4: after that line insert:

1 ***b2462/2.1*** “SECTION 6n. 13.101 (16) (b) of the statutes, as created by 2001
2 Wisconsin Act 16, is amended to read:

3 13.101 (16) (b) Annually, on June 15, beginning in 2004, the committee shall
4 transfer from the permanent endowment fund to the tobacco control fund the lesser
5 of \$25,000,000 or ~~8.5% of the market value of the investments in the permanent~~
6 ~~endowment fund on June 1 in that year~~ the proceeds of, and investment earnings on,
7 investments of the permanent endowment fund in the prior calendar year.”.

8 ***b2467/1.1* 5.** Page 5, line 4: after that line insert:

9 ***b2467/1.1*** “SECTION 7d. 13.40 (2) (a) of the statutes, as created by 2001
10 Wisconsin Act 16, is renumbered 13.40 (2) (a) 1. and amended to read:

11 13.40 (2) (a) 1. ~~The~~ Except as provided in subd. 2., the amount appropriated
12 from general purpose revenue, excluding any amount under an appropriation
13 specified in sub. (3), for the 2nd fiscal year of the prior fiscal biennium as determined
14 under sub. (4), multiplied by the sum of 1.0 and the annual percentage change in this
15 state’s aggregate personal income less 1%, expressed as a decimal, for the calendar
16 year that begins on the January 1 that immediately precedes the first year of the
17 fiscal biennium, as estimated by the legislative fiscal bureau, in consultation with
18 the department of revenue, no later than November 20 of each even-numbered year.

19 ***b2467/1.1* SECTION 7e.** 13.40 (2) (a) 2. of the statutes is created to read:

20 13.40 (2) (a) 2. If the annual percentage change in this state’s aggregate
21 personal income less 1%; expressed as a decimal, for the calendar year that begins
22 on the January 1 that immediately precedes the first year of the fiscal biennium is
23 not a positive number, the amount appropriated from general purpose revenue,

1 excluding any amount under an appropriation specified in sub. (3), for the 2nd fiscal
2 year of the prior fiscal biennium as determined under sub. (4).

3 ***b2467/1.1* SECTION 7f.** 13.40 (2) (b) of the statutes, as created by 2001
4 Wisconsin Act 16, is renumbered 13.40 (2) (b) 1. and amended to read:

5 13.40 (2) (b) 1. The Except as provided in subd. 2., the amount determined
6 under par. (a) multiplied by the sum of 1.0 and the annual percentage change in this
7 state's aggregate personal income less 1%, expressed as a decimal, for the calendar
8 year that begins on the January 1 that immediately precedes the 2nd year of the
9 fiscal biennium, as estimated by the legislative fiscal bureau, in consultation with
10 the department of revenue, no later than November 20 of each even-numbered year.

11 ***b2467/1.1* SECTION 7g.** 13.40 (2) (b) 2. of the statutes is created to read:

12 13.40 (2) (b) 2. If the annual percentage change in this state's aggregate
13 personal income less 1%, expressed as a decimal, for the calendar year that begins
14 on the January 1 that immediately precedes the 2nd year of the fiscal biennium is
15 not a positive number, the amount determined under par. (a).”.

16 ***b2480/1.1* 6.** Page 5, line 4: after that line insert:

17 ***b2480/1.1* “SECTION 6p.** 13.085 of the statutes is created to read:

18 **13.085 Passage of bills increasing certain net revenues.** The passage in
19 either house of the legislature of any law to provide by law for a net increase in
20 revenues from state sales taxes, income taxes, and franchise taxes requires the
21 approval of two-thirds of the members present.”.

22 ***b2456/3.1* 7.** Page 8, line 2: after that line insert:

23 ***b2456/3.1* “SECTION 9m.** 13.59 of the statutes is created to read:

1 **13.59 Joint survey committee on mandates. (1) DEFINITIONS.** In this
2 section:

3 (a) “Political subdivision” has the meaning given in s. 66.0143 (1) (a).

4 (b) “State mandate” has the meaning given in s. 66.0143 (1) (b).

5 **(2) CREATION.** There is created a joint survey committee on mandates,
6 consisting of 3 majority party and 2 minority party senators and 3 majority party and
7 2 minority party representatives to the assembly, appointed as are the members of
8 standing committees in their respective houses.

9 **(3) COMMITTEE PROCEDURES.** (a) The committee shall meet at the call of either
10 or both of its cochairpersons.

11 (b) All actions of the committee require the approval of a majority of all of the
12 members.

13 **(4) POWERS AND DUTIES.** (a) Within 30 days after being notified pursuant to s.
14 66.0143 (2) (e), the committee may approve or reject the waiver granted under that
15 paragraph or may extend the time for approval or rejection of the waiver by 30 days
16 or less. If the committee neither approves nor rejects the waiver within the initial
17 or extended period, whichever is applicable, or if the committee does not meet within
18 the initial or extended period, whichever is applicable, the waiver takes effect
19 without committee approval.

20 (b) The committee may make investigations and hold hearings.”.

21 ***b2465/1.1* 8.** Page 8, line 8: after that line insert:

22 ***b2465/1.1* “SECTION 12b.** 14.21 of the statutes is created to read:

23 **14.21 Renew Wisconsin. (1)** In this section:

24 (a) “Committee” means a committee appointed under sub. (2).

1 (b) "State agency" means an office, department, independent agency,
2 institution of higher education, association, society, or other body in the executive
3 branch of state government created or authorized to be created by the constitution
4 or any law and that is entitled to expend moneys appropriated by law, but not
5 including an authority created in ch. 231, 233, or 234.

6 (2) The governor shall establish a program, entitled "Renew Wisconsin," under
7 which the governor will appoint a committee for each state agency to conduct periodic
8 performance evaluations of the operations of each state agency. In appointing
9 members to the various committees, the governor shall seek to appoint to each
10 committee both state and local government public officials and employees and
11 individuals who are not state and local government public officials and employees.

12 (3) Each committee shall review the performance of the state agency assigned
13 to the committee and shall identify ways in which the state agency can improve its
14 responsiveness to the residents of this state and ways in which the state agency can
15 reduce the costs of performing its duties.

16 (4) Each committee shall review the statutes and rules that affect the operation
17 of the state agency assigned to the committee for review and shall do all of the
18 following:

19 (a) Identify the statutes and rules that are obsolete.

20 (b) Identify the statutes and rules that provide benefits that exceed their costs
21 and the statutes and rules that provide benefits that do not exceed their costs.

22 (c) Make recommendations for modifications to the statutes and rules to more
23 effectively and efficiently accomplish the public policy goals contained in the statutes
24 and rules.

1 (5) Each committee shall conduct one or more public hearings for the purpose
2 of gathering information to perform its duties under subs. (3) and (4).

3 (6) The department of administration shall provide all staff support required
4 for the operation of each committee.

5 (7) Each state agency shall fully cooperate with each committee and shall
6 provide any information requested by a committee.

7 (8) Each committee shall submit a written report of its findings, conclusions,
8 and recommendations to the governor and the chief clerk of each house of the
9 legislature, for distribution to the legislature under s. 13.172 (2).”.

10 ***b2420/1.1* 9.** Page 8, line 21: after that line insert:

11 ***b2420/1.1* SECTION 13d.** 15.05 (3) of the statutes is amended to read:

12 15.05 (3) EXECUTIVE ASSISTANT. ~~Each~~ Before the effective date of this subsection
13 [revisor inserts date], each secretary may appoint an executive assistant to serve
14 at his or her pleasure outside the classified service. The executive assistant shall
15 perform duties as the secretary prescribes. In this subsection, “secretary” includes
16 the attorney general, the adjutant general, the director of the technical college
17 system and the state superintendent of public instruction.

18 ***b2420/1.1* SECTION 13h.** 15.05 (5) of the statutes is repealed.

19 ***b2420/1.1* SECTION 13p.** 15.06 (4m) of the statutes is amended to read:

20 15.06 (4m) EXECUTIVE ASSISTANT. ~~Each~~ Before the effective date of this
21 subsection [revisor inserts date], each commission chairperson under s. 230.08 (2)
22 (m) and each commissioner of the public service commission may appoint an
23 executive assistant to serve at his or her pleasure outside the classified service. The

1 executive assistant shall perform duties as the chairperson or commissioner
2 prescribes.

3 *b2420/1.1* **SECTION 13t.** 15.06 (9) of the statutes is repealed.”.

4 *b2447/1.1* **10.** Page 8, line 21: after that line insert:

5 *b2447/1.1* “**SECTION 13m.** 15.04 (1) (n) of the statutes is created to read:

6 15.04 (1) (n) *Form on Internet.* Post a copy of any form prescribed by the
7 department or independent agency for use by any local governmental unit, as
8 defined in s. 22.01 (7), or any officer thereof, on the Internet.

9 *b2447/1.1* **SECTION 13n.** 15.04 (1) (o) of the statutes is created to read:

10 15.04 (1) (o) *Reports by local governmental units.* Permit any local
11 governmental unit, as defined in s. 22.01 (7), or any officer thereof, to file any report
12 with the department or independent agency in electronic format unless otherwise
13 prescribed by law.”.

14 *b2488/2.1* **11.** Page 8, line 21: after that line insert:

15 *b2488/2.1* “**SECTION 13n.** 15.07 (2) (k) of the statutes is repealed.”.

16 *b2397/2.1* **12.** Page 10, line 6: after that line insert:

17 *b2397/2.1* “**SECTION 14cg.** 15.197 (11n) (cm) of the statutes is created to read:

18 15.197 (11n) (cm) Four members of the legislature, of which one each is
19 designated by the speaker of the assembly, the senate majority leader, and the
20 minority leader in each house of the legislature and appointed by the governor.

21 *b2397/2.1* **SECTION 14ch.** 15.197 (11n) (e) of the statutes is created to read:

22 15.197 (11n) (e) By January 31 annually, the council shall prepare a report for
23 the preceding calendar year and shall submit the report to the legislature under s.
24 13.172 (2). The report shall evaluate the waiting lists compiled by the department

1 of health and family services for services for persons with developmental
2 disabilities.”.

3 *b2441/3.1* **13.** Page 10, line 6: after that line insert:

4 *b2441/3.1* **SECTION 14c.** 15.155 (5) of the statutes is created to read:

5 15.155 (5) WIRELESS 911 BOARD. (a) There is created a wireless 911 board
6 attached to the department of commerce under s. 15.03 consisting of the following
7 members:

8 1. One representative to the assembly, appointed by the speaker of the
9 assembly.

10 2. One representative to the assembly, appointed by the assembly minority
11 leader.

12 3. One senator, appointed by the president of the senate.

13 4. One senator, appointed by the senate minority leader.

14 5. Four persons who represent the interests of commercial mobile radio service
15 providers, as defined in s. 196.01 (2g), appointed by the governor.

16 6. Four persons who represent the interests of public agencies, as defined in s.
17 146.70 (1) (f), or public safety agencies, as defined in s. 146.70 (1) (g), that operate
18 public safety answering points, as defined in s. 146.70 (1) (gm), appointed by the
19 governor.

20 (b) The members appointed under par. (a) 5. and 6. shall serve 3-year terms
21 and may not serve more than 2 consecutive terms.”.

22 *b2403/1.1* **14.** Page 10, line 8: after that line insert:

23 *b2403/1.1* **SECTION 14h.** 15.347 (3) of the statutes is created to read:

1 15.347 (3) ENVIRONMENTAL RESULTS COUNCIL. There is created in the department
2 of natural resources an environmental results council consisting of 15 members
3 appointed for 5-year terms. The governor shall appoint members representing
4 environmental organizations, businesses, and local governmental units and
5 members who do not represent any of these entities.”

6 ***b2413/2.1* 15.** Page 10, line 8: after that line insert:

7 ***b2413/2.1* “SECTION 14j.** 15.735 of the statutes is created to read:

8 **15.735 Same; attached boards. (1) SMALL EMPLOYER CATASTROPHIC**
9 REINSURANCE BOARD. (a) There is created a small employer catastrophic reinsurance
10 board that is attached to the office of the commissioner of insurance under s. 15.03.
11 The board shall consist of the commissioner of insurance and the following members:

12 1. Two members who represent small employers, as defined in s. 635.02 (7), and
13 who are selected from a list of nominees submitted by organizations representing
14 small businesses.

15 2. Four members who represent small employer insurers, as defined in s.
16 635.02 (8), and who are selected from a list of nominees submitted by organizations
17 representing health insurers.

18 3. One member who is a physician, as defined in s. 448.01 (5), and who is
19 selected from a list of nominees submitted by organizations representing physicians.

20 4. One member who is a nurse, as defined in s. 441.11 (2), who works in an
21 executive position, and who is selected from a list of nominees submitted by
22 organizations representing nurses.

1 5. Two members who represent hospitals, including one member from a rural
2 hospital and one member from an urban hospital, and who are selected from a list
3 of nominees submitted by organizations representing hospitals.

4 (b) The members under par. (a) 1. to 5. shall be appointed for 3–year terms. Any
5 such member may be removed by the governor for just cause.”.

6 ***b2474/2.2* 16.** Page 10, line 8: after that line insert:

7 ***b2474/2.2* “SECTION 14k.** 15.615 of the statutes is created to read:

8 **15.615 Same; attached boards.**

9 **(2) REFERENDUM APPEAL BOARD.** There is created a referendum appeal board
10 which is attached to the elections board under s. 15.03. The referendum appeal board
11 shall consist of the governor, the senate majority leader, the senate minority leader,
12 the speaker of the assembly, and the assembly minority leader or the designees of
13 these persons. Members of the board shall serve for indefinite terms.”.

14 ***b2488/2.2* 17.** Page 10, line 8: after that line insert:

15 ***b2488/2.2* “SECTION 14g.** 15.225 (3) of the statutes is repealed.”.

16 ***b2512/3.1* 18.** Page 10, line 8: after that line insert:

17 ***b2512/3.1* “SECTION 14h.** 15.347 (18) of the statutes is created to read:

18 **15.347 (18) INVASIVE SPECIES COUNCIL.** (a) There is created an invasive species
19 council that is attached to the department of natural resources under s. 15.03.

20 (b) The council consists of the following members:

21 1. The secretary of natural resources or his or her designee.

22 2. The secretary of administration or his or her designee.

23 3. The secretary of agriculture, trade and consumer protection or his or her
24 designee.

1 4. The secretary of commerce or his or her designee.

2 5. The secretary of tourism or his or her designee.

3 6. The secretary of transportation or his or her designee.

4 7. Seven other members appointed by the governor to serve 5–year terms.

5 (c) The members appointed under par. (b) 7. shall represent public and private
6 interests that are affected by the presence of invasive species in this state.”.

7 ***b2531/1.1* 19.** Page 10, line 8: after that line insert:

8 ***b2531/1.1* *SECTION 14kr.** 15.347 (18) of the statutes is created to read:

9 15.347 (18) COUNCIL ON FORESTRY. (a) There is created in the department of
10 natural resources a council of forestry consisting of:

11 1. The chief state forester or his or her designee.

12 2. One member of the senate, appointed by the president of the senate.

13 3. One member of the senate, appointed by the senate minority leader.

14 4. One member of the assembly, appointed by the speaker of the assembly.

15 5. One member of the assembly, appointed by the assembly minority leader.

16 6. One member who represents the interests of a forest products company that
17 owns and manages large tracts of private forest land that supply raw materials to
18 the forest products industry.

19 7. One member who represents the interests of owners of nonindustrial, private
20 forest land who manage the land to produce ecological, economic, and social benefits.

21 8. One member who represents the interests of counties that have county
22 forests within their boundaries.

23 9. One member who represents the interests of the paper and pulp industry.

24 10. One member who represents the interests of the lumber industry.

1 11. One member who represents the interests of nonprofit conservation
2 organizations whose purposes include the conservation and use of forest resources.

3 12. One member who is a forester who engages in the practice of providing
4 consultation services on forestry issues.

5 13. One member who represents the interests of schools of forestry within the
6 state that have curricula in the management of forest resources that are accredited
7 by the Society of American Foresters.

8 14. One member who represents the interests of persons who engage in the
9 practice of conservation education.

10 15. One member who represents the interests of persons who are members of
11 labor unions that are affiliated with the forestry industry.

12 16. One member who represents the interests of persons who are engaged in
13 the practice of urban and community forestry.

14 17. One member who represents the interests of persons who are members of
15 the Society of American Foresters.

16 18. One member who represents the interests of persons who are members of
17 an organization of timber producers.

18 19. One person who represents the interests of persons who are engaged in an
19 industry that uses secondary wood.

20 (b) Each member specified in par. (a) 2. to 5. shall be appointed in the same
21 manner as members of standing committees are appointed.

22 (c) Each member specified in par. (a) 6. to 19. shall be nominated by the
23 governor, and with the advice and consent of the senate appointed, to serve a 5-year
24 term.

1 (d) The governor shall annually appoint a chairperson for the council from
2 among its members before the first meeting of each year, and the chairperson, at the
3 first meeting of each year, shall annually appoint the vice chairperson and secretary
4 from among the council's members. Any of these appointees may be appointed for
5 successive terms.

6 (e) The council shall meet 4 times each year and shall also meet on the call of
7 the chairperson of the council or on the call of a majority of its members.
8 Notwithstanding s. 15.09 (3), the council shall meet at such locations within this
9 state as may be designated by the chairperson of the council or by a majority of its
10 members.”.

11 ***b2420/1.2* 20.** Page 11, line 2: after that line insert:

12 ***b2420/1.2* “SECTION 20c.** 16.505 (5) of the statutes is created to read:

13 16.505 (5) The secretary shall reduce the authorized positions for any state
14 agency by one executive assistant position from the funding source or sources from
15 which the positions are funded whenever any individual who held the position on the
16 effective date of this subsection [revisor inserts date], vacates the position.”.

17 ***b2469/2.1* 21.** Page 11, line 2: after that line insert:

18 ***b2469/2.1* “SECTION 18e.** 16.505 (1) (intro.) of the statutes, as affected by
19 2001 Wisconsin Act 16, is amended to read:

20 16.505 (1) (intro.) Except as provided in subs. (2), (2m), (2n), ~~and (2p)~~, and (3m),
21 no position, as defined in s. 230.03 (11), regardless of funding source or type, may be
22 created or abolished unless authorized by one of the following:

23 ***b2469/2.1* SECTION 18r.** 16.505 (3m) of the statutes is created to read:

1 16.505 (3m) (a) Annually, after July 1 but before August 1, each executive
2 branch agency shall submit a report to the secretary identifying each position for
3 that agency that became vacant during the preceding fiscal year.

4 (b) In any fiscal year, no executive branch agency may fill more than 75% of the
5 total number of full-time equivalent positions for that agency that became vacant
6 during the preceding fiscal year and were identified in the report submitted to the
7 secretary under par. (a).

8 (c) Notwithstanding s. 16.50 (1), the secretary shall require each executive
9 branch agency to submit expenditure estimates for the filling of all vacant full-time
10 equivalent positions during each fiscal year and shall withhold approval of any
11 expenditure estimate for the filling of a position that is inconsistent with the
12 prohibition under par. (b).

13 (d) 1. In each fiscal year, the secretary shall abolish all vacant positions that
14 may not be filled under par. (b) and shall identify the appropriations from which
15 these abolished positions are funded.

16 2. From each sum certain appropriation of general purpose revenue identified
17 in subd. 1., the secretary of administration shall lapse to the general fund the amount
18 specified in subd. 1. for that appropriation. After the secretary makes the lapse, each
19 sum certain appropriation is decreased by the amount specified in subd. 1. for that
20 appropriation.

21 3. For each sum sufficient appropriation of general purpose revenue identified
22 in subd. 1. the expenditure estimate for the appropriation is reestimated to subtract
23 the amount specified in subd. 1. for that appropriation.

1 4. For each sum certain program revenue or program revenue–service
2 appropriation identified in subd. 1., the secretary of administration shall decrease
3 the appropriation by the amount specified in subd. 1. for that appropriation.

4 5. From each appropriation of segregated fund revenues or segregated fund
5 revenues — service identified in subd. 1., the secretary shall lapse to the underlying
6 fund the amount specified in subd. 1. for that appropriation. After the secretary
7 makes the lapse, each of the sum certain segregated revenues or segregated revenues
8 — service appropriations is decreased by the amount specified in subd. 1. for that
9 appropriation and the expenditure estimate for each of the appropriations that are
10 not sum certain appropriations is reestimated to subtract the amount specified in
11 subd. 1. for that appropriation.”.

12 ***b2472/1.1* 22.** Page 11, line 2: after that line insert:

13 ***b2472/1.1* “SECTION 17m.** 16.425 (3) of the statutes is amended to read:

14 16.425 (3) REPORT ON TAX EXEMPTION DEVICES. The department of revenue shall,
15 in each even–numbered year on the date prescribed for it by the secretary, furnish
16 to the secretary a report detailing the approximate costs in lost revenue, the policy
17 purposes and to the extent possible, indicators of effectiveness in achieving such
18 purposes, for all state tax exemption devices, including those based on the internal
19 revenue code, in effect at the time of the report. The report need relate only to chs.
20 71, 76 and 77 tax exemption devices ~~and to property tax exemptions for which reports~~
21 ~~are required under s. 70.337.~~ The report shall be prepared in such a manner as to
22 facilitate the making of comparisons with the information reported in s. 16.46 (1) to
23 (6).”.

24 ***b2548/3.1* 23.** Page 11, line 2: after that line insert:

1 ***b2548/3.1* “SECTION 17q.** 16.42 (1) (f) of the statutes is created to read:

2 16.42 (1) (f) The information required under s. 16.423.

3 ***b2548/3.1* SECTION 17r.** 16.423 of the statutes is created to read:

4 **16.423 Base budget review reports. (1)** In this section, “state agency” has
5 the meaning given in s. 20.001 (1).

6 **(2)** (a) During the 2001–03 fiscal biennium, the secretary shall require that
7 one–third of all state agencies submit a report no later than September 15, 2002, and
8 every 3rd fiscal biennium thereafter, that contains the information specified in sub.
9 (3).

10 (b) During the 2003–05 fiscal biennium, the secretary shall require that 50%
11 of the state agencies that did not submit a report under par. (a) submit a report no
12 later than September 15, 2004, and every 3rd fiscal biennium thereafter, that
13 contains the information specified in sub. (3).

14 (c) During the 2005–07 fiscal biennium, the secretary shall require that all
15 state agencies created on or before September 15, 2006, that did not submit a report
16 under par. (a) or (b) submit submit a report no later than September 15, 2006, and
17 every 3rd fiscal biennium thereafter, that contains the information specified in sub.
18 (3).

19 (d) Beginning in the 2005–07 fiscal biennium, the secretary shall require that
20 any state agency created after September 15, 2006, submit a report no later than the
21 September 15 in the even–numbered year that first occurs after the state agency is
22 created, and every 3rd fiscal biennium thereafter, that contains the information
23 specified in sub. (3).

24 **(3)** A report submitted under this section shall contain at least all of the
25 following:

1 (a) A description of each programmatic activity of the state agency.

2 (b) For each programmatic activity of the state agency, an accounting of all
3 expenditures, arranged by revenue source and the categories specified in sub. (4), in
4 each of the prior 3 fiscal years.

5 (c) For each programmatic activity of the state agency, an accounting of all
6 expenditures, arranged by revenue source and the categories specified in sub. (4), in
7 the last 2 quarters in each of the prior 3 fiscal years.

8 (4) The secretary shall develop categories for state agencies to use for the
9 purpose of organizing the expenditure information that is required under sub. (3) (b)
10 and (c).

11 ***b2548/3.1* SECTION 17t.** 16.46 (5g) of the statutes is created to read:

12 16.46 (5g) A summary of the information submitted to the department by state
13 agencies under s. 16.423.”.

14 ***b2413/2.2* 24.** Page 11, line 9: after that line insert:

15 ***b2413/2.2* “SECTION 21e.** 16.735 of the statutes is created to read:

16 **16.735 Negotiations for purchase of prescription drugs; rebates. (1)**

17 In this section:

18 (a) “Health care provider” has the meaning given in s. 146.81 (1).

19 (b) “Insurer” has the meaning given in s. 632.745 (15).

20 (c) “Labeler” means a person that receives prescription drugs from a
21 manufacturer or wholesaler, repackages the prescription drugs for later retail sale,
22 and has a labeler code issued by the federal food and drug administration under 21
23 CFR 207.20 (b).

1 (d) “Manufacturer” means a manufacturer of prescription drugs and includes
2 a subsidiary or affiliate of the manufacturer.

3 (e) “Pharmacist” has the meaning given in s. 450.01 (15).

4 (f) “Prescription drug” has the meaning given in s. 450.01 (20).

5 (g) “Self-insurer” means an employer or labor organization acting solely or
6 acting jointly with a labor organization or an employer to provide employee health
7 care benefits on a self-insured basis.

8 (2) The department or an entity with which the department contracts may do
9 all of the following:

10 (a) Assist a health care provider, insurer, or self-insurer that acts in this state
11 or that seeks to act in conjunction with associations of health care providers,
12 insurers, or self-insurers in states other than this state to negotiate rebate
13 agreements with manufacturers or labelers for prescription drugs that are produced
14 by the manufacturers or repackaged by the labelers and are sold for prescribed use.

15 (b) Assist a health care provider, insurer, or self-insurer to develop an in-state
16 purchasing group or, in conjunction with associations of health care providers,
17 insurers, or self-insurers in states other than this state, a multistate purchasing
18 group, for the direct negotiation with prescription drug manufacturers and labelers
19 of reduced charges for prescription drugs that are produced by the manufacturers or
20 repackaged by the labelers and are sold for prescribed use.”.

21 *b2436/1.1* **25.** Page 11, line 9: after that line insert:

22 *b2436/1.1* “SECTION 21bb. 16.957 (1) (c) of the statutes is repealed.

23 *b2436/1.1* SECTION 21bd. 16.957 (1) (d) of the statutes is repealed.

24 *b2436/1.1* SECTION 21bf. 16.957 (1) (h) of the statutes is repealed.

1 ***b2436/1.1* SECTION 21bh.** 16.957 (1) (o) 2. of the statutes is amended to read:
2 16.957 (1) (o) 2. The total amount expended by utilities under s. 196.374 related
3 to low-income assistance.

4 ***b2436/1.1* SECTION 21bj.** 16.957 (1) (r) of the statutes is repealed.

5 ***b2436/1.1* SECTION 21bL.** 16.957 (2) (a) 4. of the statutes is amended to read:
6 16.957 (2) (a) 4. ~~Fifty percent~~ All of the moneys collected in public benefits fees
7 under sub. (5).

8 ***b2436/1.1* SECTION 21bn.** 16.957 (2) (b) of the statutes, as affected by 2001
9 Wisconsin Act 16, is repealed.

10 ***b2436/1.1* SECTION 21bp.** 16.957 (2) (c) 1. of the statutes is amended to read:
11 16.957 (2) (c) 1. Eligibility requirements for low-income assistance under
12 programs established under par. (a). The rules shall prohibit a person who receives
13 low-income assistance from a municipal utility or retail electric cooperative under
14 a program specified in sub. (5) (d) ~~2, b, or 3, a.~~ from receiving low-income assistance
15 under programs established under par. (a).

16 ***b2436/1.1* SECTION 21br.** 16.957 (2) (c) 2. of the statutes is amended to read:
17 16.957 (2) (c) 2. Requirements and procedures for applications for grants
18 awarded under programs established under par. (a) ~~or (b) 1.~~

19 ***b2436/1.1* SECTION 21bt.** 16.957 (2) (c) 2m. of the statutes is repealed.

20 ***b2436/1.1* SECTION 21bv.** 16.957 (2) (c) 2n. of the statutes is repealed.

21 ***b2436/1.1* SECTION 21bx.** 16.957 (2) (c) 4. of the statutes is amended to read:
22 16.957 (2) (c) 4. Requirements for electric utilities to allow customers to include
23 voluntary contributions to assist in funding a program established under par. (a) ~~or~~
24 **(b) 1.** with bill payments for electric service. The rules may require an electric utility
25 to provide a space on an electric bill in which a customer may indicate the amount

1 of a voluntary contribution and the customer's preference regarding whether a
2 contribution should be used for a program established under par. (a) or (b) 1. a. or b.
3 The rules shall establish requirements and procedures for electric utilities to pay to
4 the department any voluntary contributions included with bill payments and to
5 report to the department customer preferences regarding use of the contributions.
6 The department shall deposit all contributions received under this paragraph in the
7 utility public benefits fund.

8 *b2436/1.1* SECTION 21bz. 16.957 (2) (d) 2. of the statutes is amended to read:
9 16.957 (2) (d) 2. Encourage customers or members to make voluntary
10 contributions to assist in funding the programs established under ~~pars. par. (a) and~~
11 ~~(b) 1.~~ The department shall deposit all contributions received under this paragraph
12 in the utility public benefits fund.

13 *b2436/1.1* SECTION 21cb. 16.957 (2) (d) 3. of the statutes is amended to read:
14 16.957 (2) (d) 3. Deposit in the utility public benefits fund all moneys received
15 under sub. (4) (a) ~~or (5) (c) or (d) in the utility public benefits fund that are~~
16 attributable to the portion of the public benefits fee specified in sub. (4) (c) 1. and
17 deposit in the general fund all moneys received under sub. (4) (a) that are
18 attributable to the portion of the public benefits fee specified in sub. (4) (c) 2.

19 *b2436/1.1* SECTION 21cd. 16.957 (2) (d) 3. of the statutes, as affected by 2001
20 Wisconsin Act (this act), is repealed and recreated to read:
21 16.957 (2) (d) 3. Deposit all moneys received under sub. (4) (a) or (5) (c) in the
22 utility public benefits fund.

23 *b2436/1.1* SECTION 21cf. 16.957 (2) (d) 3g. of the statutes is created to read:

1 16.957 (2) (d) 3g. Deposit 50% of the moneys received under sub. (5) (c) in the
2 utility public benefits fund and 50% of the moneys received under sub. (5) (c) in the
3 general fund.

4 ***b2436/1.1* SECTION 21ch.** 16.957 (2) (d) 3g. of the statutes, as created by 2001
5 Wisconsin Act (this act), is repealed.

6 ***b2436/1.1* SECTION 21cj.** 16.957 (2) (d) 3r. of the statutes is created to read:
7 16.957 (2) (d) 3r. Deposit the moneys received under sub. (5) (d) 1. a. in the
8 utility public benefits fund and deposit the moneys received under sub. (5) (d) 2. a.
9 in the general fund.

10 ***b2436/1.1* SECTION 21cL.** 16.957 (2) (d) 3r. of the statutes, as created by 2001
11 Wisconsin Act (this act), is repealed.

12 ***b2436/1.1* SECTION 21cn.** 16.957 (2) (d) 4. a. of the statutes is amended to
13 read:

14 16.957 (2) (d) 4. a. The expenses of the department, other state agencies and
15 grant recipients in administering or participating in the programs under ~~pars.~~ par.
16 (a) and ~~(b)~~.

17 ***b2436/1.1* SECTION 21cp.** 16.957 (2) (d) 4. c. of the statutes is repealed.

18 ***b2436/1.1* SECTION 21cr.** 16.957 (3) (a) of the statutes is renumbered 16.957
19 (3).

20 ***b2436/1.1* SECTION 21ct.** 16.957 (3) (b) of the statutes is repealed.

21 ***b2436/1.1* SECTION 21cv.** 16.957 (3) (c) of the statutes is repealed.

22 ***b2436/1.1* SECTION 21cx.** 16.957 (4) (c) 1. (intro.) of the statutes is amended
23 to read:

24 16.957 (4) (c) 1. (intro.) ‘Low-income funding.’ ~~In fiscal year 1999–2000, a~~
25 ~~portion of the public benefits fee shall be an amount that, when added to 50% of the~~

1 ~~estimated public benefits fees charged by municipal utilities and retail electric~~
2 ~~cooperatives under sub. (5) (a) for that fiscal year, shall equal \$24,000,000. In each~~
3 ~~fiscal year after fiscal year 1999–2000, a portion of the public benefits fee shall be an~~
4 ~~amount that, when added to the sum of the following shall equal the low-income~~
5 ~~need target for that fiscal year determined by the department under sub. (2) (d) 1.:~~

6 ***b2436/1.1* SECTION 21cz.** 16.957 (4) (c) 1. a. of the statutes is amended to
7 read:

8 16.957 (4) (c) 1. a. ~~Fifty percent~~ All of the estimated public benefits fees charged
9 by municipal utilities and retail electric cooperatives under sub. (5) (a) for that fiscal
10 year.

11 ***b2436/1.1* SECTION 21db.** 16.957 (4) (c) 1. c. of the statutes is amended to
12 read:

13 16.957 (4) (c) 1. c. The total amount spent on programs or contributed to the
14 commission by utilities under s. 196.374 (3) for that fiscal year ~~for low-income~~
15 ~~assistance.~~

16 ***b2436/1.1* SECTION 21dd.** 16.957 (4) (c) 2. of the statutes is repealed.

17 ***b2436/1.1* SECTION 21df.** 16.957 (4) (c) 3. of the statutes is amended to read:

18 16.957 (4) (c) 3. 'Limitation on electric bill increases.' For the period beginning
19 on October 29, 1999, and ending on June 30, 2008, the total increase in a customer's
20 electric bills that is based on the requirement to pay public benefits fees, including
21 any increase resulting from an electric utility's compliance with this section, may not
22 exceed ~~3% of the total of every other charge for which the customer is billed for that~~
23 ~~period or \$750 per month, whichever is less~~ an amount specified in the rules. In
24 determining the amount, the department shall adjust the limitation under s. 16.957
25 (4) (c) 3., 1999 stats., to take into account the elimination of the energy conservation

1 and efficiency and renewable resource funding portion of the public benefits fee by
2 2001 Wisconsin Act ... (this act).

3 *b2436/1.1* SECTION 21dh. 16.957 (5) (a) of the statutes is amended to read:

4 16.957 (5) (a) *Requirement to charge public benefits fees.* Each retail electric
5 cooperative and municipal utility shall charge a monthly public benefits fee to each
6 customer or member in an amount that is sufficient for the retail electric cooperative
7 or municipal utility to collect an annual average of \$16 ~~\$8~~ per meter. A retail electric
8 cooperative or municipal utility may determine the amount that a particular class
9 of customers or members is required to pay under this paragraph and may charge
10 different fees to different classes of customers or members.

11 *b2436/1.1* SECTION 21dj. 16.957 (5) (am) of the statutes is amended to read:

12 16.957 (5) (am) *Public benefits fee restriction.* Notwithstanding par. (a), for the
13 period beginning on October 29, 1999, and ending on June 30, 2008, the total
14 increase in a customer's or member's electric bills that is based on the requirement
15 to pay public benefits fees, including any increase resulting from a retail electric
16 cooperative's or municipal utility's compliance with this section, may not exceed ~~3%~~
17 ~~of the total of every other charge for which the member or customer is billed for that~~
18 ~~period or \$750 per month, whichever is less~~ an amount specified in rules
19 promulgated by the department, in consultation with the council. The amount shall
20 be identical to the amount specified in rules promulgated for purposes of sub. (4) (c)
21 3.

22 *b2436/1.1* SECTION 21dL. 16.957 (5) (b) 1. of the statutes is amended to read:

23 16.957 (5) (b) 1. No later than October 1, 2000, each municipal utility or retail
24 electric cooperative shall notify the department whether it has elected to contribute
25 to the programs established under sub. (2) (a) ~~or (b) 1.~~ for a 3-year period.

1 ***b2436/1.1* SECTION 21dn.** 16.957 (5) (b) 2. of the statutes is amended to read:

2 16.957 (5) (b) 2. No later than every 3rd year after the date specified in subd.
3 1., each municipal utility or retail electric cooperative shall notify the department
4 whether it has elected to contribute to the programs established under sub. (2) (a)
5 ~~or (b) 1.~~ for a 3-year period.

6 ***b2436/1.1* SECTION 21dp.** 16.957 (5) (c) of the statutes is amended to read:

7 16.957 (5) (c) *Full contribution.* If a municipal utility or retail electric
8 cooperative elects under par. (b) 1. or 2. to contribute to the programs established
9 ~~both under sub. (2) (a) and under sub. (2) (b) 1.,~~ it shall pay 100% of the public benefits
10 fees that it charges under par. (a) to the department in each fiscal year of the 3-year
11 period for which it has made the election.

12 ***b2436/1.1* SECTION 21dr.** 16.957 (5) (d) of the statutes is repealed and
13 recreated to read:

14 16.957 (5) (d) *Low income assistance.* If a municipal utility or retail electric
15 cooperative elects under par. (b) 1. or 2. not to contribute to the programs established
16 under sub. (2) (a), the municipal utility or retail electric cooperative shall, in each
17 fiscal year of the 3-year period for which it elects not to contribute under par. (b) 1.
18 or 2., spend 100% of the public benefits fees that it charges under par. (a) on programs
19 for low-income assistance.

20 ***b2436/1.1* SECTION 21dt.** 16.957 (5) (e) (intro.) and 1. of the statutes are
21 consolidated, renumbered 16.957 (5) (e) and amended to read:

22 16.957 (5) (e) *Wholesale supplier credit.* If a wholesale supplier has established
23 a program for low-income assistance ~~or an energy conservation program,~~ a
24 municipal utility or retail electric cooperative that is a customer or member of the
25 wholesale supplier may ~~do any of the following:~~ 1. ~~Include~~ include an amount equal

1 to the product of the municipal utility's or retail electric cooperative's wholesale
2 supply percentage and the amount that the wholesale supplier has spent on
3 low-income assistance in a fiscal year in calculating the amount that the municipal
4 utility or retail electric cooperative has spent on low-income assistance in that fiscal
5 year under par. (d) ~~2. b. or 3. a.~~

6 *b2436/1.1* SECTION 21dv. 16.957 (5) (e) 2. of the statutes is repealed.

7 *b2436/1.1* SECTION 21dx. 16.957 (5) (f) of the statutes is amended to read:

8 16.957 (5) (f) *Joint programs.* Municipal utilities or retail electric cooperatives
9 may establish joint ~~commitment to community~~ programs for low-income assistance,
10 except that each municipal utility or retail electric cooperative that participates in
11 a joint program is required to comply with the spending requirements under par. (d).

12 *b2436/1.1* SECTION 21dz. 16.957 (5) (g) 1. a. of the statutes is amended to
13 read:

14 16.957 (5) (g) 1. a. An accounting of public benefits fees charged to customers
15 or members under par. (a) in the fiscal year and expenditures on ~~commitment to~~
16 ~~community~~ programs for low-income assistance under par. (d), including any
17 amounts included in the municipal utility's or retail electric cooperative's
18 calculations under par. (e).

19 *b2436/1.1* SECTION 21eb. 16.957 (5) (g) 1. b. of the statutes is amended to
20 read:

21 16.957 (5) (g) 1. b. A description of ~~commitment to community~~ programs for
22 low-income assistance established by the municipal utility or retail electric
23 cooperative in the fiscal year.”.

24 *b2461/1.1* 26. Page 11, line 18: after that line insert:

1 20.143 (3) (L) *Fire dues distribution*. All moneys received under ss. 101.573
2 (1) and 601.93, less the amounts transferred to par. (La) and s. 20.292 (1) (gm) and
3 (gr), for distribution under s. 101.563 or 101.573, as applicable. The amount
4 transferred to par. (La) shall be the amount in the schedule under par. (La). The
5 amount transferred to s. 20.292 (1) (gm) shall be the amount in the schedule under
6 s. 20.292 (1) (gm). The amount transferred to s. 20.292 (1) (gr) shall be the amount
7 in the schedule under s. 20.292 (1) (gr).”.

8 ***b2403/1.4* 31.** Page 13, line 13: after that line insert:

9 ***b2403/1.4* SECTION 30f.** 20.143 (3) (z) of the statutes is created to read:

10 20.143 (3) (z) *Environmental results and environmental management system*
11 *grants*. Biennially, from the environmental fund, the amounts in the schedule for
12 environmental results and environmental management system grants under s.
13 560.125.”.

14 ***b2413/2.3* 32.** Page 13, line 13: after that line insert:

15 ***b2413/2.3* SECTION 30c.** 20.145 (1) (j) of the statutes is created to read:

16 20.145 (1) (j) *Small employer insurer catastrophic reimbursements*. All moneys
17 received under s. 635.25 (3) (b), to reimburse small employer insurers as provided in
18 s. 635.25 (2) (c).”.

19 ***b2441/3.2* 33.** Page 13, line 13: after that line insert:

20 ***b2441/3.2* SECTION 30b.** 20.143 (3) (je) of the statutes is created to read:

21 20.143 (3) (je) *Wireless 911 board general program operations*. Two and
22 one-half percent of all moneys received under s. 146.70 (3m) (d) 3. for general
23 program operations of the wireless 911 board, including contracting for audits under
24 s. 146.70 (3m) (b) 5.

1 ***b2441/3.2* SECTION 30d.** 20.143 (3) (jm) of the statutes is created to read:

2 20.143 (3) (jm) *Wireless provider grants.* Forty-eight and three-fourths
3 percent of all moneys received under s. 146.70 (3m) (d) 3. for the wireless 911 board
4 to make grants to wireless providers under s. 146.70 (3m) (b) 2. and to make transfers
5 to the appropriation under par. (kv) as provided under s. 146.70 (3m) (b) 3.

6 ***b2441/3.2* SECTION 30f.** 20.143 (3) (js) of the statutes is created to read:

7 20.143 (3) (js) *Public agency and wireless provider grants.* Forty-eight and
8 three-fourths percent of all moneys received under s. 146.70 (3m) (d) 3. for the
9 wireless 911 board to make grants to public agencies under s. 146.70 (3m) (b) 1. and
10 to wireless providers under s. 146.70 (3m) (b) 3.

11 ***b2441/3.2* SECTION 30h.** 20.143 (3) (kv) of the statutes is created to read:

12 20.143 (3) (kv) *Public agency grants.* All moneys transferred from the
13 appropriation account under par. (jm) for the wireless 911 board to make grants to
14 public agencies under s. 146.70 (3m) (b) 1.”.

15 ***b2445/1.1* 34.** Page 14, line 3: delete “\$4,200,945,900” and substitute
16 “\$4,198,345,900”.

17 **35.** Page 14, line 6: after that line insert:

18 “SECTION 32m. 20.285 (1) (er) of the statutes is repealed.”.

19 ***b2391/1.1* 36.** Page 14, line 6: after that line insert:

20 ***b2391/1.1* SECTION 32p.** 20.285 (1) (fg) of the statutes is created to read:

21 20.285 (1) (fg) *State laboratory of hygiene; limited-term employees.* A sum
22 sufficient to pay the salaries, benefits, and training of limited-term employees under
23 s. 36.25 (11) (em).”.

24 ***b2482/3.1* 37.** Page 14, line 15: after that line insert:

1 ***b2482/3.1*** “**SECTION 35m.** 20.370 (1) (cr) of the statutes is amended to read:
2 20.370 (1) (cr) *Forestry — recording fees.* All moneys received under ss. 77.82
3 ~~(2) (intro.), (2m) and (4) and (4m) (bn)~~ and 77.88 (2) (d) for the payment of fees to the
4 registers of deeds under s. 77.91 (5).”.

5 ***b2460/2.1* 38.** Page 14, line 25: after that line insert:

6 ***b2460/2.1*** “**SECTION 36am.** 20.370 (1) (hq) of the statutes is created to read:
7 20.370 (1) (hq) *Elk hunting fees.* All moneys received from the sale of elk
8 hunting licenses under s. 29.182 and from voluntary contributions under s. 29.567
9 to be used for administering elk hunting licenses, for elk management and research
10 activities, and for the elk hunter education program under s. 29.595.”.

11 ***b2363/1.1* 39.** Page 15, line 24: after that line insert:

12 ***b2363/1.1*** “**SECTION 36gb.** 20.370 (3) (au) of the statutes, as created by 2001
13 Wisconsin Act 16, is amended to read:
14 20.370 (3) (au) *Hunter education and bow hunter education.* The amounts in
15 the schedule to reimburse pay instructors under the hunter education program and
16 the bow hunter education program under s. 29.591 (3).”.

17 ***b2521/2.1* 40.** Page 15, line 24: after that line insert:

18 ***b2521/2.1*** “**SECTION 36r.** 20.370 (4) (kw) of the statutes is created to read:
19 20.370 (4) (kw) *Sturgeon stock and habitat.* All moneys received under s.
20 29.237 (5) for assessing and managing the lake sturgeon stock and fishery in the
21 Lake Winnebago system, for improving and maintaining lake sturgeon habitat in the
22 Lake Winnebago and upper Fox and Wolf rivers system, and for administering s.
23 29.237.”.

24 ***b2391/1.2* 41.** Page 16, line 5: after that line insert:

1 ***b2391/1.2*** “SECTION 37g. 20.435 (1) (e) of the statutes is created to read:

2 20.435 (1) (e) *Public health emergency.* A sum sufficient to defray all expenses
3 necessary to respond to a state of emergency related to public health only if the
4 governor declares such an emergency and designates the department of health and
5 family services as the lead state agency to respond to the emergency under s. 166.03
6 (1) (b) 1.”.

7 ***b2403/1.5* 42.** Page 16, line 5: after that line insert:

8 ***b2403/1.5*** “SECTION 36p. 20.370 (9) (fr) of the statutes is created to read:

9 20.370 (9) (fr) *Environmental results program — environmental fund.*
10 Biennially, from the environmental fund, the amounts in the schedule for the
11 administration of the environmental results program under s. 299.83.”.

12 ***b2412/1.1* 43.** Page 16, line 5: after that line insert:

13 ***b2412/1.1*** “SECTION 37c. 20.380 (1) (bm) of the statutes is repealed.

14 ***b2412/1.1* SECTION 37h.** 20.380 (1) (kg) of the statutes, as affected by 2001
15 Wisconsin Act 16, is amended to read:

16 20.380 (1) (kg) *Tourism marketing; gaming revenue.* Biennially, the amounts
17 in the schedule for tourism marketing service expenses and the execution of the
18 functions under ss. 41.11 (4) and 41.17, ~~for operating the heritage tourism program~~
19 ~~under s. 41.19,~~ and for the grant under 1999 Wisconsin Act 9, section 9149 (2c) and
20 (2tw). In each fiscal year, the department shall expend for tourism marketing service
21 expenses and the execution of the functions under ss. 41.11 (4) and 41.17 an amount
22 that bears the same proportion to the amount in the schedule for the fiscal year as
23 the amount expended under par. (b) in that fiscal year bears to the amount in the
24 schedule for par. (b) for that fiscal year. Of the amounts in the schedule, \$200,000

1 shall be allocated for grants to the Milwaukee Public Museum for Native American
2 exhibits and activities. All moneys transferred from the appropriation account
3 under s. 20.505 (8) (hm) 6. shall be credited to this appropriation account.
4 Notwithstanding s. 20.001 (3) (b), the unencumbered balance on June 30 of each
5 odd-numbered year shall revert to the appropriation account under s. 20.505 (8)
6 (hm).”.

7 *b2394/2.1* **44.** Page 16, line 13: delete lines 13 and 14 and substitute:

8 *b2394/2.1* “**SECTION 39c.** 20.435 (5) (fh) of the statutes, as affected by 2001
9 Wisconsin Act 16, is amended to read:

10 20.435 (5) (fh) *Community health services.* The amounts in the schedule for
11 grants under s. 250.15 and 2001 Wisconsin Act (this act), section 9123 (14e).”.

12 *b2372/2.1* **45.** Page 17, line 5: after that line insert:

13 *b2372/2.1* “**SECTION 41m.** 20.455 (1) (gh) of the statutes is repealed.”.

14 *b2488/2.3* **46.** Page 17, line 5: after that line insert:

15 *b2488/2.3* “**SECTION 41d.** 20.445 (7) (a) of the statutes is repealed.

16 *b2488/2.3* **SECTION 41e.** 20.445 (7) (b) of the statutes is renumbered 20.445
17 (1) (b).

18 *b2488/2.3* **SECTION 41f.** 20.445 (7) (ef) of the statutes is renumbered 20.445
19 (1) (ef).

20 *b2488/2.3* **SECTION 41g.** 20.445 (7) (em) of the statutes is renumbered 20.445
21 (1) (em).

22 *b2488/2.3* **SECTION 41h.** 20.445 (7) (ga) of the statutes, as created by 2001
23 Wisconsin Act 16, is renumbered 20.445 (1) (gi).

1 ***b2488/2.3* SECTION 41i.** 20.445 (7) (kb) of the statutes is renumbered 20.445
2 (1) (ke).

3 ***b2488/2.3* SECTION 41j.** 20.445 (7) (kd) of the statutes, as affected by 2001
4 Wisconsin Act 16, is renumbered 20.445 (1) (kd).

5 ***b2488/2.3* SECTION 41k.** 20.445 (7) (kx) of the statutes is renumbered 20.445
6 (1) (kx).

7 ***b2488/2.3* SECTION 41m.** 20.445 (7) (m) of the statutes, as created by 2001
8 Wisconsin Act 16, is renumbered 20.445 (1) (m).”.

9 ***b2391/1.3* 47.** Page 17, line 13: after that line insert:

10 ***b2391/1.3* “SECTION 42x.** 20.465 (3) (e) of the statutes is amended to read:
11 20.465 (3) (e) *Disaster recovery aid.* A sum sufficient to pay the state share of
12 grants to individuals ~~and~~, to make payments to local governments as defined in 42
13 USC 5122 (6) under federal disaster recovery programs as authorized in s. 166.03 (2)
14 (b) 8., and to defray all expenses necessary to respond to a state of emergency related
15 to public health declared under s. 166.03 (1) (b) 1. if the department of health and
16 family services is not designated as the lead state agency.”.

17 ***b2599/1.1* 48.** Page 17, line 20: delete lines 20 to 25.

18 ***b2436/1.2* 49.** Page 18, line 17: delete lines 17 to 22 and substitute:

19 ***b2436/1.2* “SECTION 46m.** 20.505 (3) (s) of the statutes, as affected by 2001
20 Wisconsin Act (this act), is repealed.”.

21 ***b2384/1.1* 50.** Page 19, line 20: after that line insert:

22 ***b2384/1.1* “SECTION 52i.** 20.566 (1) (h) of the statutes, as affected by 2001
23 Wisconsin Act 16, is amended to read:

1 20.566 (1) (h) *Debt collection.* From moneys received from the collection of
2 debts owed to state agencies under ss. 71.93 and 565.30 (5), from the collection of
3 unpaid fines, forfeitures, costs, assessments, surcharges, and restitution payments
4 under s. 565.30 (5r) (b), from the collection of fees under s. 73.03 (52), and from
5 moneys received from the collection of debts owed to municipalities and counties
6 under s. 71.935, the amounts in the schedule to pay the administrative expenses of
7 the department of revenue for the collection of those debts, fines, forfeitures, costs,
8 assessments, surcharges, fees, and restitution payments. Notwithstanding s. 20.001
9 (3) (a), at the end of the fiscal year the unencumbered balance of this appropriation
10 account lapses to the general fund.”.

11 ***b2385/1.1* 51.** Page 19, line 20: after that line insert:

12 ***b2385/1.1* “SECTION 52k.** 20.566 (1) (hn) of the statutes is created to read:

13 20.566 (1) (hn) *Collections under the multistate tax commission audit program.*

14 From moneys received from the amounts assessed under the multistate tax
15 commission audit program as provided under s. 73.03 (28d), a sum sufficient to pay
16 the fees necessary to participate in the multistate tax commission audit program.”.

17 ***b2413/2.4* 52.** Page 19, line 20: after that line insert:

18 ***b2413/2.4* “SECTION 52im.** 20.515 (2) (g) of the statutes is amended to read:

19 20.515 (2) (g) *Private employer health care coverage plan.* All moneys received

20 under subch. X of ch. 40 from employers who elect to participate in the private
21 employer health care coverage program under subch. X of ch. 40 and from any other
22 person under s. 40.98 (2) (h), for the costs of designing, marketing, and contracting
23 for or providing administrative services for the program and for lapsing to the
24 general fund the amounts required under s. 40.98 (6m).”.

1 ***b2488/2.4* 53.** Page 19, line 20: after that line insert:

2 ***b2488/2.4* "SECTION 52h.** 20.505 (8) (hm) 18j. of the statutes is amended to
3 read:

4 20.505 (8) (hm) 18j. The amount transferred to s. 20.445 ~~(7)~~ (1) (kd) shall be the
5 amount in the schedule under s. 20.445 ~~(7)~~ (1) (kd).”.

6 ***b2477/1.1* 54.** Page 20, line 22: after “(4),” insert “(4m),”.

7 ***b2494/1.1* 55.** Page 21, line 25: after that line insert:

8 ***b2494/1.1* "SECTION 64g.** 20.866 (2) (ta) of the statutes, as affected by 2001
9 Wisconsin Act 16 is amended to read:

10 20.866 (2) (ta) *Natural resources; Warren Knowles–Gaylord Nelson*
11 *stewardship 2000 program.* From the capital improvement fund a sum sufficient for
12 the Warren Knowles–Gaylord Nelson stewardship 2000 program under s. 23.0917.
13 The state may contract public debt in an amount not to exceed ~~\$572,000,000~~
14 \$372,000,000 for this program. Except as provided in s. 23.0917 (4g) (b), (4m) (k), (5)
15 and (5m), the amounts obligated, as defined in s. 23.0917 (1) (e), under this
16 paragraph may not exceed \$46,000,000 in fiscal year 2000–01, may not exceed
17 \$46,000,000 in fiscal year 2001–02, and may not exceed ~~\$60,000,000~~ \$35,000,000 in
18 each fiscal year beginning with fiscal year 2002–03 and ending with fiscal year
19 2009–10.”.

20 ***b2376/1.1* 56.** Page 23, line 25: after that line insert:

21 ***b2376/1.1* "SECTION 68m.** 20.9165 of the statutes is created to read:

22 **20.9165 Utilization of publicly owned facilities.** Each state agency shall,
23 whenever feasible, utilize publicly owned facilities that are available to the agency
24 without payment of any rental fee to hold any meeting or conference that is held or

1 sponsored by the agency whenever the meeting or conference is intended primarily
2 for participation by public employees.”.

3 *b2377/2.1* **57.** Page 23, line 25: after that line insert:

4 *b2377/2.1* **SECTION 68m.** 20.9215 of the statutes is created to read:

5 **20.9215 State employee salary and withholding statements.** Each state
6 agency shall distribute a statement of wages and deductions to each employee of the
7 agency with each salary payment in electronic format only, except that, if an
8 employee does not have access to a computer workstation, the agency shall provide
9 to the employee, upon request, a paper copy of the statement. Notwithstanding s.
10 19.35 (3), no state agency may collect any fee for a copy of a statement provided to
11 an employee under this section.”.

12 *b2488/2.5* **58.** Page 24, line 3: after that line insert:

13 *b2488/2.5* **SECTION 69j.** 20.923 (4) (c) 5. of the statutes is repealed.”.

14 *b2420/1.3* **59.** Page 24, line 18: after that line insert:

15 *b2420/1.3* **SECTION 71t.** 21.20 of the statutes is amended to read:

16 **21.20 Civil service status.** All full-time state-paid employees of the
17 department of military affairs shall be under the classified service, except the
18 adjutant general, ~~the executive assistant to the adjutant general,~~ the deputy
19 adjutants general for army and air and the administrator of the division of
20 emergency management.”.

21 *b2599/1.2* **60.** Page 25, line 4: delete lines 4 to 15.

22 *b2391/1.4* **61.** Page 25, line 15: after that line insert:

23 *b2391/1.4* **SECTION 72fm.** 21.80 (title) of the statutes, as created by 2001
24 Wisconsin Act 26, is amended to read:

1 **21.80** (title) **Reemployment rights after national guard or, state**
2 **defense force, or public health emergency service.**

3 ***b2391/1.4* SECTION 72fn.** 21.80 (1) (a) of the statutes, as created by 2001
4 Wisconsin Act 26, is renumbered 21.80 (1) (a) (intro.) and amended to read:

5 21.80 (1) (a) (intro.) “Active service” means active any of the following:

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

9 ***b2391/1.4* SECTION 72fp.** 21.80 (1) (a) 2. of the statutes is created to read:

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

14 ***b2391/1.4* SECTION 72fq.** 21.80 (3) (a) 4. of the statutes, as created by 2001
15 Wisconsin Act 26, is amended to read:

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

19 ***b2391/1.4* SECTION 72fr.** 21.80 (3) (c) 1. of the statutes, as created by 2001
20 Wisconsin Act 26, is amended to read:

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

24 ***b2391/1.4* SECTION 72fs.** 21.80 (3) (c) 2. of the statutes, as created by 2001
25 Wisconsin Act 26, is amended to read:

1 21.80 (3) (c) 2. Any period of active service, as defined in sub. (1)(a) 1., for which
2 the person, through no fault of the person's own, was unable to obtain orders
3 releasing the person from a period of active service before the expiration of the 5-year
4 period.

5 ***b2391/1.4* SECTION 72ft.** 21.80 (3) (c) 3. of the statutes, as created by 2001
6 Wisconsin Act 26, is amended to read:

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

12 ***b2391/1.4* SECTION 72fu.** 21.80 (3) (f) 1. of the statutes, as created by 2001
13 Wisconsin Act 26, is amended to read:

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

22 ***b2447/1.2* 62.** Page 25, line 15: after that line insert:

23 ***b2447/1.2* “SECTION 72f.** 22.07 (10) of the statutes is created to read:

1 22.07 (10) Prescribe uniform technical standards for use, unless otherwise
2 provided by law, by local governmental units and officers thereof in submitting
3 reports to agencies, whenever reports are authorized or required to be submitted
4 electronically.”.

5 ***b2494/1.2* 63.** Page 25, line 15: after that line insert:

6 ***b2494/1.2*** “SECTION 72f. 23.0917 (3) (dm) 2. of the statutes, as affected by
7 2001 Wisconsin Act 16, is amended to read:

8 23.0917 (3) (dm) 2. For each fiscal year beginning with 2002–03 and ending
9 with fiscal year 2009–10, \$45,000,000 \$23,500,000.”.

10 ***b2531/1.2* 64.** Page 25, line 15: after that line insert:

11 ***b2531/1.2*** “SECTION 72fs. 23.09 (3) (b) of the statutes is amended to read:

12 23.09 (3) (b) If the department and the board of regents of the University of
13 Wisconsin System enter into an agreement to create a faculty position at the
14 University of Wisconsin–Madison for a forest landscape ecologist, the department
15 and the University of Wisconsin–Madison shall develop an annual work plan for the
16 ecologist. In developing the annual work plan, the department shall consult with the
17 governor’s council on forestry ~~created by executive order under s. 14.019.~~”.

18 ***b2494/1.3* 65.** Page 25, line 18: after that line insert:

19 ***b2494/1.3*** “SECTION 72i. 23.0917 (4) (d) 1. of the statutes, as affected by 2001
20 Wisconsin Act 16, is amended to read:

21 23.0917 (4) (d) 1. The department may obligate not more than \$11,500,000 in
22 fiscal year 2000–01 and not more than \$11,500,000 in fiscal year 2001–02 under the
23 subprogram ~~except as provided in sub. (5).~~ For each fiscal year beginning with

1 ~~2002–03 and ending with fiscal year 2009–10, the department may obligate not more~~
2 ~~than \$15,000,000 under the subprogram except as provided in sub. (5).”.~~

3 *b2498/2.1* **66.** Page 26, line 11: after that line insert:

4 *b2498/2.1* “**SECTION 72L.** 23.10 (1m) of the statutes is created to read:

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

13 *b2512/3.2* **67.** Page 28, line 2: after that line insert:

14 *b2512/3.2* “**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 state's pet industry on the introduction and spread of invasive species.

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

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

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

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

20 (5) INSPECTIONS. As part of the statewide management plan, the department
21 shall create a watercraft inspection program under which the department shall
22 conduct periodic inspections of boats, boating equipment, and boat trailers entering
23 and leaving navigable waters and shall educate boaters about the threat of invasive
24 species that are aquatic species. The department shall encourage the use of
25 volunteers or may use department employees for these inspections.

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

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

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

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

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

11 (b) The department shall submit the biennial report under par. (a) before July
12 1 of each even-numbered year. The first biennial report shall be submitted no later
13 than July 1, 2004. Each report shall cover the 24-month period ending on the March
14 31 that immediately precedes the date of the report.

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

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

1 ***b2512/3.2* SECTION 72td.** 23.23 (title) of the statutes is repealed.

2 ***b2512/3.2* SECTION 72tj.** 23.23 (1) of the statutes is renumbered 23.235 (1)

3 (b) and amended to read:

4 23.235 (1) (b) ~~In this section, “purple~~ “Purple loosestrife” means any nonnative
5 member of the genus Lythrum.

6 ***b2512/3.2* SECTION 72tm.** 23.23 (2) of the statutes is renumbered 23.235
7 (3m) and amended to read:

8 23.235 (3m) ~~RESEARCH. The~~ Under the program established under s. 23.22, the
9 department shall make a reasonable effort to conduct research to determine
10 alternative methods to contain and control purple loosestrife in the most
11 environmentally sound manner and may conduct other research on the control of
12 nuisance weeds. The secretaries of natural resources and of agriculture, trade and
13 consumer protection may authorize any person to plant or cultivate nuisance weeds
14 for the purpose of controlled experimentation.

15 ***b2512/3.2* SECTION 72tq.** 23.23 (3) (a) of the statutes is renumbered 23.235
16 (2m) (a) and amended to read:

17 23.235 (2m) (a) ~~The~~ Under the program established under s. 23.22, the
18 department shall make a reasonable effort to develop a statewide ~~program~~ plan to
19 control purple loosestrife on both public and private lands, as provided in this
20 subsection.

21 ***b2512/3.2* SECTION 72tv.** 23.23 (3) (b) of the statutes is renumbered 23.235
22 (2m) (b) and amended to read:

23 23.235 (2m) (b) The department shall make a reasonable effort to implement
24 control and quarantine methods on public lands as soon as practicable. The
25 department shall make a reasonable effort to employ the least environmentally

1 harmful methods available that are effective, based on research conducted under
2 sub. ~~(2)~~ (3m).

3 *b2512/3.2* SECTION 72ud. 23.23 (3) (c) of the statutes is renumbered 23.235
4 (2m) (c).

5 *b2512/3.2* SECTION 72uj. 23.23 (3) (d) of the statutes is renumbered 23.235
6 (2m) (d).

7 *b2512/3.2* SECTION 72um. 23.23 (3) (e) of the statutes is renumbered 23.235
8 (2m) (e).

9 *b2512/3.2* SECTION 72uq. 23.23 (4) (a) of the statutes is renumbered 23.235
10 (4) (a) and 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 *b2512/3.2* SECTION 72uv. 23.23 (4) (b) of the statutes is renumbered 23.235
16 (4) (b) and 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 *b2512/3.2* SECTION 72vd. 23.23 (4) (c) of the statutes is renumbered 23.235
25 (4) (c).

1 ***b2512/3.2* SECTION 72vj.** 23.235 (1) of the statutes is renumbered 23.235 (1)
2 (intro.) and 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 ***b2512/3.2* SECTION 72vm.** 23.235 (2) of the statutes, as affected by 2001
7 Wisconsin Act 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 ***b2512/3.2* SECTION 72vq.** 23.235 (2m) (title) of the statutes is created to read:
11 23.235 (2m) (title) CONTROL EFFORTS.

12 ***b2512/3.2* SECTION 72vv.** 23.235 (3) of the statutes is repealed.

13 ***b2512/3.2* SECTION 72wd.** 23.235 (4) (title) of the statutes is created to read:
14 23.235 (4) (title) EDUCATION.

15 ***b2512/3.2* 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 ***b2512/3.2* SECTION 72wm.** 23.24 (1) (g) of the statutes, as created by 2001
19 Wisconsin Act 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 ***b2512/3.2* SECTION 72wq.** 23.24 (2) (title) of the statutes, as created by 2001
23 Wisconsin Act 16, is repealed and recreated to read:

24 23.24 (2) (title) DEPARTMENT DUTIES.

1 ***b2512/3.2* SECTION 72wv.** 23.24 (2) (a) 1. of the statutes, as created by 2001
2 Wisconsin Act 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 ***b2512/3.2* SECTION 72xd.** 23.24 (2) (a) 3. of the statutes, as created by 2001
6 Wisconsin Act 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 ***b2512/3.2* SECTION 72xj.** 23.24 (2) (b) (intro.) and 1. of the statutes, as
10 created by 2001 Wisconsin Act 16, are consolidated, renumbered 23.24 (2) (b) and
11 amended to read:

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

20 ***b2512/3.2* SECTION 72xm.** 23.24 (2) (b) 2. of the statutes, as created by 2001
21 Wisconsin Act 16, is renumbered 23.24 (2) (a) 4.

22 ***b2512/3.2* SECTION 72xq.** 23.24 (2) (c) (intro.) of the statutes, as created by
23 2001 Wisconsin Act 16, is amended to read:

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

1 ***b2512/3.2* SECTION 72xv.** 23.24 (3) (a) (intro.) of the statutes, as created by
2 2001 Wisconsin 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 ***b2393/2.1* 68.** Page 28, line 8: after that line insert:

7 ***b2393/2.1* "SECTION 80p.** 25.46 (4) of the statutes is amended to read:

8 25.46 (4) The moneys specified under s. 94.681 (7) (a) ~~1. and 2.~~ for
9 environmental management.

10 ***b2393/2.1* SECTION 80r.** 25.465 (8) of the statutes is amended to read:

11 25.465 (8) The fees collected under s. 94.72 (5) (b) and (6) (a) ~~1. and 2.~~ and 2m.
12 and (i).".

13 ***b2406/2.1* 69.** Page 28, line 8: after that line insert:

14 ***b2406/2.1* "SECTION 73m.** 23.495 of the statutes is created to read:

15 **23.495 Restrictions on seeking review.** (1) In this section:

16 (a) "Area variance" means a variance granted by a board of adjustment under
17 s. 59.694 (7) (c) or a board of appeals under s. 62.23 (7) (e) 7. that relates to those
18 provisions of a zoning ordinance which govern area, setbacks, frontage, height, bulk,
19 or density.

20 (b) "Members-elect" has the meaning given in s. 59.001 (2m).

21 (c) "Municipality" means a city, village, or town.

22 (d) "Political subdivision" means a municipality or county.

23 (2) Beginning on the effective date of this subsection [revisor inserts date],
24 the state may not initiate a civil action or intervene in a civil action to challenge the

1 granting of an area variance from an ordinance in effect under s. 59.692, 61.351, or
2 62.231, or an ordinance in effect under s. 60.61 or 60.62 that relates to shoreland
3 zoning if the area variance has been approved by a two-thirds vote of the
4 members-elect of the political subdivision and, in the case of a municipality, has also
5 been approved by a two-thirds vote of the members-elect of the county board of the
6 county in which the land that is subject to the area variance is located or
7 predominantly located.”

8 *b2420/1.4* **70.** Page 28, line 8: after that line insert:

9 *b2420/1.4* “SECTION 80c. 25.16 (3) of the statutes is amended to read:

10 25.16 (3) The Before the effective date of this subsection [revisor inserts
11 date], the executive director may appoint an executive assistant. The executive
12 assistant shall perform the duties prescribed by the executive director.”.

13 *b2449/2.1* **71.** Page 28, line 8: after that line insert:

14 *b2449/2.1* “SECTION 80m. 25.60 of the statutes, as affected by 2001
15 Wisconsin Act 16, is amended to read:

16 **25.60 Budget stabilization fund.** There is created a separate nonlapsible
17 trust fund designated as the budget stabilization fund, consisting of moneys
18 transferred to the fund from the general fund under s. 16.518 (3) and moneys
19 deposited into the fund under 2001 Wisconsin Act (this act), sections 9101 (9ad)
20 and 9107 (1) (am) and (1b).”.

21 *b2462/2.2* **72.** Page 28, line 8: after that line insert:

22 *b2462/2.2* “SECTION 79e. 25.17 (16) (a) 1. of the statutes, as created by 2001
23 Wisconsin Act 16, is repealed.

1 ***b2462/2.2* SECTION 79r.** 25.17 (16) (a) 2. of the statutes, as created by 2001
2 Wisconsin Act 16, is amended to read:

3 25.17 (16) (a) 2. All proceeds of, and investment earnings on, investments of
4 the permanent endowment fund made under s. 25.18 (1) (p) that are received in the
5 fiscal year, less the amount transferred to the tobacco control fund under s. 13.101
6 (16) (b) in that year.”.

7 ***b2474/2.3* 73.** Page 28, line 8: after that line insert:

8 ***b2474/2.3* “SECTION 73m.** 24.66 (3) (b) of the statutes is amended to read:

9 24.66 (3) (b) *For long-term loans by unified school districts.* Every application
10 for a loan, the required repayment of which exceeds 10 years, shall be approved and
11 authorized for a unified school district by a majority vote of the members of the school
12 board at a regular or special meeting of the school board. Every vote so required shall
13 be by ayes and noes duly recorded. In addition, the application shall be approved for
14 a unified school district by a majority vote of the electors of the school district at a
15 ~~special election referendum~~ as provided under sub. (4).

16 ***b2474/2.3* SECTION 73p.** 24.66 (4) of the statutes is amended to read:

17 24.66 (4) POPULAR VOTE, WHEN REQUIRED. If any municipality is not empowered
18 by law to incur indebtedness for a particular purpose without first submitting the
19 question to its electors, the application for a state trust fund loan for that purpose
20 must be approved and authorized by a majority vote of the electors at a ~~special~~
21 ~~election referendum~~ called, in accordance with s. 8.065, and noticed and held in the
22 manner provided for other ~~special elections~~ referenda. The question to be voted on
23 shall be filed as provided in s. 8.37. The notice of the ~~election referendum~~ shall state
24 the amount of the proposed loan and the purpose for which it will be used.”.

1 ***b2436/1.3* 74.** Page 29, line 3: after that line insert:

2 ***b2436/1.3*** “SECTION 83g. 25.96 of the statutes is amended to read:

3 **25.96 Utility public benefits fund.** There is established a separate
4 nonlapsible trust fund designated as the utility public benefits fund, consisting of
5 deposits by the public service commission under s. 196.374 (3), public benefits fees
6 ~~received under s. 16.957 (4) (a) and (5) (c) and (d)~~ deposited by the department of
7 administration under s. 16.957 (2) (d) 3., 3g., and 3r. and contributions received
8 under s. 16.957 (2) (c) 4. and (d) 2.

9 ***b2436/1.3* SECTION 83r.** 25.96 of the statutes, as affected by 2001 Wisconsin
10 Act (this act), is repealed and recreated to read:

11 **25.96 Utility public benefits fund.** There is established a separate
12 nonlapsible trust fund designated as the utility public benefits fund, consisting of
13 deposits by the public service commission under s. 196.374 (3), public benefits fees
14 deposited by the department of administration under s. 16.957 (2) (d) 3. and
15 contributions received under s. 16.957 (2) (c) 4. and (d) 2.”.

16 ***b2531/1.3* 75.** Page 29, line 3: after that line insert:

17 ***b2531/1.3*** “SECTION 83s. 26.02 of the statutes is created to read:

18 **26.02 Council on forestry. (1) DUTIES.** The council on forestry shall advise
19 the governor, the legislature, the department of natural resources, the department
20 of commerce, and other state agencies, as determined to be appropriate by the
21 council, on all of the following topics as they affect forests located in this state:

22 (a) The protection of forests from fire, insects, and disease.

23 (b) The practice of sustainable forestry, as defined in s. 28.04 (1) (e).

24 (c) Reforestation and forestry genetics.

- 1 (d) Management and protection of urban forests.
- 2 (e) Increasing the public's knowledge and awareness of forestry issues.
- 3 (f) Forestry research.
- 4 (g) Increasing the economic development of the forestry industry and
5 employment in the forestry industry.
- 6 (h) Marketing and use of forest products.
- 7 (i) Legislation that impacts on the management of forest lands in this state.
- 8 (j) Staffing and funding needs for forestry programs conducted by the state.
- 9 **(2) REPORT.** (a) The council on forestry shall prepare a biennial report on the
10 status of the state's forest resources and forestry industry. The report shall include
11 a summary of each of the following:
 - 12 1. The magnitude, nature, and extent of the forest resources in this state.
 - 13 2. The current use in this state for forest products and the benefits that these
14 forest products provide to the state.
 - 15 3. The projected future demand for forest products and the projected benefits
16 that these forest products will provide to the state in the future.
 - 17 4. The types of owners and forms of ownership that apply to forests in this state,
18 including the reasons why persons own forest land.
 - 19 5. The success of existing incentives that are offered to stimulate the
20 development of forest resources.
 - 21 6. The possible economic opportunities in this state that may result if improved
22 forest-product marketing, and increased business dealing in or use of forest
23 products, occurs in this state.
 - 24 7. Recommendations for increasing the economic development of the forestry
25 industry and employment in the forestry industry.

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

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

6 10. Recommendations as to the need to increase the public’s knowledge and
7 awareness of forestry issues.

8 (b) The council on forestry shall submit the report under this subsection no
9 later than June 1 of each odd-numbered year for distribution to the governor and to
10 the appropriate standing committees of the legislature under s. 13.172 (3). The first
11 report shall be submitted no later than June 1, 2005. Each report shall cover the
12 24-month period ending on the December 31 immediately preceding the date of the
13 report.”.

14 ***b2362/1.1* 76.** Page 29, line 17: after that line insert:

15 ***b2362/1.1* “SECTION 84p.** 29.335 of the statutes is created to read:

16 **29.335 Feeding wild animals for nonhunting purposes.** The department
17 shall promulgate rules to regulate the recreational and supplemental feeding of wild
18 animals for purposes other than hunting.”.

19 ***b2363/1.2* 77.** Page 29, line 17: after that line insert:

20 ***b2363/1.2* “SECTION 84m.** 29.053 (1) of the statutes is amended to read:

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

23 ***b2363/1.2* “SECTION 84r.** 29.404 (1m) of the statutes is created to read:

1 29.404 (1m) REMOVAL DATE. If the department establishes by order or by rule
2 a date no later than which a building, vehicle, tent, fish shanty, or similar shelter
3 must be removed from the ice under the authority granted the department under
4 sub. (1), that date shall always fall on a Sunday.

5 ***b2363/1.2*** “SECTION 84w. 29.591 (3) of the statutes, as affected by 2001
6 Wisconsin Act 16, is amended to read:

7 29.591 (3) INSTRUCTION FEE. The department may not charge a fee for the course
8 of instruction under the hunter education program and the bow hunter education
9 program. The department may reimburse pay instructors ~~for allowable costs, as~~
10 ~~determined by the department,~~ up to \$5 for each person who receives instruction
11 from that instructor. If the amount paid to an instructor exceeds the expenses
12 incurred by the instructor or if the instructor incurs costs that are not determined
13 to be allowable by the department, the instructor shall refund the unused or
14 disallowed amount to the department.”.

15 ***b2460/2.2* 78.** Page 29, line 17: after that line insert:

16 ***b2460/2.2*** “SECTION 84j. 29.001 (20) of the statutes is created to read:

17 29.001 (20) “Deer” means white-tailed deer and does not include farm-raised
18 deer.

19 ***b2460/2.2*** SECTION 84k. 29.001 (22) of the statutes is created to read:

20 29.001 (22) “Elk” means elk that is present in the wild and that does not have
21 an ear tag or other mark identifying it as being raised on a farm.

22 ***b2460/2.2*** SECTION 84m. 29.001 (36) of the statutes is amended to read:

23 29.001 (36) “Game animals” includes means deer, moose, elk, bear, rabbits,
24 squirrels, fox ~~and~~ raccoon, and any other wild animals specified by the department.

1 ***b2460/2.2* SECTION 84mb.** 29.024 (2) (a) of the statutes is amended to read:
2 29.024 (2) (a) ~~A~~ Except as provided in s. 29.182 (4), a hunting, trapping, or
3 fishing approval may be issued only to and obtained only by a natural person entitled
4 to the approval.

5 ***b2460/2.2* SECTION 84md.** 29.024 (2) (d) of the statutes is amended to read:
6 29.024 (2) (d) Except as provided under s. 29.182 (4) or 29.519 (2) (d) or by rule,
7 no person may transfer his or her approval or permit the use of any approval by any
8 other person.

9 ***b2460/2.2* SECTION 84mf.** 29.047 (1m) of the statutes is amended to read:
10 29.047 (1m) Unless prohibited by the laws of an adjoining state, any person
11 who has lawfully killed a deer or an elk in this state may take the deer or elk or its
12 carcass into the adjoining state and ship the deer or elk or carcass from any point in
13 the adjoining state to any point in this state.

14 ***b2460/2.2* SECTION 84mh.** 29.089 (3) of the statutes is amended to read:
15 29.089 (3) A person may hunt deer, elk, wild turkeys, or small game in a state
16 park, or in a portion of a state park, if the department has authorized by rule the
17 hunting of that type of game in the state park, or in the portion of the state park, and
18 if the person holds the approvals required under this chapter for hunting that type
19 of game.

20 ***b2460/2.2* SECTION 84mj.** 29.161 of the statutes is amended to read:
21 **29.161 Resident small game hunting license.** A resident small game
22 hunting license shall be issued subject to s. 29.024 by the department to any resident
23 applying for this license. The resident small game hunting license does not authorize
24 the hunting of bear, deer, elk, or wild turkey.

25 ***b2460/2.2* 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 ***b2460/2.2* 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).