

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

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

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

8 ***b2460/2.2* SECTION 84n.** 29.204 of the statutes is amended to read:

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

15 ***b2460/2.2* SECTION 84nb.** 29.207 of the statutes is amended to read:

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

22 ***b2460/2.2* SECTION 84nd.** 29.213 of the statutes is amended to read:

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

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

5 *b2460/2.2* SECTION 84nf. 29.216 (2) of the statutes is amended to read:

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

12 *b2460/2.2* SECTION 84nh. 29.314 (3) (title) of the statutes is amended to read:

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

15 *b2460/2.2* SECTION 84nj. 29.314 (3) (a) of the statutes is amended to read:

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

19 *b2460/2.2* SECTION 84nm. 29.347 (title) of the statutes is amended to read:

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

21 *b2460/2.2* SECTION 84np. 29.347 (2) of the statutes is amended to read:

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

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

10 *b2460/2.2* SECTION 84nq. 29.347 (2m) (a) of the statutes is amended to read:

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

15 *b2460/2.2* SECTION 84ns. 29.347 (2m) (b) of the statutes is amended to read:

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

19 *b2460/2.2* SECTION 84nt. 29.347 (3) of the statutes is amended to read:

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

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

3 *b2460/2.2* SECTION 84nu. 29.347 (4) of the statutes is amended to read:

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

13 *b2460/2.2* SECTION 84nv. 29.347 (6) of the statutes is repealed.

14 *b2460/2.2* SECTION 84pb. 29.361 (title) of the statutes is amended to read:

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

16 *b2460/2.2* SECTION 84pd. 29.361 (1) of the statutes is amended to read:

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

20 *b2460/2.2* SECTION 84pr. 29.361 (2) of the statutes is amended to read:

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

24 *b2460/2.2* SECTION 84pt. 29.361 (2m) of the statutes is amended to read:

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

6 ***b2460/2.2* SECTION 84pv.** 29.361 (5) of the statutes is amended to read:

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

10 ***b2460/2.2* SECTION 84px.** 29.361 (6) of the statutes is repealed.

11 ***b2460/2.2* SECTION 84rb.** 29.539 (1) (a) 1. of the statutes is amended to read:

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

14 ***b2460/2.2* SECTION 84rd.** 29.541 (1) (a) 1. of the statutes is amended to read:

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

17 ***b2460/2.2* SECTION 84rf.** 29.553 (1) (hm) of the statutes is created to read:

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

19 ***b2460/2.2* SECTION 84rh.** 29.563 (2) (a) 5m. of the statutes is created to read:

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

21 ***b2460/2.2* SECTION 84rj.** 29.563 (2) (b) 3m. of the statutes is created to read:

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

23 ***b2460/2.2* SECTION 84rm.** 29.563 (12) (a) 5. of the statutes is created to read:

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

25 ***b2460/2.2* SECTION 84rp.** 29.563 (14) (a) 3. of the statutes is created to read:

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

3 ***b2460/2.2* SECTION 84rr.** 29.563 (14) (c) 3. of the statutes is amended to read:

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

9 ***b2460/2.2* SECTION 84rt.** 29.567 of the statutes is created to read:

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

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

16 ***b2460/2.2* SECTION 84sb.** 29.595 of the statutes is created to read:

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

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

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

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

23 (c) Elk biology and disease prevention.

24 (d) Elk hunting techniques and hunter ethics.

25 (e) Elk hunting zones.

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

2 (g) Native American hunting.

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

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

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

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

16 *b2460/2.2* SECTION 84sd. 29.875 (title) of the statutes is amended to read:

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

18 *b2460/2.2* SECTION 84sf. 29.875 (1) of the statutes is renumbered 29.875 (1r).

19 *b2460/2.2* SECTION 84sg. 29.875 (1g) of the statutes is created to read:

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

21 *b2460/2.2* SECTION 84sj. 29.875 (2) of the statutes is amended to read:

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

1 ***b2460/2.2* SECTION 84sm.** 29.889 (1) (f) of the statutes is created to read:

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

4 ***b2460/2.2* SECTION 84sp.** 29.921 (7) of the statutes is amended to read:

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

9 ***b2460/2.2* SECTION 84sr.** 29.927 (8) of the statutes is amended to read:

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

12 ***b2460/2.2* SECTION 84st.** 29.934 (1) (e) of the statutes is amended to read:

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

16 ***b2485/1.1* 79.** Page 29, line 17: after that line insert:

17 ***b2485/1.1* “SECTION 84n.** 26.39 (4) of the statutes, as created by 2001
18 Wisconsin Act 16, is renumbered 26.39 (4) (a) and amended to read:

19 26.39 (4) (a) The department shall credit to the appropriation account under
20 s. 20.370 (1) (cu) the moneys received as surcharges under s. 28.06 (2m) during fiscal
21 year 2001–02, up to a total amount of \$300,000. The department shall credit any
22 balance over \$300,000 that remains from the moneys received as such surcharges
23 during fiscal year 2001–02 to the appropriation account under s. 20.370 (1) (cv).

24 ***b2485/1.1* SECTION 84p.** 26.39 (4) (b) of the statutes is created to read:

1 26.39 (4) (b) For fiscal year 2002–03 and each fiscal year thereafter, the
2 department shall credit 50% of the moneys received as surcharges under s. 28.06
3 (2m) during the applicable fiscal year to the appropriation account under s. 20.370
4 (1) (cu) and the remaining 50% to the appropriation account under s. 20.370 (1) (cv).”.

5 ***b2521/2.2* 80.** Page 29, line 17: after that line insert:

6 ***b2521/2.2*** “SECTION 84nb. 29.235 (2) of the statutes is amended to read:

7 29.235 (2) AUTHORIZATION; RESIDENT HUNTING, FISHING, AND TRAPPING PRIVILEGES.

8 A resident conservation patron license confers upon the licensee all the combined
9 privileges conferred by a resident small game hunting license, resident deer hunting
10 license, resident wild turkey hunting license, resident archer hunting license,
11 waterfowl hunting stamp, pheasant hunting stamp, a wild turkey hunting stamp,
12 resident annual fishing license, ~~sturgeon spearing license~~, an inland waters trout
13 stamp, a Great Lakes trout and salmon stamp, and trapping license.

14 ***b2521/2.2* SECTION 84nc.** 29.235 (2m) of the statutes is amended to read:

15 29.235 (2m) AUTHORIZATION; NONRESIDENT HUNTING AND FISHING PRIVILEGES. A

16 nonresident conservation patron license confers upon the licensee all the combined
17 privileges conferred by a nonresident small game hunting license, nonresident deer
18 hunting license, nonresident wild turkey hunting license, nonresident archer
19 hunting license, waterfowl hunting stamp, pheasant hunting stamp, a wild turkey
20 hunting stamp, nonresident annual fishing license, ~~sturgeon spearing license~~, an
21 inland waters trout stamp, and a Great Lakes trout and salmon stamp.

22 ***b2521/2.2* SECTION 84nf.** 29.237 (1) of the statutes is renumbered 29.237 (1)

23 (intro.) and amended to read:

24 29.237 (1) (intro.) In this section, ~~“validated”~~;

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

3 ***b2521/2.2* SECTION 84ng.** 29.237 (1) (a) of the statutes is created to read:

4 29.237 (1) (a) “Lake Winnebago and upper Fox and Wolf rivers system” means
5 Buttes des Morts Lake, Winneconne Lake, Poygan Lake, Winnebago Lake, and all
6 of the following:

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

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

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

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

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

16 ***b2521/2.2* SECTION 84ni.** 29.237 (1m) (c) of the statutes is repealed.

17 ***b2521/2.2* SECTION 84nk.** 29.237 (2) of the statutes is amended to read:

18 29.237 (2) The sturgeon spearing license shall be accompanied by sturgeon
19 carcass tags in the quantity to correspond with the season bag limit for spearing ~~reek~~
20 ~~or~~ lake sturgeon established by the department. The serial numbers of these tags
21 shall be entered on the license by the person issuing the license or by the department.

22 ***b2521/2.2* SECTION 84nL.** 29.237 (3) of the statutes is amended to read:

23 29.237 (3) A sturgeon spearing license authorizes the spearing of ~~reek or~~ lake
24 sturgeon subject to any limit imposed under s. 29.192 (3) and only during the open
25 season for spearing these sturgeon established by the department. No person may

1 fish for sturgeon by means of a spear ~~unless the person is issued a conservation~~
2 ~~patron license or~~ unless the person is issued a sturgeon spearing license. The
3 ~~conservation patron license or the~~ sturgeon spearing license shall be carried on the
4 person of the licensee at all times while fishing for sturgeon by means of a spear.

5 ***b2521/2.2* SECTION 84nm.** 29.237 (4) of the statutes is amended to read:

6 29.237 (4) Any person having taken a ~~rock or~~ lake sturgeon by means of a spear
7 shall immediately attach a current, validated sturgeon carcass tag issued to that
8 person to the tail of the sturgeon. No person may possess, control, store or transport
9 a ~~rock or~~ lake sturgeon carcass unless it is tagged as required under this section.

10 ***b2521/2.2* SECTION 84no.** 29.237 (5) of the statutes is created to read:

11 29.237 (5) The department shall deposit receipts from the sale of sturgeon
12 spearing licenses under this subsection into the conservation fund and shall credit
13 these receipts to the appropriation account under s. 20.370 (4) (kw).

14 ***b2521/2.2* SECTION 84nr.** 29.503 (3) of the statutes is amended to read:

15 29.503 (3) ~~ROCK AND LAKE~~ LAKE STURGEON. A wholesale fish dealer license does
16 not authorize a person to sell, buy, barter, trade, possess, control or transport ~~rock~~
17 ~~or~~ lake sturgeon.

18 ***b2521/2.2* SECTION 84nv.** 29.563 (3) (a) 10. of the statutes is created to read:

19 29.563 (3) (a) 10. Sturgeon spearing: \$19.25.

20 ***b2521/2.2* SECTION 84nw.** 29.563 (3) (b) 7. of the statutes is created to read:

21 29.563 (3) (b) 7. Sturgeon spearing: \$49.25.

22 ***b2521/2.2* SECTION 84nx.** 29.563 (3) (d) (title) and 2. of the statutes are
23 consolidated and renumbered 29.563 (3) (d).

24 ***b2521/2.2* SECTION 84ny.** 29.563 (3) (d) 1. of the statutes is repealed.

25 ***b2521/2.2* SECTION 84pc.** 29.569 (3) (b) of the statutes is amended to read:

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

5 ***b2521/2.2* SECTION 84pd.** 29.569 (3) (b) of the statutes, as affected by 2001
6 Wisconsin Act (this act), is amended to read:

7 29.569 (3) (b) *Restrictions on issuance of sturgeon spearing licenses during the*
8 *open season.* Except as provided in par. (bm), no sturgeon spearing license may be
9 issued during a period beginning on November 1 and ending on the last day of the
10 open season for the spearing of ~~rock or~~ lake sturgeon that follows that November 1.

11 ***b2521/2.2* SECTION 84pe.** 29.569 (3) (bm) of the statutes is created to read:

12 29.569 (3) (bm) *Exceptions.* A sturgeon spearing license may be issued during
13 a period beginning on November 1 and ending on the last day of the open season for
14 the spearing of rock or lake sturgeon that follows that November 1 to any of the
15 following:

16 1. A person who is a member of the U.S. armed forces and who exhibits proof
17 that he or she is a resident, is in active service with the armed forces outside this
18 state, and is on furlough or leave.

19 2. A person who is a resident and who has attained the age of 14 during that
20 period.

21 ***b2521/2.2* SECTION 84pf.** 29.569 (3) (bm) (intro.) of the statutes, as created
22 by 2001 Wisconsin Act (this act), is amended to read:

23 29.569 (3) (bm) *Exceptions.* (intro.) A sturgeon spearing license may be issued
24 during a period beginning on November 1 and ending on the last day of the open

1 season for the spearing of ~~reek or~~ lake sturgeon that follows that November 1 to any
2 of the following:”.

3 *b2460/2.3* **81.** Page 30, line 3: after that line insert:

4 *b2460/2.3* “SECTION 86g. 29.971 (3m) of the statutes is amended to read:

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

11 *b2460/2.3* SECTION 86r. 29.971 (11g) of the statutes is created to read:

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

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

1 ***b2460/2.4* 82.** Page 30, line 17: after that line insert:

2 ***b2460/2.4* "SECTION 88b.** 29.977 (1) (am) of the statutes is created to read:
3 29.977 (1) (am) Any elk, \$2,000.

4 ***b2460/2.4* SECTION 88e.** 29.977 (1) (b) of the statutes is amended to read:
5 29.977 (1) (b) Any moose, ~~elk~~, fisher, prairie chicken, or sand hill crane,
6 \$262.50.

7 ***b2460/2.4* SECTION 88g.** 29.977 (1) (m) of the statutes is amended to read:
8 29.977 (1) (m) Any game or fur-bearing animal or bird not mentioned in pars.
9 ~~(b)~~ (am) to (h), \$17.50.

10 ***b2460/2.4* SECTION 88m.** 29.983 (1) (b) 1m. of the statutes is created to read:
11 29.983 (1) (b) 1m. Any elk, \$2,000.

12 ***b2460/2.4* SECTION 88n.** 29.983 (1) (b) 2. of the statutes is amended to read:
13 29.983 (1) (b) 2. For any moose, ~~elk~~, fisher, prairie chicken, or sand hill crane,
14 \$262.50.

15 ***b2460/2.4* SECTION 88p.** 29.983 (1) (b) 13. of the statutes is amended to read:
16 29.983 (1) (b) 13. For any game or fur-bearing animal or bird not mentioned
17 in subs. ~~2.~~ 1m. to 8., \$17.50.”.

18 ***b2512/3.3* 83.** Page 30, line 17: after that line insert:

19 ***b2512/3.3* "SECTION 88g.** 30.1255 (title) of the statutes is amended to read:
20 **30.1255 (title) Control Report on control of aquatic nuisance species.**

21 ***b2512/3.3* SECTION 88m.** 30.1255 (3) (b) of the statutes is amended to read:
22 30.1255 (3) (b) The department shall submit the ~~first~~ report under par. (a)
23 before July 1, ~~1994~~ 2002, and shall submit subsequent reports ~~before July 1~~ of each
24 ~~even-numbered year thereafter~~ as part of the biennial report under s. 23.22 (6).

1 ***b2512/3.3* SECTION 88r.** 30.1255 (3) (c) of the statutes is repealed.”.

2 ***b2521/2.3* 84.** Page 30, line 17: after that line insert:

3 ***b2521/2.3* “SECTION 88g.** 29.977 (1) (i) of the statutes is amended to read:
4 29.977 (1) (i) Any muskellunge or ~~rock~~ or lake sturgeon, \$43.75.

5 ***b2521/2.3* SECTION 88r.** 29.983 (1) (b) 9. of the statutes is amended to read:
6 29.983 (1) (b) 9. For any muskellunge, ~~rock~~ sturgeon or lake sturgeon, \$43.75.”.

7 ***b2438/1.1* 85.** Page 31, line 8: after that line insert:

8 ***b2438/1.1* “SECTION 92m.** 36.11 (54) of the statutes is created to read:
9 36.11 (54) ADVERTISING; FUNDING. The board may not use any general purpose
10 revenue for advertising.”.

11 ***b2474/2.4* 86.** Page 31, line 8: after that line insert:

12 ***b2474/2.4* “SECTION 92m.** 32.72 (1) of the statutes is amended to read:
13 32.72 (1) Sections 32.50 to 32.71 do not take effect in any city until the following
14 question is submitted to the electors of the city at a ~~special election~~ referendum called
15 in accordance with s. 8.065 and adopted by a majority vote of the electors voting:
16 “Shall subchapter II of chapter 32, Wisconsin Statutes, be effective in the city of
17 , thus allowing the city to acquire and condemn property for street
18 widening and similar purposes, financed through assessments of benefits and
19 damages?”. The question shall be filed as provided in s. 8.37.”.

20 ***b2391/1.5* 87.** Page 31, line 17: after that line insert:

21 ***b2391/1.5* “SECTION 93d.** 36.25 (11) (em) of the statutes is created to read:
22 36.25 (11) (em) The laboratory of hygiene board shall create and maintain a
23 roster of scientists and other persons with technical expertise who are willing to work
24 for the laboratory of hygiene if the governor declares that an emergency related to

1 public health exists. If the governor declares such an emergency, the laboratory of
2 hygiene board shall hire as limited-term employees the requisite number of persons
3 from the roster to assist the department of health and family services under s.
4 250.042. Salaries, benefits, and training of these employees shall be paid from the
5 appropriation under s. 20.285 (1) (fg).”.

6 *b2420/1.5* **88.** Page 31, line 17: after that line insert:

7 *b2420/1.5* “SECTION 93d. 38.04 (2m) of the statutes is amended to read:

8 38.04 (2m) EXECUTIVE ASSISTANT. The Before the effective date of this
9 subsection ... [revisor inserts date], the director may appoint an executive assistant,
10 outside the classified service, to serve at his or her pleasure.”.

11 *b2433/1.1* **89.** Page 31, line 17: after that line insert:

12 *b2433/1.1* “SECTION 93s. 36.27 (1) (a) of the statutes is amended to read:

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

20 *b2433/1.1* SECTION 93t. 36.27 (1) (d) of the statutes is created to read:

21 36.27 (1) (d) The board shall impose a 100% tuition surcharge on a course a
22 student fails and repeats.”.

23 *b2440/3.1* **90.** Page 31, line 17: after that line insert:

24 *b2440/3.1* “SECTION 93s. 36.27 (1) (a) of the statutes is amended to read:

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

8 ***b2440/3.1* SECTION 93r.** 36.27 (1) (cm) of the statutes is created to read:

9 36.27 (1) (cm) The board shall charge a student who has completed more than
10 165 credits towards a first baccalaureate degree academic fees or tuition sufficient
11 to recover the full cost of any additional course work.”.

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

13 “SECTION 93t. 36.36 of the statutes is repealed.”.

14 ***b2438/1.2* 92.** Page 32, line 2: after that line insert:

15 ***b2438/1.2* “SECTION 94m.** 38.04 (28m) of the statutes is created to read:

16 38.04 (28m) ADVERTISING; FUNDING. The board may not use any general purpose
17 revenue for advertising.”.

18 ***b2474/2.5* 93.** Page 32, line 2: after that line insert:

19 ***b2474/2.5* “SECTION 97m.** 38.15 (1) of the statutes, as affected by 2001
20 Wisconsin Act 16, is amended to read:

21 38.15 (1) Subject to sub. (3), if the district board intends to make a capital
22 expenditure in excess of \$1,000,000, excluding moneys received from gifts, grants or
23 federal funds, for the acquisition of sites, purchase or construction of buildings, the
24 lease/purchase of buildings if costs exceed \$1,000,000 for the lifetime of the lease,

1 building additions or enlargements or the purchase of fixed equipment relating to
2 any such activity, it shall adopt a resolution stating its intention to do so and
3 identifying the anticipated source of revenue for each project and shall submit the
4 resolution to the electors of the district for approval. The referendum may be held
5 at any election authorized under s. 8.065 and shall be noticed, called and conducted
6 as provided in s. 67.05 (3) insofar as applicable. For the purposes of this section, all
7 projects located on a single campus site within one district which are bid
8 concurrently or which are approved by the board under s. 38.04 (10) within a 2-year
9 period shall be considered as one capital expenditure project.”

10 *b2408/1.1* **94.** Page 32, line 23: after that line insert:

11 *b2408/1.1* “SECTION 100i. 40.05 (4) (ag) (intro.) of the statutes is amended
12 to read:

13 40.05 (4) (ag) (intro.) ~~Except Beginning on January 1, 2003, except~~ as otherwise
14 provided in accordance with a collective bargaining agreement under subch. I or V
15 of ch. 111 or s. 230.12 or 233.10 with respect to eligible employees specified in subd.
16 2., the employer shall pay for its currently employed insured employees covered by
17 a collective bargaining agreement under subch. I or V of ch. 111 or whose health
18 insurance premium contribution rates are determined under s. 230.12 or 233.10:

19 *b2408/1.1* SECTION 100ib. 40.05 (4) (ag) 1. of the statutes is amended to read:

20 40.05 (4) (ag) 1. For insured part-time employees, including those in project
21 positions as defined in s. 230.27 (1), who are appointed to work less than ~~1,044~~ 1,566
22 hours per year, an amount equal to 50% of the employer contribution under subd. 2.”

23 *b2409/1.1* **95.** Page 32, line 23: after that line insert:

24 *b2409/1.1* “SECTION 100ic. 40.05 (4) (bg) of the statutes is created to read:

1 40.05 (4) (bg) For sick leave which accumulates beginning on January 1, 2003,
2 conversion under par. (b) or (bm) of accumulated sick leave under ss. 13.121 (4),
3 230.35 (2), 233.10, and 757.02 (5) and subch. I or V of ch. 111 to credits for payment
4 of health insurance premiums shall be limited to 75% of the accumulated sick leave.
5 For eligible employees who are included in a collective bargaining unit for which a
6 representative is recognized or certified under subch. V of ch. 111, this paragraph
7 shall apply unless otherwise provided in a collective bargaining agreement.

8 ***b2409/1.1* SECTION 100ig.** 40.05 (4) (bm) of the statutes is amended to read:

9 40.05 (4) (bm) Except as provided under ~~par.~~ pars. (bg) and (bp), accumulated
10 unused sick leave under ss. 36.30 and 230.35 (2) or 233.10 of any eligible employee
11 shall, upon request of the employee at the time the employee is subject to layoff under
12 s. 40.02 (40), be converted at the employee's current basic pay rate to credits for
13 payment of health insurance premiums on behalf of the employee. Any
14 supplemental compensation that is paid to a state employee who is classified under
15 the state classified civil service as a teacher, teacher supervisor or education director
16 for the employee's completion of educational courses that have been approved by the
17 employee's employer is considered as part of the employee's basic pay for purposes
18 of this paragraph. The full amount of the required employee contribution for any
19 eligible employee who is insured at the time of the layoff shall be deducted from the
20 credits until the credits are exhausted, the employee is reemployed, or 5 years have
21 elapsed from the date of layoff, whichever occurs first.

22 ***b2409/1.1* SECTION 100ih.** 40.05 (4) (bp) 1. of the statutes is amended to read:

23 40.05 (4) (bp) 1. Except as provided in subs. 2. and 3., for sick leave which
24 accumulates beginning on ~~August 1, 1987~~ January 1, 2003, conversion under par. (b)
25 or (bm) of accumulated unused sick leave under s. 36.30 to credits for payment of

1 health insurance premiums shall be limited to the annual amounts of sick leave
2 specified in this subdivision. For faculty and academic staff personnel who are
3 appointed to work 52 weeks per year, conversion is limited to ~~8.5~~ 6.375 days of sick
4 leave per year. For faculty and academic staff personnel who are appointed to work
5 39 weeks per year, conversion is limited to ~~6.4~~ 4.8 days of sick leave per year. For
6 faculty and academic staff personnel not otherwise specified, conversion is limited
7 to a number of days of sick leave per year to be determined by the secretary by rule,
8 in proportion to the number of weeks per year appointed to work.”.

9 *b2410/1.1* **96.** Page 32, line 23: after that line insert:

10 *b2410/1.1* **SECTION 100ij.** 40.05 (5) of the statutes is repealed and recreated
11 to read:

12 40.05 (5) INCOME CONTINUATION INSURANCE PREMIUMS. For any income
13 continuation insurance provided under subch. V, the entire premium shall be paid
14 as a deduction under s. 40.06 (1) (a) from an employee’s earnings. For employees who
15 are included in a collective bargaining unit for which a representative is recognized
16 or certified under subch. V of ch. 111, this subsection shall apply unless otherwise
17 provided in a collective bargaining agreement.

18 *b2410/1.1* **SECTION 100ik.** 40.61 (2) of the statutes is amended to read:

19 40.61 (2) Except as provided in sub. (4), any eligible employee may become
20 covered by income continuation insurance by electing coverage within 30 days of
21 initial eligibility, to be effective as of the first day of the month which begins on or
22 after the date the application is received by the employer, ~~or by electing coverage~~
23 ~~within 30 days of initially becoming eligible for a higher level of employer~~
24 ~~contribution towards the premium cost to be effective as of the first day of the month~~

1 following the date the application is received by the employer for teachers employed
2 by the university and effective as of the following April 1 for all other employees. Any
3 employee who does not so elect at one of these times, or who subsequently cancels the
4 insurance, may not thereafter become insured unless the employee furnishes
5 evidence of insurability under the terms of the contract, or as otherwise provided by
6 rule for employees under sub. (3), at the employee's own expense or obtains coverage
7 subject to contractual waiting periods if contractual waiting periods are provided for
8 by the contract or by rule for employees under sub. (3). An employee who furnishes
9 satisfactory evidence of insurability under the terms of the contract shall become
10 insured as of the first day of the month following the date of approval of evidence.
11 The method to be used shall be determined by the group insurance board under sub.
12 (1)."

13 *b2412/1.2* **97.** Page 32, line 23: after that line insert:

14 *b2412/1.2* "SECTION 100j. 41.19 of the statutes, as affected by 2001
15 Wisconsin Act 16, is repealed."

16 *b2413/2.5* **98.** Page 32, line 23: after that line insert:

17 *b2413/2.5* "SECTION 100hp. 40.51 (6) of the statutes is renumbered 40.51 (6)
18 (a) and amended to read:

19 40.51 (6) (a) This Except as provided in par. (b), the state shall offer to all of
20 its employees at least 2 insured or uninsured health care coverage plans providing
21 substantially equivalent hospital and medical benefits, including a health
22 maintenance organization or a preferred provider plan, if those health care plans are
23 determined by the group insurance board to be available in the area of the place of
24 employment and are approved by the group insurance board.

1 ***b2413/2.5* SECTION 100hr.** 40.51 (6) (b) of the statutes is created to read:

2 40.51 (6) (b) Notwithstanding s. 40.03 (6) (c), in addition to the health care
3 coverage plans offered under par. (a), the state shall also offer to all of its employees
4 a defined contribution plan that permits employees to choose the level of premiums,
5 deductibles, and co-payments and to select the hospital and medical benefits offered
6 under the plan, but only if the group insurance board determines that such a defined
7 contribution plan is available in the area of the place of employment and approves
8 the plan.

9 ***b2413/2.5* SECTION 100ic.** 40.98 (2) (h) of the statutes is created to read:

10 40.98 (2) (h) The department may seek funding from any person for the
11 payment of costs of designing, marketing, and contracting for or providing
12 administrative services under the health care coverage program and for lapsing to
13 the general fund any amount required under sub. (6m). Any moneys received by the
14 department under this paragraph shall be credited to the appropriation account
15 under s. 20.515 (2) (g).

16 ***b2413/2.5* SECTION 100ix.** 40.98 (6m) of the statutes is created to read:

17 40.98 (6m) The secretary of administration shall lapse from the appropriation
18 under s. 20.515 (2) (g) to the general fund the amounts necessary to repay the loan
19 under s. 601.34 when the secretary of administration, after consulting with the
20 board, determines that funds in the appropriation under s. 20.515 (2) (g) are
21 sufficient to make the lapse. The amounts that are required to be lapsed under s.
22 20.515 (2) (g) shall equal the amount necessary to pay all principal and interest costs
23 on the loan, less any amount that is lapsed to the general fund under s. 20.515 (2)
24 (a) at the end of the 2001–03 fiscal biennium. The secretary of administration may
25 lapse the amounts under s. 20.515 (2) (g) in installments.”.

1 ***b2446/1.1* 99.** Page 32, line 23: after that line insert:

2 ***b2446/1.1*** “SECTION 100iL. 43.52 (2) of the statutes is repealed.

3 ***b2446/1.1*** SECTION 100kL. 43.57 (5) (e) of the statutes is repealed.”.

4 ***b2466/1.1* 100.** Page 32, line 23: after that line insert:

5 ***b2466/1.1*** “SECTION 100hm. 40.05 (4) (a) 1. of the statutes is amended to
6 read:

7 40.05 (4) (a) 1. ~~For~~ Beginning on January 1, 2003, for health insurance, each
8 insured employee shall contribute \$10 per month for single coverage or \$20 per
9 month for family coverage, whichever is applicable, and shall contribute the balance
10 of the required premium amounts after applying required employer contributions,
11 if any, and each insured retired employee shall contribute the balance of the required
12 premium amounts after applying required employer contributions, if any.”.

13 ***b2483/2.1* 101.** Page 33, line 2: after that line insert:

14 ***b2483/2.1*** “SECTION 100n. 46.03 (18) (am) of the statutes is amended to read:

15 46.03 (18) (am) Paragraph (a) does not prevent the department from charging
16 and collecting the cost of adoptive placement investigations and child care as
17 authorized under s. 48.837 (7). Paragraph (a) also does not prevent a county
18 department under s. 51.42 or 51.437 from charging and collecting the cost of an
19 examination ordered under s. 938.295 (2) (a) as authorized under s. 938.295 (2) (c).”.

20 ***b2399/2.1* 102.** Page 38, line 20: after that line insert:

21 ***b2399/2.1*** “SECTION 121t. 49.45 (6m) (ar) 1. a. of the statutes is amended to
22 read:

23 49.45 (6m) (ar) 1. a. The department shall establish standards for payment of
24 allowable direct care costs, for facilities that do not primarily serve the

1 developmentally disabled, that take into account direct care costs for a sample of all
2 of those facilities in this state and separate standards for payment of allowable direct
3 care costs, for facilities that primarily serve the developmentally disabled, that take
4 into account direct care costs for a sample of all of those facilities in this state. The
5 standards shall be adjusted by the department for regional labor cost variations. For
6 facilities in Pierce and St. Croix counties, the department shall perform the
7 adjustment by use of the wage index that is used by the federal department of health
8 and human services for hospital reimbursement under 42 USC 1395 to 1395ggg.”

9 *b2581/2.1* **103.** Page 38, line 20: after that line insert:

10 *b2581/2.1* “SECTION 121m. 49.45 (18) (d) of the statutes is amended to read:

11 49.45 (18) (d) No person who designates a pharmacy or pharmacist as his or
12 her sole provider of prescription drugs and who so uses that pharmacy or pharmacist
13 is liable under this subsection for more than \$5 \$10 per month for prescription drugs
14 received.”.

15 *b2387/2.1* **104.** Page 38, line 21: delete lines 21 and 22 and substitute:

16 *b2387/2.1* “SECTION 122b. 49.45 (49) of the statutes is created to read:

17 49.45 (49) PRESCRIPTION DRUG PRIOR AUTHORIZATION. (a) In this subsection,
18 “prescription drug” means a prescription drug, as defined in s. 450.01 (20), that is
19 included in the legend drugs under s. 49.46 (2) (b) 6. h. and that may be prescribed
20 for a medical assistance recipient.

21 (b) The department may not establish prior authorization policies for a
22 prescription drug that is used to treat respiratory illness, mental illness, or diabetes.

1 (c) Before the department establishes a requirement for prior authorization for
2 a prescription drug, the department shall hold a public meeting concerning the prior
3 authorization, for which the department shall do all of the following:

4 1. Send written notice of the public meeting to all of the following:

5 a. The revisor of statutes, for publication in the Wisconsin Administrative
6 Register under s. 35.93.

7 b. The secretary of administration.

8 c. Appropriate standing committees of the legislature, in the manner provided
9 under s. 13.172 (3).

10 2. Take any action that the department considers necessary to provide notice
11 of the public meeting to other interested persons.

12 3. At the beginning of the public meeting, present a summary of the medical,
13 pharmacological, or economic rationale on which the prior authorization
14 requirement is based, including any information obtained from the prescription drug
15 prior authorization committee under par. (e).

16 4. Afford each interested person or a representative the opportunity to present
17 oral or written facts, opinion, or argument.

18 5. Keep a record of the meeting in a manner that the department considers
19 desirable and feasible.

20 6. Limit oral presentations if the meeting would be unduly lengthened by
21 repetitious testimony.

22 7. If appropriate, question the persons presenting facts, opinion, or argument.

23 (d) By October 1, 2002, and every 6 months thereafter, the department shall
24 review and reconsider prior authorization policies for each prescription drug that is
25 subject to prior authorization requirements. The department shall hold a public

1 meeting concerning the review and reconsideration, for which the department shall
2 do all of the following:

3 1. Send written notice of the public meeting to all of the following:

4 a. The revisor of statutes, for publication in the Wisconsin Administrative
5 Register under s. 35.93.

6 b. The secretary of administration.

7 c. Appropriate standing committees of the legislature, in the manner provided
8 under s. 13.172 (3).

9 2. Take any action that the department considers necessary to provide notice
10 of the public meeting to other interested persons.

11 3. At the beginning of the public meeting, present a summary of the medical,
12 pharmacological, or economic rationale on which the prior authorization
13 requirement is based, including any information obtained from the prescription drug
14 prior authorization committee under par. (e).

15 4. Afford each interested person or a representative the opportunity to present
16 oral or written facts, opinion, or argument.

17 5. Keep a record of the meeting in a manner that the department considers
18 desirable and feasible.

19 6. Limit oral presentations if the meeting would be unduly lengthened by
20 repetitious testimony.

21 7. If appropriate, question the persons presenting facts, opinion, or argument.

22 (e) The secretary shall”.

23 *b2387/2.2* **105.** Page 39, line 8: delete “(b)” and substitute “(f)”.

24 *b2388/1.1* **106.** Page 39, line 10: after that line insert:

1 ***b2388/1.1*** **SECTION 122c.** 49.45 (50) of the statutes is created to read:

2 49.45 (50) DISEASE MANAGEMENT. (a) In this subsection, “disease management”
3 means an integrated and systematic approach for managing the health care needs
4 of patients who are at risk of or are diagnosed with a specific disease, using all of the
5 following:

- 6 1. Best practices.
- 7 2. Prevention strategies.
- 8 3. Clinical practice improvement.
- 9 4. Clinical interventions and protocols.
- 10 5. Outcomes research, information, and technology.
- 11 6. Other tools and resources to reduce overall costs and improve measurable
12 outcomes.

13 (b) The department may contract with an entity, under the department’s
14 request-for-proposal procedures, to engage in disease management activities on
15 behalf of recipients of medical assistance.”

16 ***b2372/2.2* 107.** Page 41, line 13: after that line insert:

17 ***b2372/2.2*** **SECTION 128g.** 49.49 (6) of the statutes is amended to read:

18 49.49 (6) RECOVERY. In addition to other remedies available under this section,
19 the court may award the department of justice the reasonable and necessary costs
20 of investigation, an amount reasonably necessary to remedy the harmful effects of
21 the violation and the reasonable and necessary expenses of prosecution, including
22 attorney fees, from any person who violates this section. The department of justice
23 shall deposit in the state treasury for deposit in the general fund all moneys that the
24 court awards to the department or the state under this subsection. ~~Ten percent of~~

1 the money deposited in the general fund that was awarded under this subsection for
2 the costs of investigation and the expenses of prosecution, including attorney fees,
3 shall be credited to the appropriation account under s. 20.455 (1) (gh).”.

4 *b2448/1.1* **108.** Page 41, line 13: after that line insert:

5 *b2448/1.1* “SECTION 128k. 49.665 (2m) of the statutes is created to read:

6 49.665 (2m) UNBORN CHILDREN. (a) If the secretary determines that federal law
7 under 42 USC 1397aa to 1397jj authorizes the department to allow a woman and her
8 unborn child, as defined in s. 48.02 (19), to be considered a family for the purpose of
9 determining eligibility for the program under this section, the department shall do
10 so.

11 (b) If the secretary of health and family services determines that federal law
12 under 42 USC 1397aa to 1397jj does not authorize the expansion of eligibility
13 described under par. (a), the department shall request a waiver from the federal
14 secretary of health and human services that would permit the department to allow
15 a woman and her unborn child, as defined in s. 48.02 (19), to be considered a family
16 for the purpose of determining eligibility for the program under this section. If the
17 waiver is granted and in effect, the department shall administer the program as
18 permitted in the waiver.”.

19 *b2391/1.6* **109.** Page 47, line 25: after that line insert:

20 *b2391/1.6* “SECTION 148n. 50.36 (3d) of the statutes is created to read:

21 50.36 (3d) (a) A hospital shall develop and maintain a system under which the
22 hospital may grant emergency staff privileges to a health care provider, as defined
23 in s. 146.81 (1), to whom all of the following apply:

1 1. The health care provider seeks to provide care at the hospital during a period
2 of a state of emergency related to public health declared by the governor under s.
3 166.03 (1) (b) 1.

4 2. The health care provider does not have staff privileges at the hospital at the
5 time that the state of emergency related to public health is declared by the governor
6 under s. 166.03 (1) (b) 1.

7 3. The health care provider has staff privileges at another hospital.

8 (b) A hospital that grants emergency staff privileges under par. (a) has
9 immunity from civil liability for acts or omissions by a health care provider who is
10 granted emergency staff privileges under par. (a).”

11 ***b2368/1.1* 110.** Page 48, line 5: after that line insert:

12 ***b2368/1.1* “SECTION 149m.** 51.20 (13) (ct) 1m. of the statutes is amended to
13 read:

14 51.20 (13) (ct) 1m. Except as provided in subd. 2m., if the subject individual is
15 before the court on a petition filed under a court order under s. 938.30 (5) (c) 1. and
16 is found to have committed any violation, or to have solicited, conspired, or attempted
17 to commit any violation, of ch. 940, 944, or 948 or ss. 942.08 or 943.01 to 943.15, the
18 court may require the subject individual to comply with the reporting requirements
19 under s. 301.45 if the court determines that the underlying conduct was sexually
20 motivated, as defined in s. 980.01 (5), and that it would be in the interest of public
21 protection to have the subject individual report under s. 301.45.”

22 ***b2452/1.1* 111.** Page 48, line 10: after that line insert:

23 ***b2452/1.1* “SECTION 150cm.** 60.55 (1) (a) 4. of the statutes is amended to
24 read:

1 60.55 (1) (a) 4. Utilizing a fire company organized under ch. 180, 181, or 213.

2 ***b2452/1.1* SECTION 150cn.** 61.65 (2) (a) 4. of the statutes is amended to read:

3 61.65 (2) (a) 4. Utilizing a fire company organized under ch. 180, 181, or 213,
4 except that this subdivision does not apply in a village that provides fire protection
5 services under subd. 1. on December 9, 1993.”.

6 ***b2454/1.1* 112.** Page 48, line 10: after that line insert:

7 ***b2454/1.1* “SECTION 150d.** 60.10 (2) (intro.) of the statutes is amended to
8 read:

9 60.10 (2) DIRECTIVES OR GRANTS OF AUTHORITY TO TOWN BOARD. (intro.) ~~Except~~
10 ~~as provided under par. (c),~~ directives Directives or grants of authority to the town
11 board under this subsection may be general and continuing or may be limited as to
12 purpose, effect, or duration. A resolution adopted under this subsection shall specify
13 whether the directive or grant is general and continuing or whether it is limited as
14 to purpose, effect, or duration. A resolution that is continuing remains in effect until
15 rescinded at a subsequent town meeting by a number of electors equal to or greater
16 than the number of electors who voted for the original resolution. This subsection
17 does not limit any authority otherwise conferred on the town board by law. By
18 resolution, the town meeting may:

19 ***b2454/1.1* SECTION 150db.** 60.10 (2) (c) of the statutes is repealed.

20 ***b2454/1.1* SECTION 150de.** 60.22 (3) of the statutes is amended to read:

21 60.22 (3) VILLAGE POWERS. ~~If authorized under s. 60.10 (2) (c), may~~ May exercise
22 powers relating to villages and conferred on village boards under ch. 61, except those
23 powers which conflict with statutes relating to towns and town boards.

24 ***b2454/1.1* SECTION 150dem.** 60.23 (19) of the statutes is amended to read:

1 60.23 (19) FENCES IN SUBDIVISIONS. ~~If authorized under s. 60.10 (2) (e) to exercise~~
2 exercising village powers, by ordinance require a subdivider to construct a fence
3 under s. 90.02 on the boundary of a subdivision, as defined under s. 236.02 (8), as a
4 condition of plat approval by the town. The fence shall be maintained under s. 90.05
5 (2) and repaired under ss. 90.10 and 90.11.

6 ***b2454/1.1* SECTION 150h.** 60.62 (1) of the statutes is amended to read:

7 60.62 (1) Subject to subs. (2), (3), and (4), if a town board ~~has been granted~~
8 ~~authority to exercise~~ exercises village powers under s. ~~60.10 (2) (e)~~ 60.22 (3), the
9 board may adopt zoning ordinances under s. 61.35.”.

10 ***b2463/1.1* 113.** Page 48, line 10: after that line insert:

11 ***b2463/1.1* “SECTION 150c.** 59.69 (3) (a) of the statutes, as affected by 2001
12 Wisconsin Act 30, is amended to read:

13 59.69 (3) (a) The county zoning agency may direct the preparation of a county
14 development plan or parts of the plan for the physical development of the
15 unincorporated territory within the county and areas within incorporated
16 jurisdictions whose governing bodies by resolution agree to having their areas
17 included in the county’s development plan. The plan may be adopted in whole or in
18 part and may be amended by the board and endorsed by the governing bodies of
19 incorporated jurisdictions included in the plan. The county development plan, in
20 whole or in part, in its original form or as amended, is hereafter referred to as the
21 development plan. Beginning on January 1, ~~2010~~ 2014, if the county engages in any
22 program or action described in s. 66.1001 (3), the development plan shall contain at
23 least all of the elements specified in s. 66.1001 (2).

1 ***b2463/1.1* SECTION 150deg.** 62.23 (3) (b) of the statutes, as affected by 2001
2 Wisconsin Act 30, is amended to read:

3 62.23 (3) (b) The commission may adopt the master plan as a whole by a single
4 resolution, or, as the work of making the whole master plan progresses, may from
5 time to time by resolution adopt a part or parts of a master plan. Beginning on
6 January 1, ~~2010~~ 2014, if the city engages in any program or action described in s.
7 66.1001 (3), the master plan shall contain at least all of the elements specified in s.
8 66.1001 (2). The adoption of the plan or any part, amendment, or addition, shall be
9 by resolution carried by the affirmative votes of not less than a majority of all the
10 members of the city plan commission. The resolution shall refer expressly to the
11 elements under s. 66.1001 and other matters intended by the commission to form the
12 whole or any part of the plan, and the action taken shall be recorded on the adopted
13 plan or part of the plan by the identifying signature of the secretary of the
14 commission, and a copy of the plan or part of the plan shall be certified to the common
15 council. The purpose and effect of the adoption and certifying of the master plan or
16 part of the plan shall be solely to aid the city plan commission and the council in the
17 performance of their duties.”

18 ***b2474/2.6* 114.** Page 48, line 10: after that line insert:

19 ***b2474/2.6* “SECTION 150kd.** 59.08 (7) (b) of the statutes is amended to read:

20 59.08 (7) (b) The question of the consolidation of the counties shall be submitted
21 to the voters at the next election authorized under s. 8.065 (2) or an election
22 authorized under s. 8.065 (3) to be held on the first Tuesday in April, or the next
23 regular election, or at a special election to be held on the day fixed in a date specified
24 in the order which shall be no sooner than 45 days after the date of the order issued

1 under par. (a), which day date shall be the same in each of the counties proposing to
2 consolidate. A copy of the order shall be filed with the county clerk of each of the
3 counties as provided in s. 8.37. ~~If the question of consolidation is submitted at a~~
4 ~~special election, it shall be held not less than 42 days nor more than 60 days from the~~
5 ~~completion of the consolidation agreement, but not within 60 days of any spring or~~
6 ~~general election.~~

7 *b2474/2.6* SECTION 150kf. 59.605 (3) (a) 1. of the statutes is amended to read:

8 59.605 (3) (a) 1. If the governing body of a county wishes to exceed the operating
9 levy rate limit otherwise applicable to the county under this section, it shall adopt
10 a resolution to that effect. The resolution shall specify either the operating levy rate
11 or the operating levy that the governing body wishes to impose for either a specified
12 number of years or an indefinite period. The governing body shall ~~call a special~~
13 ~~referendum for the purpose of submitting the resolution to the electors of the county~~
14 ~~for approval or rejection. In lieu of a special referendum, the governing body may~~
15 ~~specify that provide for the referendum to be held at the next succeeding spring~~
16 ~~primary or election or September primary or general election to be held authorized~~
17 ~~under s. 8.065 (2) or an election authorized under s. 8.065 (3) that occurs not earlier~~
18 ~~than 42 days after the adoption of the resolution of the governing body. The~~
19 ~~governing body shall file the resolution to be submitted to the electors as provided~~
20 ~~in s. 8.37.~~

21 *b2474/2.6* SECTION 150kh. 60.62 (2) of the statutes is amended to read:

22 60.62 (2) If the county in which the town is located has enacted a zoning
23 ordinance under s. 59.69, the exercise of the authority under sub. (1) is subject to
24 approval by the town meeting or by a referendum vote of the electors of the town to

1 ~~be held at the time of any regular or special election in accordance with s. 8.065.~~ The
2 question for the referendum vote shall be filed as provided in s. 8.37.

3 ***b2474/2.6* SECTION 150kj.** 60.74 (5) (b) of the statutes is amended to read:

4 60.74 (5) (b) A petition conforming to the requirements of s. 8.40 signed by
5 qualified electors of the district equal to at least 20% of the vote cast for governor in
6 the district at the last gubernatorial election, requesting a change to appointment
7 of commissioners, may be submitted to the town board, subject to sub. (5m) (a). The
8 petition shall be filed as provided in s. 8.37. Upon receipt of the petition, the town
9 board shall submit the question to a referendum at the next ~~regular spring~~ election
10 ~~or general election, or shall call a special election for that purpose~~ authorized under
11 s. 8.065 (2) or an election authorized under s. 8.065 (3) to be held not sooner than 45
12 days after receipt of the petition by the town board. The inspectors shall count the
13 votes and submit a statement of the results to the commission. The commission shall
14 canvass the results of the election and certify the results to the town board which has
15 authority to appoint commissioners.

16 ***b2474/2.6* SECTION 150kL.** 61.187 (1) of the statutes is amended to read:

17 61.187 (1) PROCEDURE. Whenever a petition conforming to the requirements
18 of s. 8.40, signed by at least one-third as many electors of any village as voted for
19 village officers at the next preceding election therefor, shall be presented to the
20 village board, and filed as provided in s. 8.37, praying for dissolution of the village
21 corporation, such board shall submit to the electors of such village, for determination
22 by ballot in substantially the manner provided by ss. 5.64 (2) and 10.02, at ~~a general~~
23 ~~election or at a special election called by them for that purpose~~ the next election
24 authorized under s. 8.065 (2) or an election authorized under s. 8.065 (3) to be held

1 not sooner than 45 days after presentation of the petition, the question whether or
2 not such village corporation shall be dissolved.

3 *b2474/2.6* SECTION 150kn. 61.46 (1) of the statutes is amended to read:

4 61.46 (1) GENERAL; LIMITATION. The village board shall, on or before December
5 15 in each year, by resolution to be entered of record, determine the amount of
6 corporation taxes to be levied and assessed on the taxable property in such village
7 for the current year. Before levying any tax for any specified purpose, exceeding one
8 percent of the assessed valuation aforesaid, the village board shall, and in all other
9 cases may in its discretion, submit the question of levying the same to the village
10 electors at ~~any general or special~~ the next election authorized under s. 8.065 (2) or
11 an election authorized under s. 8.065 (3) to be held no sooner than 45 days after
12 adoption of the resolution by giving 10 days' notice thereof prior to such election by
13 publication in a newspaper published in the village, if any, and if there is none, then
14 by posting notices in 3 public places in said village, setting forth in such notices the
15 object and purposes for which such taxes are to be raised and the amount of the
16 proposed tax. The village board shall file the question as provided in s. 8.37.

17 *b2474/2.6* SECTION 150kp. 62.09 (1) (a) of the statutes is amended to read:

18 62.09 (1) (a) The officers shall be a mayor, treasurer, clerk, comptroller,
19 attorney, engineer, one or more assessors unless the city is assessed by a county
20 assessor under s. 70.99, one or more constables as determined by the common
21 council, a local health officer, as defined in s. 250.01 (5), or local board of health, as
22 defined in s. 250.01 (3), street commissioner, board of police and fire commissioners
23 except in cities where not applicable, chief of police, chief of the fire department,
24 board of public works, 2 alderpersons from each aldermanic district, and such other
25 officers or boards as are created by law or by the council. If one alderperson from each

1 aldermanic district is provided under s. 66.0211 (1), the council may, by ordinance
2 adopted by a two-thirds vote of all its members and approved by the electors at a
3 ~~general or special~~ any election authorized under s. 8.065, provide that there shall be
4 2 alderpersons from each aldermanic district.

5 ***b2474/2.6* SECTION 150kr.** 64.03 (1) of the statutes is amended to read:

6 64.03 (1) Every ordinance or resolution for the adoption of ss. 64.01 to 64.15,
7 and every petition for a ~~special election~~ referendum on the same, shall state the
8 number of members of which the council herein provided for shall be composed, the
9 term of office of its members, which term shall not exceed 2 years, whether they shall
10 be nominated and elected from aldermanic districts or from the city at large, and the
11 compensation, if any, which they shall receive.

12 ***b2474/2.6* SECTION 150kt.** 64.39 (3) of the statutes is amended to read:

13 64.39 (3) Upon filing such petition, the mayor shall, by proclamation, submit
14 the questions prescribed in sub. (1) at ~~a special~~ the next election authorized under
15 s. 8.065 (2) or an election authorized under s. 8.065 (3) to be held ~~at a time specified~~
16 ~~therein and within 2 months~~ not sooner than 45 days after such petition is filed. The
17 election upon such question shall be conducted, the vote canvassed, and the result
18 declared in the same manner as provided by law for other city elections.

19 ***b2474/2.6* SECTION 150kv.** 66.0101 (8) of the statutes is amended to read:

20 66.0101 (8) A charter ordinance enacted or approved by a vote of the electors
21 controls over any prior or subsequent act of the legislative body of the city or village.
22 If the electors of any city or village by a majority vote have adopted or determined
23 to continue to operate under either ch. 62 or 64, or have determined the method of
24 selection of members of the governing board, the question shall not again be
25 submitted to the electors, nor action taken on the question, within a period of 2 years.

1 Any election to change or amend the charter of any city or village, other than ~~a~~
2 special an election as ~~provided in~~ called under s. 9.20 (4), shall be held at the time
3 provided by statute for holding the spring election.”.

4 *b2496/2.1* **115.** Page 48, line 10: after that line insert:

5 *b2496/2.1* “SECTION 150bq. 59.60 (13) (c) of the statutes, as created by 2001
6 Wisconsin Act 16, is amended to read:

7 59.60 (13) (c) Subject to par. (d), the board may withdraw amounts from the tax
8 stabilization fund, by a three-quarters vote of the members-elect, or by a majority
9 vote of the members-elect if the county’s total levy rate, as defined in s. 59.605 (1)
10 (g), 1999 stats., is projected by the board to increase by more than 3% in the current
11 fiscal year and the withdrawn funds would prevent an increase of more than 3%.

12 *b2496/2.1* SECTION 150bs. 59.605 of the statutes is repealed.”.

13 *b2456/3.2* **116.** Page 49, line 4: delete “whether to grant” and substitute “,
14 not later than 60 days after the request for a waiver is received by the department
15 of revenue, whether to grant the waiver completely or partially, or to deny”.

16 *b2456/3.3* **117.** Page 49, line 5: delete “the political subdivision and”.

17 *b2456/3.4* **118.** Page 49, line 7: delete “whether to grant the waiver” and
18 substitute “, not later than 60 days after the request for a waiver is received by the
19 department, whether to grant the waiver completely or partially, or to deny the
20 waiver.”.

21 *b2456/3.6* **119.** Page 49, line 8: after that line insert:

22 “(d) In determining whether to grant a waiver under par. (c), the agency or the
23 department of revenue shall base its decision on at least one of the following criteria:

1 1. Whether compliance with the mandate would cause undue economic
2 hardship to the political subdivision.

3 2. Whether compliance with the mandate would not be economically efficient.

4 3. Whether the mandate is not applicable to the subdivision, other than in
5 imposing reporting requirements.

6 (e) If an administrative agency or the department of revenue grants a waiver
7 completely or partially, the secretary of the agency or the secretary of revenue shall
8 so notify the joint survey committee on mandates under s. 13.59. A waiver takes
9 effect only as provided in s. 13.59 (4). If a waiver does take effect or a waiver is denied,
10 the secretary of the agency or the secretary of revenue shall so notify the political
11 subdivision in writing.”.

12 ***b2456/3.5* 120.** Page 49, line 8: delete that line.

13 ***b2452/1.2* 121.** Page 49, line 18: after that line insert:

14 ***b2452/1.2* “SECTION 151n.** 66.0303 (3) of the statutes is renumbered 66.0303

15 (3) (a) and amended to read:

16 66.0303 (3) (a) ~~An~~ Except as provided in par. (b), an agreement made under this
17 section shall, prior to and as a condition precedent to taking effect, be submitted to
18 the attorney general who shall determine whether the agreement is in proper form
19 and compatible with the laws of this state. The attorney general shall approve any
20 agreement submitted under this subsection unless the attorney general finds that
21 it does not meet the conditions set forth in this section and details in writing
22 addressed to the concerned municipal governing bodies the specific respects in which
23 the proposed agreement fails to meet the requirements of law. Failure to disapprove
24 an agreement submitted under this subsection within 90 days of its submission

1 constitutes approval. The attorney general, upon submission of an agreement, shall
2 transmit a copy of the agreement to the governor who shall consult with any state
3 department or agency affected by the agreement. The governor shall forward to the
4 attorney general any comments the governor may have concerning the agreement.

5 ***b2452/1.2* SECTION 151nb.** 66.0303 (3) (b) of the statutes is created to read:

6 66.0303 (3) (b) An agreement under this section between a municipality of this
7 state and a municipality of another state that relates to the receipt, furnishing, or
8 joint exercise of fire fighting or emergency medical services need not be submitted
9 to or approved by the attorney general under sub. (2) before the agreement may take
10 effect.”.

11 ***b2458/2.1* 122.** Page 49, line 18: after that line insert:

12 ***b2458/2.1* “SECTION 151j.** 66.0229 of the statutes is renumbered 66.0229 (1)
13 and amended to read:

14 66.0229 (1) Subject to s. 66.0307 (7), a ~~town, village or city, village, or town~~ may
15 be consolidated with a contiguous ~~town, village or city, village, or town~~, by ordinance,
16 passed by a two-thirds vote of all of the members of each board or council, fixing the
17 terms of the consolidation and ratified by the electors at a referendum held in each
18 municipality. The ballots shall bear the words, “for consolidation”, and “against
19 consolidation”, and if a majority of the votes cast in each municipality are for
20 consolidation, the ordinances shall take effect and have the force of a contract. The
21 ordinance and the result of the referendum shall be certified as provided in s. 66.0211
22 (5); if a town the certification shall be preserved as provided in ss. 66.0211 (5) and
23 66.0235, respectively. Consolidation does not affect the preexisting rights or
24 liabilities of any municipality and actions on those rights or liabilities may be

1 commenced or completed as if there were no consolidation. ~~A consolidation~~
2 ~~ordinance proposing the consolidation of a town and another municipality shall,~~
3 ~~within 10 days after its adoption and prior to its submission to the voters for~~
4 ~~ratification at a referendum, be submitted to the circuit court and the department~~
5 ~~of administration for a determination whether the proposed consolidation is in the~~
6 ~~public interest. The circuit court shall determine whether the proposed ordinance~~
7 ~~meets the formal requirements of this section and shall then refer the matter to the~~
8 ~~department of administration, which shall find as prescribed in s. 66.0203 whether~~
9 ~~the proposed consolidation is in the public interest in accordance with the standards~~
10 ~~in s. 66.0207. The department's findings have the same status as incorporation~~
11 ~~findings under ss. 66.0203 to 66.0213.~~

12 *b2458/2.1* SECTION 151jb. 66.0229 (2) of the statutes is created to read:

13 66.0229 (2) (a) A consolidation ordinance proposing the consolidation of a town
14 and another municipality shall, within 10 days after its adoption and prior to its
15 submission to the voters for ratification at a referendum, be submitted to the circuit
16 court and the department of administration for a determination of whether the
17 proposed consolidation is in the public interest. The circuit court shall determine
18 whether the proposed ordinance meets the formal requirements of sub. (1) and shall
19 then refer the matter to the department of administration, which shall find as
20 prescribed in s. 66.0203 whether the proposed consolidation is in the public interest
21 in accordance with the standards in s. 66.0207. The department's findings have the
22 same status as incorporation findings under ss. 66.0203 to 66.0213.

23 (b) Except as provided in par. (c), the provisions of par. (a) do not apply if 2 or
24 more towns seek to consolidate as a town or if one or more towns seek to consolidate,
25 with one or more cities or villages, as a town.

1 (c) With regard to a consolidation described under par. (b), the circuit court
2 shall determine, within 10 days after the adoption of the consolidation ordinance and
3 prior to its submission to the voters for ratification at a referendum, whether the
4 proposed ordinance meets the formal requirements of sub. (1).”.

5 *b2474/2.7* **123.** Page 49, line 18: after that line insert:

6 *b2474/2.7* “**SECTION 151md.** 66.0217 (7) (a) 3. of the statutes is amended to
7 read:

8 66.0217 (7) (a) 3. If the notice indicates that the petition is for a referendum
9 on the question of annexation, the clerk of the city or village shall file the notice as
10 provided in s. 8.37. If the notice indicates that the petition is for a referendum on the
11 question of annexation, the town clerk shall give notice as provided in par. (c) of a
12 referendum of the electors residing in the area proposed for annexation to be held at
13 the next election permitted under s. 8.065 (2) or an election authorized under s. 8.065
14 (3), but not less than 42 days nor more than 72 days after the date of personal service
15 or mailing of the notice required under this paragraph. If the notice indicates that
16 the petition is for direct annexation, no referendum shall be held unless within 30
17 days after the date of personal service or mailing of the notice required under this
18 paragraph, a petition conforming to the requirements of s. 8.40 requesting a
19 referendum is filed with the town clerk as provided in s. 8.37, signed by at least 20%
20 of the electors residing in the area proposed to be annexed. If a petition requesting
21 a referendum is filed, the clerk shall give notice as provided in par. (c) of a referendum
22 of the electors residing in the area proposed for annexation to be held at the next
23 election permitted under s. 8.065 (2) or an election authorized under s. 8.065 (3), but
24 not less than 42 days nor more than 72 days after the receipt of the petition and shall

1 mail a copy of the notice to the clerk of the city or village to which the annexation is
2 proposed. The referendum shall be held at a convenient place within the town to be
3 specified in the notice.

4 ***b2474/2.7* SECTION 151mf.** 66.0219 (4) (b) of the statutes is amended to read:

5 66.0219 (4) (b) The referendum election shall be held at the next election
6 permitted under s. 8.065 (2) or an election authorized under s. 8.065 (3), but not less
7 than 42 days nor more than 72 days after the filing of the order as provided in s. 8.37,
8 in the territory proposed for annexation, by the electors of that territory as provided
9 in s. 66.0217 (7), so far as applicable. The ballots shall contain the words “For
10 Annexation” and “Against Annexation”. The certification of the election inspectors
11 shall be filed with the clerk of the court, and the clerk of any municipality involved,
12 but need not be filed or recorded with the register of deeds.

13 ***b2474/2.7* SECTION 151mh.** 66.0227 (3) of the statutes is amended to read:

14 66.0227 (3) The governing body of a city, village or town involved may, or if a
15 petition conforming to the requirements of s. 8.40 signed by a number of qualified
16 electors equal to at least 5% of the votes cast for governor in the city, village or town
17 at the last gubernatorial election, demanding a referendum, is presented to it within
18 30 days after the passage of either of the ordinances under sub. (2) shall, submit the
19 question to the electors of the city, village or town whose electors petitioned for
20 detachment, at a referendum election ~~called for that purpose~~ held at the next election
21 permitted under s. 8.065 (2) or an election authorized under s. 8.065 (3), but not less
22 than 42 days nor more than 72 days after the filing of the petition, or after the
23 enactment of either ordinance. The petition shall be filed as provided in s. 8.37. If
24 a number of electors cannot be determined on the basis of reported election statistics,
25 the number shall be determined in accordance with s. 60.74 (6). The governing body

1 of the municipality shall appoint 3 election inspectors who are resident electors to
2 supervise the referendum. The ballots shall contain the words “For Detachment”
3 and “Against Detachment”. The inspectors shall certify the results of the election by
4 their attached affidavits and file a copy with the clerk of each town, village or city
5 involved, and none of the ordinances may take effect nor be in force unless a majority
6 of the electors approve the question. The referendum election shall be conducted in
7 accordance with chs. 6 and 7 to the extent applicable.”.

8 *b2474/2.8* **124.** Page 51, line 9: delete the material beginning with “special”
9 and ending with “held” on line 13 and substitute “referendum on approval or
10 rejection to be held at the next election permitted under s. 8.065 (2) or an election
11 authorized under s. 8.065 (3) occurring”.

12 *b2463/1.2* **125.** Page 53, line 4: after that line insert:

13 *b2463/1.2* “SECTION 153m. 66.1001 (3) (intro.) of the statutes is amended to
14 read:

15 66.1001 (3) (intro.) Beginning on January 1, ~~2010~~ 2014, any program or action
16 of a local governmental unit that affects land use shall be consistent with that local
17 governmental unit’s comprehensive plan, including all of the following:”.

18 *b2474/2.9* **126.** Page 53, line 4: after that line insert:

19 *b2474/2.9* “SECTION 153kd. 66.0619 (2m) (b) of the statutes is amended to
20 read:

21 66.0619 (2m) (b) If a referendum is to be held on a resolution, the municipal
22 governing body shall file the resolution as provided in s. 8.37 and shall direct the
23 municipal clerk to call ~~a special election for the purpose of submitting~~ submit the
24 resolution to the electors for approval of the electors at a referendum ~~on approval or~~

1 ~~rejection. In lieu of a special election, the municipal governing body may specify that~~
2 ~~the election be held at the next succeeding spring primary or election or September~~
3 ~~primary or general election called in accordance with s. 8.065.~~

4 ***b2474/2.9* SECTION 153kf.** 66.0815 (1) (c) of the statutes, as affected by 2001
5 Wisconsin Act 30, is amended to read:

6 66.0815 (1) (c) An ordinance under sub. (1) may not take effect until 60 days
7 after passage and publication unless sooner approved by a referendum. Within the
8 60-day period electors equal in number to 20% of those voting at the last regular
9 municipal election may file a petition requesting a referendum. The petition shall
10 be in writing and filed with the clerk and as provided in s. 8.37. The petition shall
11 conform to the requirements of s. 8.40. Each signer shall state his or her residence
12 and signatures shall be verified by the affidavit of an elector. The referendum shall
13 be held at the next regular municipal election, ~~or at a special election within 90 days~~
14 ~~of the permitted under s. 8.065 (2) or an election authorized under s. 8.065 (3) to be~~
15 held not sooner than 45 days after filing of the petition. The ordinance may not take
16 effect unless approved by a majority of the votes cast. This paragraph does not apply
17 to extensions by a utility previously franchised by the village, city, or town.

18 ***b2474/2.9* SECTION 153kj.** 66.0921 (2) of the statutes is amended to read:

19 66.0921 (2) FACILITIES AUTHORIZED. A municipality may enter into a joint
20 contract with a nonprofit corporation organized for civic purposes and located in the
21 municipality to construct or otherwise acquire, equip, furnish, operate and maintain
22 a facility to be used for municipal and civic activities if a majority of the voters voting
23 in a referendum ~~at a special election or at a spring primary or election or September~~
24 ~~primary or general~~ authorize the municipality to enter into a joint contract. The

1 referendum shall be held at an election approve the question of entering into the joint
2 contract authorized under s. 8.065.

3 *b2474/2.9* **SECTION 153kL.** 66.1103 (10) (d) of the statutes is amended to
4 read:

5 66.1103 (10) (d) The governing body may issue bonds under this section
6 without submitting the proposition to the electors of the municipality for approval
7 unless within 30 days from the date of publication of notice of adoption of the initial
8 resolution for the bonds, a petition conforming to the requirements of s. 8.40, and
9 signed by a number of electors of the municipality equal to not less than 5% of the
10 registered electors of the municipality, or, if there is no registration of electors in the
11 municipality, by 10% of the number of electors of the municipality voting for the office
12 of governor at the last general election as determined under s. 115.01 (13), is filed
13 with the clerk of the municipality and as provided in s. 8.37 requesting a referendum
14 upon the question of the issuance of the bonds. If a petition is filed, the bonds may
15 not be issued until approved by a majority of the electors of the municipality voting
16 on the referendum at a ~~general or special election~~ referendum called in accordance
17 with s. 8.065.”.

18 *b2474/2.10* **127.** Page 53, line 16: after that line insert:

19 *b2474/2.10* **“SECTION 155md.** 67.05 (4) and (5) of the statutes are amended
20 to read:

21 67.05 (4) **PERMISSIVE REFERENDUM IN COUNTIES.** If a county board adopts an
22 initial resolution for an issue of county bonds to provide for the original construction
23 or for the improvement and maintenance of highways, to provide railroad aid, or to
24 construct, acquire or maintain, or to aid in constructing, acquiring or maintaining

1 a bridge over or across any stream or other body of water bordering upon or
2 intersecting any part of the county, the county clerk is not required to submit the
3 resolution for approval to the electors of the county at a ~~special election~~ referendum
4 unless within 30 days after the adoption thereof there is filed with the clerk a petition
5 conforming to the requirements of s. 8.40 and requesting such submission, signed by
6 electors numbering at least 10% of the votes cast in the county for governor at the
7 last general election. If a petition is filed, the question submitted shall be whether
8 the resolution shall be or shall not be approved. No such resolution of a county board
9 other than those specified in this subsection need be submitted to county electors,
10 except as provided otherwise in sub. (7).

11 (5) REFERENDUM IN TOWNS, VILLAGES AND CITIES. (a) Whenever an initial
12 resolution has been so adopted by the governing body of a town, the clerk of the
13 municipality shall immediately record the resolution and call a ~~special election~~
14 referendum in accordance with s. 8.065 for the purpose of submitting the resolution
15 to the electors of the municipality for approval. This paragraph does not apply to
16 bonds issued to finance low-interest mortgage loans under s. 62.237, unless a
17 number of electors equal to at least 15% of the votes cast for governor at the last
18 general election in their town sign and file a petition conforming to the requirements
19 of s. 8.40 with the town clerk requesting submission of the resolution. Whenever a
20 number of electors cannot be determined on the basis of reported statistics, the
21 number shall be determined in accordance with s. 60.74 (6). If a petition is filed, the
22 question submitted shall be whether the resolution shall or shall not be approved.
23 This paragraph is limited in its scope by sub. (7).

24 (b) No city or village may issue bonds for any purposes other than for water
25 systems, lighting works, gas works, bridges, street lighting, street improvements,

1 street improvement funding, hospitals, airports, harbor improvements, river
2 improvements, breakwaters and protection piers, sewerage, garbage disposal,
3 rubbish or refuse disposal, any combination of sewage, garbage or refuse or rubbish
4 disposal, parks and public grounds, swimming pools and band shells, veterans
5 housing projects, paying the municipality's portion of the cost of abolishing grade
6 crossings, for the construction of police facilities and combined fire and police safety
7 buildings, for the purchase of sites for engine houses, for fire engines and other
8 equipment of the fire department, for construction of engine houses, and for pumps,
9 water mains, reservoirs and all other reasonable facilities for fire protection
10 apparatus or equipment for fire protection, for parking lots or other parking
11 facilities, for school purposes, for libraries, for buildings for the housing of machinery
12 and equipment, for acquiring and developing sites for industry and commerce as will
13 expand the municipal tax base, for financing the cost of low-interest mortgage loans
14 under s. 62.237, for providing financial assistance to blight elimination, slum
15 clearance, community development, redevelopment and urban renewal programs
16 and projects under ss. 66.1105, 66.1301 to 66.1329 and 66.1331 to 66.1337 or for
17 University of Wisconsin System college campuses, as defined in s. 36.05 (6m), until
18 the proposition for their issue for the special purpose has been submitted to the
19 electors of the city or village and adopted by a majority vote. Except as provided
20 under sub. (15), if the common council of any city or the village board of a village
21 declares its purpose to raise money by issuing bonds for any purpose other than those
22 specified in this subsection, it shall direct by resolution, which shall be recorded at
23 length in the record of its proceedings, the clerk to call a ~~special election~~ referendum
24 in accordance with s. 8.065 for the purpose of submitting the question of bonding to
25 the city or village electors. If a number of electors of a city or village equal to at least

1 15% of the votes cast for governor at the last general election in their city or village
2 sign and file a petition conforming to the requirements of s. 8.40 with the city or
3 village clerk requesting submission of the resolution, the city or village may not issue
4 bonds for financing the cost of low-interest mortgage loans under s. 62.237 ~~without~~
5 ~~calling a special election to submit the question of bonding to~~ unless the issuance is
6 approved by the city or village electors for their approval at a referendum called in
7 accordance with s. 8.065.

8 *b2474/2.10* SECTION 155mf. 67.05 (6a) (a) 2. a. of the statutes is amended
9 to read:

10 67.05 (6a) (a) 2. a. Direct the school district clerk to call a ~~special election~~
11 referendum in accordance with s. 8.065 (2) or an election authorized under s. 8.065
12 (3) for the purpose of submitting the resolution to the electors for approval or
13 rejection, or direct that the resolution be submitted at the next regularly scheduled
14 primary or election permitted under s. 8.065 (2) or an election authorized under s.
15 8.065 (3) to be held not earlier than 45 days after the adoption of the resolution. The
16 resolution shall not be effective unless adopted by a majority of the school district
17 electors voting at the referendum.

18 *b2474/2.10* SECTION 155mh. 67.05 (6m) (b) of the statutes is amended to
19 read:

20 67.05 (6m) (b) If a referendum is to be held on an initial resolution, the district
21 board shall direct the technical college district secretary to call a ~~special election~~
22 referendum in accordance with s. 8.065 for the purpose of submitting the initial
23 resolution to the electors for ~~a referendum on approval or rejection. In lieu of a~~
24 ~~special election, the district board may specify that the election be held at the next~~
25 ~~succeeding spring primary or election or September primary or general election.~~

1 ***b2474/2.10* SECTION 155mj.** 67.10 (5) (b) of the statutes is amended to read:

2 67.10 (5) (b) Any city having ~~voted~~ approved the issuance of bonds at a special
3 referendum ~~election~~ held in accordance with s. 8.065 and having sold a portion
4 thereof may negotiate, sell or otherwise dispose of the same in the manner provided
5 by statute within 9 years of the date of the election voting the same.

6 ***b2474/2.10* SECTION 155mL.** 67.12 (12) (e) 5. of the statutes, as affected by
7 2001 Wisconsin Act 16, is amended to read:

8 67.12 (12) (e) 5. Within 10 days of the adoption by a technical college district
9 board of a resolution under subd. 1. to issue a promissory note for a purpose under
10 s. 38.16 (2), the secretary of the district board shall publish a notice of such adoption
11 as a class 1 notice, under ch. 985. The notice need not set forth the full contents of
12 the resolution, but shall state the amount proposed to be borrowed, the method of
13 borrowing, the purpose thereof, that the resolution was adopted under this
14 subsection and the place where and the hours during which the resolution is
15 available for public inspection. If the amount proposed to be borrowed is for building
16 remodeling or improvement and does not exceed \$1,000,000 or is for movable
17 equipment, the district board need not submit the resolution to the electors for
18 approval unless, within 30 days after the publication or posting, a petition
19 conforming to the requirements of s. 8.40 is filed with the secretary of the district
20 board requesting a referendum ~~at a special election~~ to be called for that purpose.
21 Such petition shall be signed by electors from each county lying wholly or partially
22 within the district. The number of electors from each county shall equal at least 1.5%
23 of the population of the county as determined under s. 16.96 (2) (c). If a county lies
24 in more than one district, the technical college system board shall apportion the
25 county's population as determined under s. 16.96 (2) (c) to the districts involved and

1 the petition shall be signed by electors equal to the appropriate percentage of the
2 apportioned population. ~~In lieu of a special election, the district board may specify~~
3 ~~that the referendum shall be held at the next succeeding spring primary or election~~
4 ~~or September primary or general election.~~ Any resolution to borrow amounts of
5 money in excess of \$1,000,000 for building remodeling or improvement shall be
6 submitted to the electors of the district for approval. Any referendum under this
7 subdivision shall be called at the next election authorized under s. 8.065 (2) or an
8 election authorized under s. 8.065 (3) occurring not sooner than 45 days after filing
9 of a petition or adoption of a resolution requiring the referendum. If a referendum
10 is held or required under this subdivision, no promissory note may be issued until
11 the issuance is approved by a majority of the district electors voting at such
12 referendum. The referendum shall be noticed, called and conducted under s. 67.05
13 (6a) insofar as applicable, except that the notice of ~~special election~~ referendum and
14 ballot need not embody a copy of the resolution and the question which shall appear
15 on the ballot shall be “Shall (name of district) be authorized to borrow the sum of
16 \$.... for (state purpose) by issuing its general obligation promissory note (or notes)
17 under section 67.12 (12) of the Wisconsin Statutes?”.”.

18 *b2496/2.2* **128.** Page 53, line 16: after that line insert:

19 *b2496/2.2* “SECTION 155s. 67.045 (1) (b) of the statutes is amended to read:

20 67.045 (1) (b) The governing body of the county adopts a resolution that sets
21 forth its reasonable expectations that issuance of the debt will not cause the county
22 to increase the debt levy rate, as defined in s. 59.605 (1) (b), 1999 stats.

23 *b2496/2.2* SECTION 155t. 67.045 (2) (a) of the statutes is amended to read:

1 67.045 (2) (a) The department of revenue shall promulgate rules that set forth
2 the standards to be used by the governing body of a county in adopting a resolution
3 under sub. (1) (b). The rules shall permit the reasonable exercise of local
4 self-determination and debt management and prohibit the consideration of
5 unreasonable assumptions that may cause an increase in the debt levy rate, as
6 defined in s. 59.605 (1) (b), 1999 stats.”.

7 ***b2472/1.2* 129.** Page 53, line 20: after that line insert:

8 ***b2472/1.2*** “SECTION 156p. 70.337 of the statutes is repealed.”.

9 ***b2473/1.1* 130.** Page 53, line 20: after that line insert:

10 ***b2473/1.1*** “SECTION 156p. 70.11 (intro.) of the statutes is amended to read:

11 **70.11 Property exempted from taxation.** (intro.) The property described
12 in this section is exempted from general property taxes if the property is exempt
13 under sub. (1), (2), (18), (21), (27), or (30); if it was exempt for the previous year and
14 its use, occupancy, or ownership did not change in a way that makes it taxable; if the
15 property was taxable for the previous year, the use, occupancy, or ownership of the
16 property changed in a way that makes it exempt and its owner, on or before March 1,
17 files with the assessor of the taxation district where the property is located a form
18 that the department of revenue prescribes, except that, if the property owner is an
19 entity organized under section 501 (3) (c) of the Internal Revenue Code, the owner
20 may file the prescribed form on or before December 31; or if the property did not exist
21 in the previous year and its owner, on or before March 1, files with the assessor of the
22 taxation district where the property is located a form that the department of revenue
23 prescribes. Leasing a part of the property described in this section does not render
24 it taxable if the lessor uses all of the leasehold income for maintenance of the leased

1 property, construction debt retirement of the leased property, or both and if the lessee
2 would be exempt from taxation under this chapter if it owned the property. Any
3 lessor who claims that leased property is exempt from taxation under this chapter
4 shall, upon request by the ~~tax~~ assessor of the taxation district where the property is
5 located, provide records relating to the lessor's use of the income from the leased
6 property. Property exempted from general property taxes is:".

7 *b2382/1.1* **131.** Page 53, line 25: after that line insert:

8 *b2382/1.1* "SECTION 157m. 70.995 (8) (a) of the statutes is amended to read:

9 70.995 (8) (a) The secretary of revenue shall establish a state board of
10 assessors, which shall be comprised of the members of the department of revenue
11 whom the secretary designates. The state board of assessors shall investigate any
12 objection filed under par. (c) or (d) if the fee under that paragraph is paid. The state
13 board of assessors, after having made the investigation, shall notify the person
14 assessed or the person's agent and the appropriate municipality of its determination
15 by 1st class mail or electronic mail. Beginning with objections filed in 1989, the state
16 board of assessors shall make its determination on or before April 1 of the year after
17 the filing. If the determination results in a refund of property taxes paid, the state
18 board of assessors shall include in the determination a finding of whether the refund
19 is due to false or incomplete information supplied by the person assessed. The person
20 assessed or the municipality having been notified of the determination of the state
21 board of assessors shall be deemed to have accepted the determination unless the
22 person or municipality files a petition for review with the clerk of the tax appeals
23 commission as provided in s. 73.01 (5) and the rules of practice promulgated by the
24 commission. If an assessment is reduced by the state board of assessors, the

1 municipality affected may file an appeal seeking review of the reduction, or may,
2 within 30 days after the person assessed files a petition for review, file a
3 cross–appeal, before the tax appeals commission even though the municipality did
4 not file an objection to the assessment with the board. If the board does not overrule
5 a change from assessment under this section to assessment under s. 70.32 (1), the
6 affected municipality may file an appeal before the tax appeals commission. If an
7 assessment is increased by the board, the person assessed may file an appeal seeking
8 review of the increase, or may, within 30 days after the municipality files a petition
9 for review, file a cross–appeal, before the commission even though the person did not
10 file an objection to the assessment with the board.

11 *b2382/1.1* SECTION 157n. 70.995 (8) (b) 1. of the statutes, as affected by 2001
12 Wisconsin Act 16, is amended to read:

13 70.995 (8) (b) 1. The department of revenue shall annually notify each
14 manufacturer assessed under this section and the municipality in which the
15 manufacturing property is located of the full value of all real and personal property
16 owned by the manufacturer. The notice shall be in writing and shall be sent by 1st
17 class mail or electronic mail. In addition, the notice shall specify that objections to
18 valuation, amount, or taxability must be filed with the state board of assessors
19 within 60 days of issuance of the notice of assessment, that objections to a change
20 from assessment under this section to assessment under s. 70.32 (1) must be filed
21 within 60 days after receipt of the notice, that the fee under par. (c) 1. or (d) must be
22 paid and that the objection is not filed until the fee is paid. A statement shall be
23 attached to the assessment roll indicating that the notices required by this section
24 have been mailed and failure to receive the notice does not affect the validity of the
25 assessments, the resulting tax on real or personal property, the procedures of the tax

1 appeals commission or of the state board of assessors, or the enforcement of
2 delinquent taxes by statutory means.”.

3 *b2413/2.6* **132.** Page 62, line 25: after “by” insert “P.L. 106–554 and any
4 subsequent federal law related to Archer medical savings accounts under 26 USC
5 220,”.

6 *b2413/2.7* **133.** Page 63, line 2: after “by” insert “P.L. 106–554 and any
7 subsequent federal law related to Archer medical savings accounts under 26 USC
8 220,”.

9 *b2413/2.8* **134.** Page 63, line 8: after “2001,” insert “and as amended by any
10 subsequent federal law related to Archer medical savings accounts under 26 USC
11 220,”.

12 *b2413/2.9* **135.** Page 63, line 19: after “106–554,” insert “and any
13 subsequent federal law related to Archer medical savings accounts under 26 USC
14 220,”.

15 *b2413/2.10* **136.** Page 63, line 23: after “2001,” insert “except amendments
16 related to Archer medical savings accounts under 26 USC 220,”.

17 *b2450/1.1* **137.** Page 66, line 15: after that line insert:

18 *b2450/1.1* **SECTION 170L.** 71.05 (6) (b) 32. (intro.) of the statutes, as created
19 by 1999 Wisconsin Act 44, is amended to read:

20 71.05 (6) (b) 32. (intro.) An amount paid into a college savings account, as
21 described in s. 14.64, if the beneficiary of the account either is the claimant or; is the
22 claimant’s child and the claimant’s dependent who is claimed under section 151 (c)
23 of the Internal Revenue Code; or is the claimant’s grandchild; calculated as follows:

1 ***b2450/1.1* SECTION 170Lb.** 71.05 (6) (b) 32. a. of the statutes, as created by
2 1999 Wisconsin Act 44, is amended to read:

3 71.05 (6) (b) 32. a. An amount equal to not more than \$3,000 per beneficiary
4 by each contributor to an account for each year to which the claim relates, except that
5 the total amount for which a deduction may be claimed under this subdivision and
6 under subd. 33., per beneficiary by any claimant may not exceed \$3,000 each year.
7 In the case of a married couple filing a joint return, the total deduction under this
8 subdivision and under subdivision 33., per beneficiary by the married couple may not
9 exceed \$3,000 each year.

10 ***b2450/1.1* SECTION 170Ld.** 71.05 (6) (b) 33. (intro.) of the statutes, as created
11 by 1999 Wisconsin Act 44, is amended to read:

12 71.05 (6) (b) 33. (intro.) An amount paid into a college tuition and expenses
13 program, as described in s. 14.63, if the beneficiary of the account either is the
14 claimant or; is the claimant's child and the claimant's dependent who is claimed
15 under section 151 (c) of the Internal Revenue Code; or is the claimant's grandchild;
16 calculated as follows:

17 ***b2450/1.1* SECTION 170Le.** 71.05 (6) (b) 33. a. of the statutes, as created by
18 1999 Wisconsin Act 44, is amended to read:

19 71.05 (6) (b) 33. a. An amount equal to not more than \$3,000 per beneficiary
20 by each contributor to an account for each year to which the claim relates, except that
21 the total amount for which a deduction may be claimed under this subdivision and
22 under subd. 32., per beneficiary by any claimant may not exceed \$3,000 each year.
23 In the case of a married couple filing a joint return, the total deduction under this
24 subdivision and under subdivision 32., per beneficiary by the married couple may not
25 exceed \$3,000 each year."

1 ***b2413/2.11* 138.** Page 76, line 1: on lines 1 and 3, after “by” insert “P.L.
2 106–554 and any subsequent federal law related to Archer medical savings accounts
3 under 26 USC 220,”.

4 ***b2413/2.12* 139.** Page 76, line 9: after “2001,” insert “and as amended by
5 any subsequent federal law related to Archer medical savings accounts under 26
6 USC 220,”.

7 ***b2413/2.13* 140.** Page 76, line 22: after “106–554,” insert “and any
8 subsequent federal law related to Archer medical savings accounts under 26 USC
9 220,”.

10 ***b2413/2.14* 141.** Page 77, line 1: after “2001,” insert “except amendments
11 related to Archer medical savings accounts under 26 USC 220,”.

12 ***b2413/2.15* 142.** Page 85, line 25: after “by” insert “P.L. 106–554 and any
13 subsequent federal law related to Archer medical savings accounts under 26 USC
14 220,”.

15 ***b2413/2.16* 143.** Page 86, line 2: after “by” insert “P.L. 106–554 and any
16 subsequent federal law related to Archer medical savings accounts under 26 USC
17 220,”.

18 ***b2413/2.17* 144.** Page 86, line 8: after “2001,” insert “and as amended by
19 any subsequent federal law related to Archer medical savings accounts under 26
20 USC 220,”.

21 ***b2413/2.18* 145.** Page 86, line 19: after “106–554,” insert “and any
22 subsequent federal law related to Archer medical savings accounts under 26 USC
23 220,”.

1 ***b2413/2.19* 146.** Page 86, line 22: after “2001,” insert “except amendments
2 related to Archer medical savings accounts under 26 USC 220,”.

3 ***b2413/2.20* 147.** Page 110, line 12: on lines 12 and 14, after “by” insert “P.L.
4 106–554 and any subsequent federal law related to Archer medical savings accounts
5 under 26 USC 220,”.

6 ***b2413/2.21* 148.** Page 110, line 22: after “2001,” insert “and as amended by
7 any subsequent federal law related to Archer medical savings accounts under 26
8 USC 220,”.

9 ***b2413/2.22* 149.** Page 111, line 8: after “106–554,” insert “and any
10 subsequent federal law related to Archer medical savings accounts under 26 USC
11 220,”.

12 ***b2413/2.23* 150.** Page 111, line 14: after “2001,” insert “and as amended by
13 any subsequent federal law related to Archer medical savings accounts under 26
14 USC 220,”.

15 ***b2413/2.24* 151.** Page 111, line 25: after “106–554,” insert “and any
16 subsequent federal law related to Archer medical savings accounts under 26 USC
17 220,”.

18 ***b2413/2.25* 152.** Page 112, line 9: after “2001,” insert “and as amended by
19 any subsequent federal law related to Archer medical savings accounts under 26
20 USC 220,”.

21 ***b2413/2.26* 153.** Page 112, line 20: after “106–554,” insert “and any
22 subsequent federal law related to Archer medical savings accounts under 26 USC
23 220,”.

1 ***b2413/2.27* 154.** Page 112, line 23: after “2001,” insert “except
2 amendments related to Archer medical savings accounts under 26 USC 220,”.

3 ***b2413/2.28* 155.** Page 123, line 11: on lines 11 and 13, after “by” insert “P.L.
4 106–554 and any subsequent federal law related to Archer medical savings accounts
5 under 26 USC 220,”.

6 ***b2413/2.29* 156.** Page 123, line 19: after “2001,” insert “and as amended by
7 any subsequent federal law related to Archer medical savings accounts under 26
8 USC 220,”.

9 ***b2413/2.30* 157.** Page 124, line 7: after “106–554,” insert “and any
10 subsequent federal law related to Archer medical savings accounts under 26 USC
11 220,”.

12 ***b2413/2.31* 158.** Page 124, line 12: after “2001,” insert “except
13 amendments related to Archer medical savings accounts under 26 USC 220,”.

14 ***b2413/2.32* 159.** Page 134, line 10: on lines 10 and 12, after “by” insert “P.L.
15 106–554 and any subsequent federal law related to Archer medical savings accounts
16 under 26 USC 220,”.

17 ***b2413/2.33* 160.** Page 134, line 18: after “2001,” insert “and as amended by
18 any subsequent federal law related to Archer medical savings accounts under 26
19 USC 220,”.

20 ***b2413/2.34* 161.** Page 135, line 3: after “106–554,” insert “and any
21 subsequent federal law related to Archer medical savings accounts under 26 USC
22 220,”.

1 ***b2413/2.35* 162.** Page 135, line 8: after “2001,” insert “except amendments
2 related to Archer medical savings accounts under 26 USC 220,”.

3 ***b2451/1.1* 163.** Page 138, line 9: after that line insert:

4 ***b2451/1.1* “SECTION 231j.** 71.52 (6) of the statutes is amended to read:

5 71.52 (6) “Income” means the sum of Wisconsin adjusted gross income and the
6 following amounts, to the extent not included in Wisconsin adjusted gross income:
7 maintenance payments (except foster care maintenance and supplementary
8 payments excludable under section 131 of the internal revenue code), support money,
9 cash public assistance (not including credit granted under this subchapter and
10 amounts under s. 46.27), cash benefits paid by counties under s. 59.53 (21), the gross
11 amount of any pension or annuity (including railroad retirement benefits, all
12 payments received under the federal social security act, and veterans disability
13 pensions), nontaxable interest received from the federal government or any of its
14 instrumentalities, nontaxable interest received on state or municipal bonds,
15 worker’s compensation, unemployment insurance, the gross amount of “loss of time”
16 insurance, compensation and other cash benefits received from the United States for
17 past or present service in the armed forces, scholarship and fellowship gifts or
18 income, capital gains, gain on the sale of a personal residence excluded under section
19 121 of the ~~internal revenue code~~ Internal Revenue Code, dividends, income of a
20 nonresident or part-year resident who is married to a full-year resident, housing
21 allowances provided to members of the clergy, the amount by which a resident
22 manager’s rent is reduced, nontaxable income of an American Indian, nontaxable
23 income from sources outside this state, and nontaxable deferred compensation.
24 Intangible drilling costs, depletion allowances and depreciation, including first-year

1 depreciation allowances under section 179 of the ~~internal revenue code~~ Internal
2 Revenue Code, amortization, contributions to individual retirement accounts under
3 section 219 of the ~~internal revenue code~~ Internal Revenue Code, contributions to
4 Keogh plans, net operating loss carry-forwards and capital loss carry-forwards
5 deducted in determining Wisconsin adjusted gross income shall be added to
6 “income”. “Income” does not include gifts from natural persons, cash reimbursement
7 payments made under title XX of the federal social security act, surplus food or other
8 relief in kind supplied by a governmental agency, the gain on the sale of a personal
9 residence deferred under section 1034 of the ~~internal revenue code~~ Internal Revenue
10 Code, or nonrecognized gain from involuntary conversions under section 1033 of the
11 ~~internal revenue code~~ Internal Revenue Code. Amounts not included in adjusted
12 gross income but added to “income” under this subsection in a previous year and
13 repaid may be subtracted from income for the year during which they are repaid.
14 Scholarship and fellowship gifts or income that are included in Wisconsin adjusted
15 gross income and that were added to household income for purposes of determining
16 the credit under this subchapter in a previous year may be subtracted from income
17 for the current year in determining the credit under this subchapter. Interest income
18 received from the installment sale of business, farm, or rental real property which
19 includes a claimant’s former homestead, up to the amount of interest that is paid by
20 the claimant on a mortgage to purchase another homestead, may be subtracted from
21 income in determining the credit under this subchapter, except that notwithstanding
22 s. 71.58 (7) (a) this provision does not apply to the definition of “income” under s.
23 71.58 (7). A marital property agreement or unilateral statement under ch. 766 has
24 no effect in computing “income” for a person whose homestead is not the same as the
25 homestead of that person’s spouse.”.