

1           21.80 (3) (a) 4. ~~The person's~~ In the case of active service in the national guard  
2 or the state defense force, the active service has not been terminated under other  
3 than honorable conditions.

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

6           21.80 (3) (c) 1. Any period of active service, as defined in sub. (1) (a) 1., beyond  
7 that 5–year period that is required to complete an initial period of obligated active  
8 service.

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

11           21.80 (3) (c) 2. Any period of active service, as defined in sub. (1) (a) 1., for which  
12 the person, through no fault of the person's own, was unable to obtain orders  
13 releasing the person from a period of active service before the expiration of the 5–year  
14 period.

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

17           21.80 (3) (c) 3. Any period of active service, as defined in sub. (1) (a) 1., that was  
18 performed to fulfill any additional training requirements determined and certified  
19 in writing by the federal secretary of the army, the federal secretary of the air force,  
20 or the adjutant general to be necessary for professional development or for  
21 completion of skill training or retraining.

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

24           21.80 (3) (f) 1. A person who submits an application for reemployment under  
25 par. (e) 2. or 3. must, on the request of the person's employer, provide to the employer

1 documentation to establish that the application was submitted within the time  
2 limits specified in par. (e) 2. or 3., that the person's cumulative length of all absences  
3 from employment with the employer because of active service or service in the  
4 uniformed services does not, except as permitted under par. (c), exceed 5 years, and,  
5 in the case of active service in the national guard or the state defense force, that the  
6 person's service was not terminated under other than honorable conditions.”

7 \*b2531/1.2\* **94.** Page 25, line 15: after that line insert:

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

9 23.09 (3) (b) If the department and the board of regents of the University of  
10 Wisconsin System enter into an agreement to create a faculty position at the  
11 University of Wisconsin–Madison for a forest landscape ecologist, the department  
12 and the University of Wisconsin–Madison shall develop an annual work plan for the  
13 ecologist. In developing the annual work plan, the department shall consult with the  
14 ~~governor's council on forestry created by executive order under s. 14.019.~~”

15 \*b2900/2.16\* **95.** Page 25, line 15: after that line insert:

16 \*b2900/2.16\* “SECTION 72fb. Chapter 22 (title) of the statutes, as created by  
17 2001 Wisconsin Act 16, is repealed.

18 \*b2900/2.16\* SECTION 72fbm. 22.01 (intro.) of the statutes is repealed.

19 \*b2900/2.16\* SECTION 72fc. 22.01 (1), (2), (2m), (3) and (4) of the statutes, as  
20 affected by 2001 Wisconsin Act 16, are renumbered 16.97 (1m), (2), (2m), (3) and (4).

21 \*b2900/2.16\* SECTION 72fd. 22.01 (5) of the statutes, as created by 2001  
22 Wisconsin Act 16, is repealed.

23 \*b2900/2.16\* SECTION 72fe. 22.01 (5m) to (10) of the statutes, as affected by  
24 2001 Wisconsin Act 16, are renumbered 16.97 (5m) to (10).

1           **\*b2900/2.16\* SECTION 72ff.** 22.03 (title) of the statutes, as affected by 2001  
2 Wisconsin Act 16, is renumbered 16.971 (title) and amended to read:

3           **16.971 (title) Responsibilities of department division.**

4           **\*b2900/2.16\* SECTION 72fg.** 22.03 (2) (intro.), (a) and (ae) of the statutes, as  
5 affected by 2001 Wisconsin Act 16, are renumbered 16.971 (2) (intro.), (a) and (ae)  
6 and amended to read:

7           16.971 (2) (intro.) The ~~department~~ division shall:

8           (a) Ensure that an adequate level of information technology services is made  
9 available to all agencies by providing systems analysis and application programming  
10 services to augment agency resources, as requested. The ~~department~~ division shall  
11 also ensure that executive branch agencies, other than the board of regents of the  
12 University of Wisconsin System, make effective and efficient use of the information  
13 technology resources of the state. The ~~department~~ division shall, in cooperation with  
14 agencies, establish policies, procedures and planning processes, for the  
15 administration of information technology services, which executive branch agencies  
16 shall follow. The policies, procedures and processes shall address the needs of  
17 agencies, other than the board of regents of the University of Wisconsin System, to  
18 carry out their functions. The ~~department~~ division shall monitor adherence to these  
19 policies, procedures and processes.

20           (ae) Except as provided in sub. (2m), review and approve, modify or reject all  
21 forms approved by a records and forms officer for jurisdiction, authority,  
22 standardization of design and nonduplication of existing forms. Unless the  
23 ~~department~~ division rejects for cause or modifies the form within 20 working days  
24 after receipt, it is considered approved. The ~~department's~~ division's rejection of any  
25 form is appealable to the public records board. If the head of an agency certifies to

1 the ~~department~~ division that the form is needed on a temporary basis, approval by  
2 the ~~department~~ division is not required.

3 \*b2900/2.16\* SECTION 72fh. 22.03 (2) (am) to (k) of the statutes, as affected by  
4 2001 Wisconsin Act 16, are renumbered 16.971 (2) (am) to (k).

5 \*b2900/2.16\* SECTION 72fi. 22.03 (2) (L) to (m) of the statutes, as affected by  
6 2001 Wisconsin Act 16, are renumbered 16.971 (2) (L) to (m) and amended to read:

7 16.971 (2) (L) Require each executive branch agency, other than the board of  
8 regents of the University of Wisconsin System, to adopt and submit to the  
9 ~~department~~ division, in a form specified by the ~~department~~ division, no later than  
10 March 1 of each year, a strategic plan for the utilization of information technology  
11 to carry out the functions of the agency in the succeeding fiscal year for review and  
12 approval under s. ~~22.13~~ 16.976.

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

22 (m) Assist in coordination and integration of the plans of executive branch  
23 agencies relating to information technology approved under par. (L) and, using these  
24 plans and the statewide long-range telecommunications plan under s. ~~22.41~~ 16.979  
25 (2) (a), formulate and revise biennially a consistent statewide strategic plan for the

1 use and application of information technology. The ~~department~~ division shall, no  
2 later than September 15 of each even-numbered year, submit the statewide strategic  
3 plan to the cochairpersons of the joint committee on information policy and  
4 technology and the governor.

5 \*b2900/2.16\* SECTION 72fj. 22.03 (2) (n) of the statutes, as affected by 2001  
6 Wisconsin Act 16, is renumbered 16.971 (2) (n).

7 \*b2900/2.16\* SECTION 72fk. 22.03 (2m) (intro.) of the statutes, as affected by  
8 2001 Wisconsin Act 16, is renumbered 16.971 (2m) (intro.) and amended to read:

9 16.971 (2m) (intro.) The following forms are not subject to review or approval  
10 by the ~~department~~ division:

11 \*b2900/2.16\* SECTION 72fl. 22.03 (2m) (a) to (h) of the statutes, as affected by  
12 2001 Wisconsin Act 16, are renumbered 16.971 (2m) (a) to (h).

13 \*b2900/2.16\* SECTION 72fm. 22.03 (3) and (4) (a) of the statutes, as affected  
14 by 2001 Wisconsin Act 16, are renumbered 16.971 (3) and (4) (a) and amended to  
15 read:

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

1 days after the date of the ~~officer's~~ administrator's notification, the cochairpersons of  
2 the committee notify the ~~officer~~ administrator that the committee has scheduled a  
3 meeting for the purpose of reviewing the proposed acquisition, the ~~department~~  
4 division shall not approve acquisition of the resource unless the acquisition is  
5 approved by the committee.

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

12 (4) (a) The ~~department~~ division may license or authorize executive branch  
13 agencies to license computer programs developed by executive branch agencies to the  
14 federal government, other states and municipalities. Any agency other than an  
15 executive branch agency may license a computer program developed by that agency  
16 to the federal government, other states and municipalities.

17 \*b2900/2.16\* SECTION 72fn. 22.03 (4) (b) and (c) and (6) of the statutes, as  
18 affected by 2001 Wisconsin Act 16, are renumbered 16.971 (4) (b) and (c) and (6).

19 \*b2900/2.16\* SECTION 72fo. 22.03 (9) and (11) of the statutes, as affected by  
20 2001 Wisconsin Act 16, are renumbered 16.971 (9) and (11) and amended to read:

21 16.971 (9) In conjunction with the public defender board, the director of state  
22 courts, the departments of corrections and justice and district attorneys, the  
23 ~~department of electronic government~~ division may maintain, promote and  
24 coordinate automated justice information systems that are compatible among  
25 counties and the officers and agencies specified in this subsection, using the moneys

1 appropriated under s. ~~20.530~~ 20.505 (1) (ja), (kp) and (kq). The ~~department of~~  
2 ~~electronic government~~ division shall annually report to the legislature under s.  
3 13.172 (2) concerning the ~~department's~~ division's efforts to improve and increase the  
4 efficiency of integration of justice information systems.

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

8 \*b2900/2.16\* SECTION 72fp. 22.05 (title) of the statutes, as affected by 2001  
9 Wisconsin Act 16, is renumbered 16.972 (title) and amended to read:

10 **16.972 (title) Powers of the department division.**

11 \*b2900/2.16\* SECTION 72fq. 22.05 (1) of the statutes, as affected by 2001  
12 Wisconsin Act 16, is renumbered 16.972 (1).

13 \*b2900/2.16\* SECTION 72fr. 22.05 (2) (intro.) and (a) to (d) of the statutes, as  
14 affected by 2001 Wisconsin Act 16, are renumbered 16.972 (2) (intro.) and (a) to (d)  
15 and amended to read:

16 16.972 (2) (intro.) The ~~department~~ division may:

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

19 (b) Provide such computer services and telecommunications services to local  
20 governmental units and the broadcasting corporation and provide such  
21 telecommunications services to qualified private schools, postsecondary  
22 institutions, museums and zoos, as the ~~department~~ division considers to be  
23 appropriate and as the ~~department~~ division can efficiently and economically provide.

24 The ~~department~~ division may exercise this power only if in doing so it maintains the  
25 services it provides at least at the same levels that it provides prior to exercising this

1 power and it does not increase the rates chargeable to users served prior to exercise  
2 of this power as a result of exercising this power. The ~~department~~ division may  
3 charge local governmental units, the broadcasting corporation, and qualified private  
4 schools, postsecondary institutions, museums and zoos, for services provided to them  
5 under this paragraph in accordance with a methodology determined by the ~~chief~~  
6 ~~information officer~~ administrator. Use of telecommunications services by a qualified  
7 private school or postsecondary institution shall be subject to the same terms and  
8 conditions that apply to a municipality using the same services. The department  
9 shall prescribe eligibility requirements for qualified museums and zoos to receive  
10 telecommunications services under this paragraph.

11 (c) Provide such supercomputer services to agencies, local governmental units  
12 and entities in the private sector as the ~~department~~ division considers to be  
13 appropriate and as the ~~department~~ division can efficiently and economically provide.  
14 The ~~department~~ division may exercise this power only if in doing so it maintains the  
15 services it provides at least at the same levels that it provides prior to exercising this  
16 power and it does not increase the rates chargeable to users served prior to exercise  
17 of this power as a result of exercising this power. The ~~department~~ division may  
18 charge agencies, local governmental units and entities in the private sector for  
19 services provided to them under this paragraph in accordance with a methodology  
20 determined by the ~~chief information officer~~ administrator.

21 (d) Undertake such studies, contract for the performance of such studies, and  
22 appoint such councils and committees for advisory purposes as the department  
23 division considers appropriate to ensure that the ~~department's~~ division's plans,  
24 capital investments and operating priorities meet the needs of agencies local  
25 governmental units and entities in the private sector served by the ~~department~~



1 division. The ~~department~~ division may compensate members of any council or  
2 committee for their services and may reimburse such members for their actual and  
3 necessary expenses incurred in the discharge of their duties.

4 \*b2900/2.16\* SECTION 72frm. 22.05 (2) (e) of the statutes, as affected by 2001  
5 Wisconsin Act 16, is renumbered 16.972 (2) (e).

6 \*b2900/2.16\* SECTION 72fs. 22.05 (2) (f) and (g) of the statutes, as affected by  
7 2001 Wisconsin Act 16, are renumbered 16.972 (2) (f) and (g) and amended to read:

8 16.972 (2) (f) Acquire, operate, and maintain any information technology  
9 equipment or systems required by the ~~department~~ division to carry out its functions,  
10 and provide information technology development and management services related  
11 to those information technology systems. The ~~department~~ division may assess  
12 executive branch agencies, other than the board of regents of the University of  
13 Wisconsin System, for the costs of equipment or systems acquired, operated,  
14 maintained, or provided or services provided under this paragraph in accordance  
15 with a methodology determined by the ~~chief information officer~~ administrator. The  
16 ~~department~~ division may also charge any agency for such costs as a component of any  
17 services provided by the ~~department~~ division to the agency.

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

1           **\*b2900/2.16\* SECTION 72ft.** 22.05 (2) (h) and (i) of the statutes, as created by  
2 2001 Wisconsin Act 16, are renumbered 16.972 (2) (h) and (i).

3           **\*b2900/2.16\* SECTION 72fu.** 22.07 (intro.), (1) and (2) of the statutes, as  
4 affected by 2001 Wisconsin Act 16, are renumbered 16.973 (intro.), (1) and (2) and  
5 amended to read:

6           **16.973 Duties of the department division.** (intro.) The ~~department~~  
7 division shall:

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

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

15           **\*b2900/2.16\* SECTION 72fv.** 22.07 (3) of the statutes, as affected by 2001  
16 Wisconsin Act 16, is renumbered 16.973 (3).

17           **\*b2900/2.16\* SECTION 72fw.** 22.07 (4) to (8) of the statutes, as affected by 2001  
18 Wisconsin Act 16, are renumbered 16.973 (4) to (8) and amended to read:

19           16.973 (4) Ensure responsiveness to the needs of agencies for delivery of  
20 high-quality information technology processing services on an efficient and  
21 economical basis, while not unduly affecting the privacy of individuals who are the  
22 subjects of the information being processed by the ~~department~~ division.

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

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

5           (7) Prescribe and revise as necessary performance measures to ensure  
6           financial controls and accountability, optimal personnel utilization, and customer  
7           satisfaction for all information technology functions in the executive branch outside  
8           of the University of Wisconsin System and annually, no later than March 31, report  
9           to the joint committee on information policy and technology and the board  
10          concerning the performance measures utilized by the ~~department~~ division and the  
11          actual performance of the ~~department~~ division and the executive branch agencies  
12          measured against the performance measures then in effect.

13          (8) Offer the opportunity to local governmental units to voluntarily obtain  
14          computer or supercomputer services from the ~~department~~ division when those  
15          services are provided under s. ~~22.05~~ 16.972 (2) (b) or (c), and to voluntarily  
16          participate in any master contract established by the ~~department~~ division under s.  
17          ~~22.05~~ 16.972 (2) (h) or in the use of any informational system or device provided by  
18          the ~~department~~ division under ~~22.09~~ (3) 16.971 (15).

19          **\*b2900/2.16\* SECTION 72fx.** 22.07 (9) of the statutes, as created by 2001  
20          Wisconsin Act 16, is renumbered 16.973 (9).

21          **\*b2900/2.16\* SECTION 72fy.** 22.09 (intro.) and (1) to (3) of the statutes, as  
22          created by 2001 Wisconsin Act 16, are renumbered 16.974 (intro.) and (1) to (3) and  
23          amended to read:

24                 **16.974 Powers of the chief information officer administrator.** (intro.)  
25          The ~~chief information officer~~ administrator may:

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

3 (2).

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

9 (3) Develop or operate and maintain any system or device facilitating Internet  
10 or telephone access to information about programs of agencies, authorities, local  
11 governmental units, or entities in the private sector, or otherwise permitting the  
12 transaction of business by agencies, authorities, local governmental units, or entities  
13 in the private sector by means of electronic communication. The ~~chief information~~  
14 ~~officer~~ administrator may assess executive branch agencies, other than the board of  
15 regents of the University of Wisconsin System, for the costs of systems or devices that  
16 are developed, operated, or maintained under this subsection in accordance with a  
17 methodology determined by the ~~officer~~ administrator. The ~~chief information officer~~  
18 administrator may also charge any agency, authority, local governmental unit, or  
19 entity in the private sector for such costs as a component of any services provided by  
20 the ~~department~~ division to that agency, authority, local governmental unit, or entity.

21 \*b2900/2.16\* SECTION 72fz. 22.09 (5) of the statutes, as created by 2001  
22 Wisconsin Act 16, is renumbered 16.974 (5).

23 \*b2900/2.16\* SECTION 72fza. 22.11 of the statutes, as affected by 2001  
24 Wisconsin Act 16, is renumbered 16.975 and amended to read:

1           **16.975 Access to information.** The ~~department~~ division shall withhold from  
2 access under s. 19.35 (1) all information submitted to the ~~department~~ division by  
3 agencies, authorities, units of the federal government, local governmental units or  
4 entities in the private sector for the purpose of processing. The ~~department~~ division  
5 may not process such information without the consent of the agency, authority, unit  
6 or other entity which submitted the information and may not withhold such  
7 information from the agency, authority, unit or other entity or from any other person  
8 authorized by the agency, authority, unit or entity to have access to the information.  
9 The agency, authority, unit or other entity submitting the information remains the  
10 custodian of the information while it is in the custody of the ~~department~~ division and  
11 access to such information by that agency, authority, unit or entity or any other  
12 person shall be determined by that agency, authority, unit or other entity and in  
13 accordance with law.

14           **\*b2900/2.16\* SECTION 72fzb.** 22.13 (title) of the statutes, as created by 2001  
15 Wisconsin Act 16, is renumbered 16.976 (title).

16           **\*b2900/2.16\* SECTION 72fzc.** 22.13 (1) of the statutes, as created by 2001  
17 Wisconsin Act 16, is renumbered 16.976 (1) and amended to read:

18           16.976 (1) As a part of each proposed strategic plan submitted under s. ~~22-03~~  
19 16.971 (2) (L), the ~~department~~ division shall require each executive branch agency  
20 to address the business needs of the agency and to identify all proposed information  
21 technology development projects that serve those business needs, the priority for  
22 undertaking such projects, and the justification for each project, including the  
23 anticipated benefits of the project. Each proposed plan shall identify any changes  
24 in the functioning of the agency under the plan. In each even-numbered year, the

1 plan shall include identification of any information technology development project  
2 that the agency plans to include in its biennial budget request under s. 16.42 (1).

3 **\*b2900/2.16\* SECTION 72fzd.** 22.13 (2) of the statutes, as created by 2001  
4 Wisconsin Act 16, is renumbered 16.976 (2).

5 **\*b2900/2.16\* SECTION 72fze.** 22.13 (3) to (6) of the statutes, as created by 2001  
6 Wisconsin Act 16, are renumbered 16.976 (3) to (6) and amended to read:

7 16.976 (3) Following receipt of a proposed strategic plan from an executive  
8 branch agency, the ~~chief information officer~~ administrator shall, before June 1, notify  
9 the agency of any concerns that the ~~officer~~ administrator may have regarding the  
10 plan and provide the agency with his or her recommendations regarding the  
11 proposed plan. The ~~chief information officer~~ administrator may also submit any  
12 concerns or recommendations regarding any proposed plan to the board for its  
13 consideration. The board shall then consider the proposed plan and provide the ~~chief~~  
14 ~~information officer~~ administrator with its recommendations regarding the plan. The  
15 executive branch agency may submit modifications to its proposed plan in response  
16 to any recommendations.

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

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

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

4           **\*b2900/2.16\* SECTION 72fzf.** 22.15 (intro.) of the statutes, as created by 2001  
5 Wisconsin Act 16, is renumbered 16.977 (intro.) and amended to read:

6           **16.977 Information technology portfolio management.** (intro.) With the  
7 assistance of executive branch agencies and the advice of the board, the ~~department~~  
8 division shall manage the information technology portfolio of state government in  
9 accordance with a management structure that includes all of the following:

10           **\*b2900/2.16\* SECTION 72fzg.** 22.15 (1) to (3) of the statutes, as created by 2001  
11 Wisconsin Act 16, are renumbered 16.977 (1) to (3).

12           **\*b2900/2.16\* SECTION 72fzh.** 22.17 (title) of the statutes, as created by 2001  
13 Wisconsin Act 16, is renumbered 16.978 (title).

14           **\*b2900/2.16\* SECTION 72fzi.** 22.17 (1) to (4) of the statutes, as created by 2001  
15 Wisconsin Act 16, are renumbered 16.978 (1) to (4) and amended to read:

16           16.978 (1) The board shall provide the ~~chief information officer~~ administrator  
17 with its recommendations concerning any elements of the strategic plan of an  
18 executive branch agency that are referred to the board under s. ~~22.13~~ 16.976 (3).

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

22           (3) The board may, upon petition of an executive branch agency, review any  
23 decision of the ~~chief information officer~~ administrator under this chapter affecting  
24 that agency. Upon review, the board may affirm, modify, or set aside the decision. If  
25 the board modifies or sets aside the decision of the ~~chief information officer~~

1 administrator, the decision of the board stands as the decision of the chief  
2 ~~information officer~~ administrator and the decision is not subject to further review or  
3 appeal.

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

9 \*b2900/2.16\* SECTION 72fzj. 22.19 of the statutes, as affected by 2001  
10 Wisconsin Act 16, is renumbered 16.9785 and amended to read:

11 **16.9785 Purchases of computers by teachers.** The ~~department~~ division  
12 shall negotiate with private vendors to facilitate the purchase of computers and other  
13 educational technology, as defined in s. 24.60 (1r), by public and private elementary  
14 and secondary school teachers for their private use. The ~~department~~ division shall  
15 attempt to make available types of computers and other educational technology  
16 under this section that will encourage and assist teachers in becoming  
17 knowledgeable about the technology and its uses and potential uses in education.

18 \*b2900/2.16\* SECTION 72fzk. 22.41 (title) of the statutes, as affected by 2001  
19 Wisconsin Act 16, is renumbered 16.979 (title).

20 \*b2900/2.16\* SECTION 72fzL. 22.41 (2) (intro.) of the statutes, as affected by  
21 2001 Wisconsin Act 16, is renumbered 16.979 (2) (intro.) and amended to read:

22 16.979 (2) POWERS AND DUTIES. (intro.) The ~~department~~ division shall ensure  
23 maximum utility, cost-benefit and operational efficiency of all telecommunications  
24 systems and activities of this state, and those which interface with cities, counties,



1 villages, towns, other states and the federal government. The department division,  
2 with the assistance and cooperation of all other agencies, shall:

3 \*b2900/2.16\* SECTION 72fzm. 22.41 (2) (a) to (f) of the statutes, as affected by  
4 2001 Wisconsin Act 16, are renumbered 16.979 (2) (a) to (f).

5 \*b2900/2.16\* SECTION 72fzn. 22.41 (3) of the statutes, as affected by 2001  
6 Wisconsin Act 16, is renumbered 16.979 (3) and amended to read:

7 16.979 (3) PRIVATE COLLEGE AND UNIVERSITY PARTICIPATION IN STATE  
8 TELECOMMUNICATIONS NETWORK. The department division may allow regionally  
9 accredited 4-year nonprofit colleges and universities that are incorporated in this  
10 state or that have their regional headquarters and principal place of business in this  
11 state to participate in any telecommunications network administered by the  
12 department division.”.

13 \*b2920/1.1\* 96. Page 25, line 16: delete lines 16 to 18.

14 \*b2498/2.1\* 97. Page 26, line 11: after that line insert:

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

16 23.10 (1m) The department shall designate a conservation warden as the chief  
17 warden and may designate one or more deputy chief wardens. The chief warden  
18 shall have the duty to direct, supervise, and control conservation wardens in the  
19 performance of their duties under sub. (1) and s. 29.921. The chief warden shall  
20 designate an employee of the department as an internal affairs officer to investigate  
21 complaints against conservation wardens when the chief warden determines an  
22 investigation is necessary and shall designate an employee of the department as a  
23 complaint officer to resolve complaints against conservation wardens.”.

1           **\*b2920/1.2\* 98.** Page 27, line 21: delete the material beginning with that line  
2 and ending with page 28, line 2.

3           **\*b3063/1.3\* 99.** Page 28, line 2: after that line insert:

4           **\*b3063/1.3\* "SECTION 72t.** 23.22 of the statutes is created to read:

5           **23.22 Invasive species. (1) DEFINITIONS.** In this section:

6           (a) "Control" means to cut, remove, destroy, suppress, or prevent the  
7 introduction or spread of.

8           (b) "Council" means the invasive species council.

9           (c) "Invasive species" means nonindigenous species whose introduction causes  
10 or is likely to cause economic or environmental harm or harm to human health.

11           (d) "State agency" means a board, commission, committee, department, or  
12 office in the state government.

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

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

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

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

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

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

1           6. Promulgate rules to classify invasive species for purposes of the program.  
2 In promulgating these rules, the department shall consider the recommendations of  
3 the council under sub. (3) (a).

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

12           **(3) COUNCIL DUTIES.** (a) The council shall make recommendations to the  
13 department for a system for classifying invasive species under the program  
14 established under sub. (2). The recommendations shall contain criteria for each  
15 classification to be used, the allowed activities associated with each classification,  
16 criteria for determining state priorities for controlling invasive species under each  
17 classification, and criteria for determining the types of actions to be taken in  
18 response to the introduction or spread of a native species under each classification.

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

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

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

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

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

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

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

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

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

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

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

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

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

4           (b) The department shall submit the biennial report under par. (a) before July  
5           1 of each even-numbered year. The first biennial report shall be submitted no later  
6           than July 1, 2004. Each report shall cover the 24-month period ending on the March  
7           31 that immediately precedes the date of the report.

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

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

19          **\*b3063/1.3\* SECTION 72td.** 23.23 (title) of the statutes is repealed.

20          **\*b3063/1.3\* SECTION 72tj.** 23.23 (1) of the statutes is renumbered 23.235 (1)

21          (b) and amended to read:

22          23.235 (1) (b) In this section, ~~purple~~ Purple "Purple loosestrife" means any nonnative  
23          member of the genus *Lythrum*.

24          **\*b3063/1.3\* SECTION 72tm.** 23.23 (2) of the statutes is renumbered 23.235

25          (3m) and amended to read:

1           23.235 (3m) RESEARCH. The Under the program established under s. 23.22, the  
2 department shall make a reasonable effort to conduct research to determine  
3 alternative methods to contain and control purple loosestrife in the most  
4 environmentally sound manner and may conduct other research on the control of  
5 nuisance weeds. The secretaries of natural resources and of agriculture, trade and  
6 consumer protection may authorize any person to plant or cultivate nuisance weeds  
7 for the purpose of controlled experimentation.

8           **\*b3063/1.3\* SECTION 72tq.** 23.23 (3) (a) of the statutes is renumbered 23.235  
9 (2m) (a) and amended to read:

10           23.235 (2m) (a) The Under the program established under s. 23.22, the  
11 department shall make a reasonable effort to develop a statewide program plan to  
12 control purple loosestrife on both public and private lands, as provided in this  
13 subsection.

14           **\*b3063/1.3\* SECTION 72tv.** 23.23 (3) (b) of the statutes is renumbered 23.235  
15 (2m) (b) and amended to read:

16           23.235 (2m) (b) The department shall make a reasonable effort to implement  
17 control and quarantine methods on public lands as soon as practicable. The  
18 department shall make a reasonable effort to employ the least environmentally  
19 harmful methods available that are effective, based on research conducted under  
20 sub. (2) (3m).

21           **\*b3063/1.3\* SECTION 72ud.** 23.23 (3) (c) of the statutes is renumbered 23.235  
22 (2m) (c).

23           **\*b3063/1.3\* SECTION 72uj.** 23.23 (3) (d) of the statutes is renumbered 23.235  
24 (2m) (d).

1           **\*b3063/1.3\* SECTION 72um.** 23.23 (3) (e) of the statutes is renumbered 23.235  
2 (2m) (e).

3           **\*b3063/1.3\* SECTION 72uq.** 23.23 (4) (a) of the statutes is renumbered 23.235  
4 (4) (a) and amended to read:

5           23.235 (4) (a) ~~The~~ Under the program established under s. 23.22, the  
6 department shall make a reasonable effort to develop a statewide education ~~program~~  
7 effort on the effects of ~~purple loosestrife~~ nuisance weeds, as provided in this  
8 subsection.

9           **\*b3063/1.3\* SECTION 72uv.** 23.23 (4) (b) of the statutes is renumbered 23.235  
10 (4) (b) and amended to read:

11           23.235 (4) (b) The department shall make a reasonable effort to educate the  
12 authorities in charge of the maintenance of all federal, state and county trunk  
13 highways and all forest and park land in this state on methods to identify and control  
14 ~~purple loosestrife and multiflora rose~~ nuisance weeds. The department of  
15 transportation and all other authorities in charge of the maintenance of highways,  
16 forests and parks may cooperate with the department in efforts under this  
17 paragraph.

18           **\*b3063/1.3\* SECTION 72vd.** 23.23 (4) (c) of the statutes is renumbered 23.235  
19 (4) (c).

20           **\*b3063/1.3\* SECTION 72vj.** 23.235 (1) of the statutes is renumbered 23.235 (1)  
21 (intro.) and amended to read:

22           23.235 (1) DEFINITIONS. (intro.) In this section, ~~“nuisance;~~

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

1           **\*b3063/1.3\* SECTION 72vm.** 23.235 (2) of the statutes, as affected by 2001  
2 Wisconsin Act 16, is amended to read:

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

5           **\*b3063/1.3\* SECTION 72vq.** 23.235 (2m) (title) of the statutes is created to read:  
6 23.235 (2m) (title) CONTROL EFFORTS.

7           **\*b3063/1.3\* SECTION 72vv.** 23.235 (3) of the statutes is repealed.

8           **\*b3063/1.3\* SECTION 72wd.** 23.235 (4) (title) of the statutes is created to read:  
9 23.235 (4) (title) EDUCATION.

10          **\*b3063/1.3\* SECTION 72wj.** 23.235 (5) of the statutes is amended to read:

11          23.235 (5) PENALTY. Any person who knowingly violates ~~this section~~ sub. (2)  
12 shall forfeit not more than \$100. Each violation of this section is a separate offense.

13          **\*b3063/1.3\* SECTION 72wm.** 23.24 (1) (g) of the statutes, as created by 2001  
14 Wisconsin Act 16, is amended to read:

15          23.24 (1) (g) “Invasive aquatic plant” means an aquatic plant that is designated  
16 under sub. (2) (b) 1.

17          **\*b3063/1.3\* SECTION 72wq.** 23.24 (2) (title) of the statutes, as created by 2001  
18 Wisconsin Act 16, is repealed and recreated to read:

19          23.24 (2) (title) DEPARTMENT DUTIES.

20          **\*b3063/1.3\* SECTION 72wv.** 23.24 (2) (a) 1. of the statutes, as created by 2001  
21 Wisconsin Act 16, is amended to read:

22          23.24 (2) (a) 1. Protect Implement efforts to protect and develop diverse and  
23 stable communities of native aquatic plants.

24          **\*b3063/1.3\* SECTION 72xd.** 23.24 (2) (a) 3. of the statutes, as created by 2001  
25 Wisconsin Act 16, is renumbered 23.22 (2) (b) 5. and amended to read:



1           23.22 (2) (b) 5. Provide education and encourage and conduct research  
2 concerning invasive ~~aquatic plants~~ species.

3           **\*b3063/1.3\* SECTION 72xj.** 23.24 (2) (b) (intro.) and 1. of the statutes, as  
4 created by 2001 Wisconsin Act 16, are consolidated, renumbered 23.24 (2) (b) and  
5 amended to read:

6           23.24 (2) (b) Under the program implemented under par. (a), the department  
7 shall ~~do all of the following:~~ ~~1. Designate~~ designate by rule which aquatic plants are  
8 invasive aquatic plants for purposes of this section. The department shall designate  
9 Eurasian water milfoil, curly leaf pondweed, and purple loosestrife as invasive  
10 aquatic plants and may designate any other aquatic plant as an invasive aquatic  
11 plant if it has the ability to cause significant adverse change to desirable aquatic  
12 habitat, to significantly displace desirable aquatic vegetation, or to reduce the yield  
13 of products produced by aquaculture.

14           **\*b3063/1.3\* SECTION 72xm.** 23.24 (2) (b) 2. of the statutes, as created by 2001  
15 Wisconsin Act 16, is renumbered 23.24 (2) (a) 4.

16           **\*b3063/1.3\* SECTION 72xq.** 23.24 (2) (c) (intro.) of the statutes, as created by  
17 2001 Wisconsin Act 16, is amended to read:

18           23.24 (2) (c) (intro.) The requirements promulgated under par. ~~(b) 2.~~ (a) 4. may  
19 specify any of the following:

20           **\*b3063/1.3\* SECTION 72xv.** 23.24 (3) (a) (intro.) of the statutes, as created by  
21 2001 Wisconsin Act 16, is amended to read:

22           23.24 (3) (a) (intro.) Unless a person has a valid aquatic plant management  
23 permit issued ~~under the program established under sub. (2) by the department,~~ no  
24 person may do any of the following:".

1           **\*b2946/1.1\* 100.** Page 28, line 8: after that line insert:

2           **\*b2946/1.1\* "SECTION 78r.** 25.17 (71) of the statutes is created to read:

3           25.17 (71) (a) Before June 30, 2004, make an effort to commit to invest an  
4 amount not less than \$50,000,000 in venture capital investment firms. The amount  
5 that is committed to be invested under this paragraph shall be in addition to any  
6 amount that is invested in venture capital investment firms before the effective date  
7 of this paragraph .... [revisor inserts date]. In selecting the venture capital  
8 investment firms in which to make investments, the board is subject to the standard  
9 of responsibility under s. 25.15 (2) and shall consider all of the following factors:

10           1. The experience of the venture capital investment firms in making  
11 investments.

12           2. The commitment of the venture capital investment firms to making venture  
13 capital investments in health care, biotechnology, and other technological  
14 industries.

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

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

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

21           6. The relationships that the venture capital investment firms have with  
22 technology transfer organizations, such as the Wisconsin Alumni Research  
23 Foundation, Inc.

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

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

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

14           **\*b3042/2.1\* 101.** Page 28, line 8: after that line insert:

15           **\*b3042/2.1\* “SECTION 80m.** 25.60 of the statutes, as affected by 2001  
16 Wisconsin Act 16, is amended to read:

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

21           **\*b3054/1.2\* 102.** Page 28, line 8: after that line insert:

22           **\*b3054/1.2\* “SECTION 79q.** 25.17 (16) (a) 1. of the statutes, as created by 2001  
23 Wisconsin Act 16, is repealed.

1           **\*b3054/1.2\* SECTION 79r.** 25.17 (16) (a) 2. of the statutes, as created by 2001  
2 Wisconsin Act 16, is amended to read:

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

7           **\*b2531/1.3\* 103.** Page 29, line 3: after that line insert:

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

9           **26.02 Council on forestry. (1) DUTIES.** The council on forestry shall advise  
10 the governor, the legislature, the department of natural resources, the department  
11 of commerce, and other state agencies, as determined to be appropriate by the  
12 council, on all of the following topics as they affect forests located in this state:

- 13           (a) The protection of forests from fire, insects, and disease.  
14           (b) The practice of sustainable forestry, as defined in s. 28.04 (1) (e).  
15           (c) Reforestation and forestry genetics.  
16           (d) Management and protection of urban forests.  
17           (e) Increasing the public’s knowledge and awareness of forestry issues.  
18           (f) Forestry research.  
19           (g) Increasing the economic development of the forestry industry and  
20 employment in the forestry industry.  
21           (h) Marketing and use of forest products.  
22           (i) Legislation that impacts on the management of forest lands in this state.  
23           (j) Staffing and funding needs for forestry programs conducted by the state.

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

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

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

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

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

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

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

16           7. Recommendations for increasing the economic development of the forestry  
17 industry and employment in the forestry industry.

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

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

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

1 (b) The council on forestry shall submit the report under this subsection no  
2 later than June 1 of each odd-numbered year for distribution to the governor and to  
3 the appropriate standing committees of the legislature under s. 13.172 (3). The first  
4 report shall be submitted no later than June 1, 2005. Each report shall cover the  
5 24-month period ending on the December 31 immediately preceding the date of the  
6 report.”.

7 \*b2460/2.2\* **104.** Page 29, line 17: after that line insert:

8 \*b2460/2.2\* **SECTION 84j.** 29.001 (20) of the statutes is created to read:  
9 29.001 (20) “Deer” means white-tailed deer and does not include farm-raised  
10 deer.

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

12 29.001 (22) “Elk” means elk that is present in the wild and that does not have  
13 an ear tag or other mark identifying it as being raised on a farm.

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

15 29.001 (36) “Game animals” ~~includes~~ means deer, moose, elk, bear, rabbits,  
16 squirrels, fox and, raccoon, and any other wild animals specified by the department.

17 \*b2460/2.2\* **SECTION 84mb.** 29.024 (2) (a) of the statutes is amended to read:

18 29.024 (2) (a) ~~A- Except as provided in s. 29.182 (4), a~~ hunting, trapping, or  
19 fishing approval may be issued only to and obtained only by a natural person entitled  
20 to the approval.

21 \*b2460/2.2\* **SECTION 84md.** 29.024 (2) (d) of the statutes is amended to read:

22 29.024 (2) (d) Except as provided under s. 29.182 (4) or 29.519 (2) (d) or by rule,  
23 no person may transfer his or her approval or permit the use of any approval by any  
24 other person.

1           **\*b2460/2.2\* SECTION 84mf.** 29.047 (1m) of the statutes is amended to read:

2           29.047 (1m) Unless prohibited by the laws of an adjoining state, any person  
3 who has lawfully killed a deer or an elk in this state may take the deer or elk or its  
4 carcass into the adjoining state and ship the deer or elk or carcass from any point in  
5 the adjoining state to any point in this state.

6           **\*b2460/2.2\* SECTION 84mh.** 29.089 (3) of the statutes is amended to read:

7           29.089 (3) A person may hunt deer, elk, wild turkeys, or small game in a state  
8 park, or in a portion of a state park, if the department has authorized by rule the  
9 hunting of that type of game in the state park, or in the portion of the state park, and  
10 if the person holds the approvals required under this chapter for hunting that type  
11 of game.

12           **\*b2460/2.2\* SECTION 84mj.** 29.161 of the statutes is amended to read:

13           **29.161 Resident small game hunting license.** A resident small game  
14 hunting license shall be issued subject to s. 29.024 by the department to any resident  
15 applying for this license. The resident small game hunting license does not authorize  
16 the hunting of bear, deer, elk, or wild turkey.

17           **\*b2460/2.2\* SECTION 84mm.** 29.171 (2) of the statutes is amended to read:

18           29.171 (2) A resident archer hunting license authorizes the hunting of all  
19 game, except bear, elk, and wild turkey, during the open seasons for hunting that  
20 game with bow and arrow established by the department. This license authorizes  
21 hunting with a bow and arrow only, unless hunting with a crossbow is authorized by  
22 a Class A, Class B, or Class C permit issued under s. 29.193 (2) or a permit issued  
23 under sub. (4).

24           **\*b2460/2.2\* SECTION 84mp.** 29.182 of the statutes is created to read:

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

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

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

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

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

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

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

24           2. If the number of licenses to be issued is more than 100 licenses, the first 100  
25 licenses and 95% of the amount over 100 shall be allocated for issuance as resident



1 elk hunting licenses and the remaining licenses shall be allocated for issuance as  
2 nonresident elk hunting licenses.

3 (c) If the number of applicants for resident elk hunting licenses exceeds the  
4 number of resident elk hunting licenses that are available under par. (b), the  
5 department shall select at random the residents to be issued the licenses. If the  
6 number of applicants for resident elk hunting licenses is less than the number of  
7 resident elk hunting licenses available under par. (b), the department shall  
8 reallocate the unissued licenses to be issued as nonresident elk hunting licenses  
9 under par. (d).

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

16 (e) In addition to any other elk hunting license that the department issues  
17 under this subsection, the department shall issue one resident elk hunting license  
18 in an elk hunting season to an organization known as the Rocky Mountain Elk  
19 Foundation if the organization applies for the license for that season and pays the  
20 required fees for the license. The organization may apply for the license only during  
21 the first 5 elk hunting seasons for which licenses are issued under this section.

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

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

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

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

12 **(4m) LIMITATION OF ONE LICENSE.** A person may be issued, or transferred under  
13 par. (g), only one resident elk hunting license in his or her lifetime, and the resident  
14 elk hunting license shall be valid for only one elk hunting season. The issuance, or  
15 transfer under par. (g), of the license to the person is subject to s. 29.024 (2g).

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

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

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

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

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

1           **29.204 Nonresident annual small game hunting license.** A nonresident  
2 annual small game hunting license shall be issued subject to s. 29.024 by the  
3 department to any nonresident applying for this license. The nonresident annual  
4 small game hunting license authorizes the hunting of small game during the  
5 appropriate open season but does not authorize the hunting of deer, elk, bear, wild  
6 turkey, or fur-bearing animals.

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

8           **29.207 Nonresident 5-day small game hunting license.** A nonresident  
9 5-day small game hunting license shall be issued subject to s. 29.024 by the  
10 department to any nonresident applying for this license. The nonresident 5-day  
11 small game hunting license authorizes the hunting of small game for which there is  
12 an open season during the 5-day period for which it is issued but does not authorize  
13 the hunting of deer, elk, bear, wild turkey, or fur-bearing animals.

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

15           **29.213 Nonresident fur-bearing animal hunting license.** A nonresident  
16 fur-bearing animal hunting license shall be issued subject to s. 29.024 by the  
17 department to any nonresident applying for this license. The nonresident  
18 fur-bearing animal hunting license authorizes the hunting of skunk, raccoon, fox,  
19 weasel, opossum, coyote, bobcat and cougar during the appropriate open season but  
20 does not authorize the hunting of other fur-bearing animals, other small game, deer,  
21 elk, or bear.

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

23           **29.216 (2) AUTHORIZATION.** The nonresident archer hunting license authorizes  
24 the hunting of all game, except bear, elk, wild turkey, and fur-bearing animals,  
25 during the open season for the hunting of that game with a bow and arrow. This

1 license authorizes hunting with a bow and arrow only unless hunting with a  
2 crossbow is authorized by a Class A, Class B, or Class C permit issued under s.  
3 29.193 (2).

4 **\*b2460/2.2\* SECTION 84nh.** 29.314 (3) (title) of the statutes is amended to read:  
5 29.314 (3) (title) SHINING DEER, ELK, OR BEAR WHILE HUNTING OR POSSESSING  
6 WEAPONS PROHIBITED.

7 **\*b2460/2.2\* SECTION 84nj.** 29.314 (3) (a) of the statutes is amended to read:  
8 29.314 (3) (a) *Prohibition.* No person may use or possess with intent to use a  
9 light for shining deer, elk, or bear while the person is hunting deer, elk, or bear or in  
10 possession of a firearm, bow and arrow, or crossbow.

11 **\*b2460/2.2\* SECTION 84nm.** 29.347 (title) of the statutes is amended to read:  
12 **29.347 (title) Possession of deer and elk; heads and skins.**

13 **\*b2460/2.2\* SECTION 84np.** 29.347 (2) of the statutes is amended to read:  
14 29.347 (2) DEER OR ELK CARCASS TAGS. Except as provided under sub. (5) and s.  
15 29.324 (3), any person who kills a deer shall immediately attach to the ear or antler  
16 of the deer a current validated deer carcass tag which is authorized for use on the  
17 type of deer killed. Any person who kills an elk shall immediately attach to the ear  
18 or antler of the elk a current validated elk carcass tag. Except as provided under sub.  
19 (2m) or s. 29.871 (7), (8), or (14) or 29.89 (6), no person may possess, control, store,  
20 or transport a deer carcass unless it is tagged as required under this subsection.  
21 Except as provided under sub. (2m), no person may possess, control, store, or  
22 transport an elk carcass unless it is tagged as required under this subsection. A  
23 person who kills a deer or elk shall register the deer or elk in the manner required  
24 by the department. The carcass tag may not be removed before registration. The

1 removal of a carcass tag from a deer or elk before registration renders the deer or elk  
2 untagged.

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

4 29.347 (2m) (a) A ~~deer~~ carcass tag attached under sub. (2) and a registration  
5 tag attached by the department or a car kill tag attached under sub. (5) may be  
6 removed from a gutted carcass at the time of butchering, but the person who killed  
7 or obtained the deer or elk shall retain all tags until the meat is consumed.

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

9 29.347 (2m) (b) Any person who retains a tag under par. (a) may give deer or  
10 elk meat to another person. The person who receives the gift of deer or elk meat is  
11 not required to possess a tag.

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

13 29.347 (3) HEADS AND SKINS. The head and skin of any deer or elk lawfully  
14 killed, when severed from the rest of the carcass, are not subject to this chapter; but  
15 no person shall may have possession or control of the green head or green skin of a  
16 deer or elk during the period beginning 30 days after the close of the ~~open deer~~  
17 applicable season and the opening of the succeeding applicable season, ~~or.~~ Unless  
18 authorized by the department, no person may at any time have possession or control  
19 of a deer or elk head in the velvet, or a deer or elk skin in the red, blue, or spotted coat.

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

21 29.347 (4) ANTLERS REMOVED OR BROKEN. Any deer ~~taken during an open season~~  
22 ~~for hunting antlered deer only or for hunting antlerless deer only~~ from which the  
23 antlers have been removed, broken, shed, or altered so as to make determination of  
24 the legality of the deer impossible is an illegal deer if the deer is taken during an open  
25 season for hunting only antlered deer or during an open season for hunting only

1 antlerless deer. Any elk from which the antlers have been removed, broken, shed,  
2 or altered so as to make determination of the legality of the elk impossible is an illegal  
3 elk if the elk is taken during an open season for hunting only antlered elk or during  
4 an open season for hunting antlerless elk.

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

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

7 **29.361 (title) Transportation of deer or elk.**

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

9 29.361 (1) No common carrier may receive for transportation or transport or  
10 attempt to transport any deer or elk or the carcass of any deer or elk except as  
11 provided in this section.

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

13 29.361 (2) Any person may transport a lawfully taken deer or elk if it is properly  
14 tagged and registered, except as otherwise provided by rule during the open season  
15 for deer or elk and for 3 days thereafter.

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

17 29.361 (2m) Any person may transport an antlerless deer killed under the  
18 authority of his or her hunter's choice, bonus, or other deer hunting permit on any  
19 highway, as defined s. 340.01 (22), in order to register the deer in the deer  
20 management area where the ~~deer~~ deer was killed or in an adjoining management  
21 area.

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

23 29.361 (5) This section does not apply to a person who has a valid taxidermist  
24 permit and who is transporting, attempting to transport, or receiving the carcass of  
25 a deer or elk in connection with his or her business.

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

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

3           29.539 (1) (a) 1. Deer, elk, bear, squirrel, game bird, game fish, or the carcass  
4 of any of these wild animals at any time.

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

6           29.541 (1) (a) 1. The meat of any deer, elk, bear, squirrel, game bird, or game  
7 fish taken from inland waters at any time.

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

9           29.553 (1) (hm) Elk hunting license.

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

11          29.563 (2) (a) 5m. Elk: \$39.25.

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

13          29.563 (2) (b) 3m. Elk: \$199.25.

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

15          29.563 (12) (a) 5. Elk: \$13.

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

17          29.563 (14) (a) 3. The processing fee for applications for elk hunting licenses:  
18 \$2.75.

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

20          29.563 (14) (c) 3. Each application for a hunter's choice permit, bonus deer  
21 hunting permit, elk hunting license, wild turkey hunting license, Canada goose  
22 hunting permit, sharp-tailed grouse hunting permit, bobcat hunting and trapping  
23 permit, otter trapping permit, fisher trapping permit, or sturgeon fishing permit: 25  
24 cents.

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

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

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

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

8           **29.595 Elk hunter education program.** (1) **ESTABLISHMENT.** The  
9 department shall establish and conduct an elk hunter education program.

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

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

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

14           (c) Elk biology and disease prevention.

15           (d) Elk hunting techniques and hunter ethics.

16           (e) Elk hunting zones.

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

18           (g) Native American hunting.

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

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



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

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

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

9 **29.875 (title) Disposal of escaped deer or elk.**

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

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

12 29.875 (1g) In this section, “deer” means any species of deer.

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

14 29.875 (2) Notwithstanding sub. (4) (1r), the department may dispose of the  
15 deer immediately if the department of agriculture, trade and consumer protection  
16 determines that the deer poses a risk to public safety or to the health of other  
17 domestic or wild animals.

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

19 29.889 (1) (f) Elk, if the department has promulgated a rule that establishes  
20 a season for hunting elk.

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

22 29.921 (7) DOGS INJURING WILDLIFE. A warden may kill a dog found running,  
23 injuring, causing injury to, or killing, any deer, ~~other than farm-raised deer~~ or elk,  
24 or destroying game birds, their eggs, or nests, if immediate action is necessary to  
25 protect the deer, elk, or game birds, their nests or eggs, from injury or death.

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

2           29.927 (8) Any dog found running deer, ~~except farm-raised deer, or elk~~ at any  
3 time, or used in violation of this chapter.

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

5           29.934 (1) (e) This subsection does not apply to a deer killed, or so injured that  
6 it must be killed, by a collision with a motor vehicle on a highway. ~~For purposes of~~  
7 ~~this subsection, “deer” does not include farm-raised deer.”~~

8           **\*b2900/2.17\* 105.** Page 29, line 17: after that line insert:

9           **\*b2900/2.17\* “SECTION 84m.** 29.038 (1) (a) of the statutes, as affected by 2001  
10 Wisconsin Act 16, is amended to read:

11           29.038 (1) (a) “Local governmental unit” has the meaning given in s. ~~22.01~~  
12 16.97 (7).”.

13           **\*b3026/3.1\* 106.** Page 29, line 17: after that line insert:

14           **\*b3026/3.1\* “SECTION 84n.** 26.39 (4) of the statutes, as created by 2001  
15 Wisconsin Act 16, is renumbered 26.39 (4) (a) and amended to read:

16           26.39 (4) (a) The department shall credit to the appropriation account under  
17 s. 20.370 (1) (cu) the moneys received as surcharges under s. 28.06 (2m) during fiscal  
18 year 2001–02, up to a total amount of \$300,000. The department shall credit any  
19 balance over \$300,000 that remains from the moneys received as such surcharges  
20 during fiscal year 2001–02 to the appropriation account under s. 20.370 (1) (cv).

21           **\*b3026/3.1\* SECTION 84p.** 26.39 (4) (b) of the statutes is created to read:

22           26.39 (4) (b) For fiscal year 2002–03 and each fiscal year thereafter, the  
23 department shall credit 50% of the moneys received as surcharges under s. 28.06

1 (2m) during the applicable fiscal year to the appropriation account under s. 20.370  
2 (1) (cu) and the remaining 50% to the appropriation account under s. 20.370 (1) (cv).”.

3 **\*b3047/1.2\* 107.** Page 29, line 17: after that line insert:

4 **\*b3047/1.2\* SECTION 84nb.** 29.235 (2) of the statutes is amended to read:

5 29.235 (2) AUTHORIZATION; RESIDENT HUNTING, FISHING, AND TRAPPING PRIVILEGES.

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

12 **\*b3047/1.2\* SECTION 84nc.** 29.235 (2m) of the statutes is amended to read:

13 29.235 (2m) AUTHORIZATION; NONRESIDENT HUNTING AND FISHING PRIVILEGES. A

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

20 **\*b3047/1.2\* SECTION 84nf.** 29.237 (1) of the statutes is renumbered 29.237 (1)

21 (intro.) and amended to read:

22 29.237 (1) (intro.) In this section, ~~“validated”~~:

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

1           **\*b3047/1.2\* SECTION 84ng.** 29.237 (1) (a) of the statutes is created to read:

2           29.237 (1) (a) “Lake Winnebago and upper Fox and Wolf rivers system” means  
3           Buttes des Morts Lake, Winneconne Lake, Poygan Lake, Winnebago Lake, and all  
4           of the following:

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

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

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

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

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

14          **\*b3047/1.2\* SECTION 84ni.** 29.237 (1m) (c) of the statutes is repealed.

15          **\*b3047/1.2\* SECTION 84nk.** 29.237 (2) of the statutes is amended to read:

16          29.237 (2) The sturgeon spearing license shall be accompanied by sturgeon  
17          carcass tags in the quantity to correspond with the season bag limit for spearing ~~reek~~  
18          or lake sturgeon established by the department. The serial numbers of these tags  
19          shall be entered on the license by the person issuing the license or by the department.

20          **\*b3047/1.2\* SECTION 84nL.** 29.237 (3) of the statutes is amended to read:

21          29.237 (3) A sturgeon spearing license authorizes the spearing of ~~reek~~ or lake  
22          sturgeon subject to any limit imposed under s. 29.192 (3) and only during the open  
23          season for spearing these sturgeon established by the department. No person may  
24          fish for sturgeon by means of a spear ~~unless the person is issued a conservation~~  
25          ~~patron license~~ or unless the person is issued a sturgeon spearing license. The

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

3 **\*b3047/1.2\* SECTION 84nm.** 29.237 (4) of the statutes is amended to read:

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

8 **\*b3047/1.2\* SECTION 84no.** 29.237 (5) of the statutes is created to read:

9 29.237 (5) The department shall deposit receipts from the sale of sturgeon  
10 spearing licenses under this subsection into the conservation fund and shall credit  
11 these receipts to the appropriation account under s. 20.370 (4) (kw).

12 **\*b3047/1.2\* SECTION 84nr.** 29.503 (3) of the statutes is amended to read:

13 29.503 (3) ~~ROCK AND LAKE LAKE~~ LAKE STURGEON. A wholesale fish dealer license does  
14 not authorize a person to sell, buy, barter, trade, possess, control or transport ~~reek~~  
15 ~~or~~ lake sturgeon.

16 **\*b3047/1.2\* SECTION 84nv.** 29.563 (3) (a) 10. of the statutes is created to read:

17 29.563 (3) (a) 10. Sturgeon spearing: \$19.25.

18 **\*b3047/1.2\* SECTION 84nw.** 29.563 (3) (b) 7. of the statutes is created to read:

19 29.563 (3) (b) 7. Sturgeon spearing: \$49.25.

20 **\*b3047/1.2\* SECTION 84nx.** 29.563 (3) (d) (title) and 2. of the statutes are  
21 consolidated and renumbered 29.563 (3) (d).

22 **\*b3047/1.2\* SECTION 84ny.** 29.563 (3) (d) 1. of the statutes is repealed.

23 **\*b3047/1.2\* SECTION 84pd.** 29.569 (3) (b) of the statutes, as affected by 2001  
24 Wisconsin Act 77, is amended to read:

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

5           **\*b3047/1.2\* SECTION 84pf.** 29.569 (3) (bm) (intro.) of the statutes, as created  
6 by 2001 Wisconsin Act 77, is amended to read:

7           29.569 (3) (bm) *Exceptions.* (intro.) A sturgeon spearing license may be issued  
8 during a period beginning on November 1 and ending on the last day of the open  
9 season for the spearing of ~~reek or~~ lake sturgeon that follows that November 1 to any  
10 of the following:".

11           **\*b3062/1.1\* 108.** Page 29, line 17: after that line insert:

12           **\*b3062/1.1\* "SECTION 84m.** 29.053 (1) of the statutes is amended to read:

13           29.053 (1) All fishing seasons on inland waters shall open on a Saturday. All  
14 fishing seasons on inland waters and outlying waters shall close on a Sunday.

15           **\*b3062/1.1\* SECTION 84r.** 29.404 (1m) of the statutes is created to read:

16           29.404 (1m) REMOVAL DATE. If the department establishes by order or by rule  
17 a date no later than which a building, vehicle, tent, fish shanty, or similar shelter  
18 must be removed from the ice under the authority granted the department under  
19 sub. (1), that date shall always fall on a Sunday.".

20           **\*b2460/2.3\* 109.** Page 30, line 3: after that line insert:

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

22           29.971 (3m) For unlawfully hunting a moose ~~or an elk~~, by a forfeiture of not  
23 less than \$1,000 nor more than \$2,000 and the mandatory revocation of all hunting  
24 approvals issued to the person. In addition, no hunting approval may be issued to

1 the person for the time period specified by the court. The time period specified shall  
2 be not less than 3 years nor more than 5 years following the date of conviction under  
3 this subsection.

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

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

14 (b) Except as provided under par. (a), for the violation of any provision of this  
15 chapter or rules promulgated under this chapter relating to elk hunting or to the  
16 violation of an elk carcass tag or registration of an elk, by a forfeiture of not more than  
17 \$5,000.”.

18 **\*b2460/2.4\* 110.** Page 30, line 17: after that line insert:

19 **\*b2460/2.4\* “SECTION 88b.** 29.977 (1) (am) of the statutes is created to read:  
20 29.977 (1) (am) Any elk, \$2,000.

21 **\*b2460/2.4\* SECTION 88e.** 29.977 (1) (b) of the statutes is amended to read:

22 29.977 (1) (b) Any moose, elk, fisher, prairie chicken, or sand hill crane,  
23 \$262.50.

24 **\*b2460/2.4\* SECTION 88g.** 29.977 (1) (m) of the statutes is amended to read:

1 29.977 (1) (m) Any game or fur-bearing animal or bird not mentioned in pars.  
2 (~~b~~) (am) to (h), \$17.50.

3 \*b2460/2.4\* SECTION 88m. 29.983 (1) (b) 1m. of the statutes is created to read:  
4 29.983 (1) (b) 1m. Any elk, \$2,000.

5 \*b2460/2.4\* SECTION 88n. 29.983 (1) (b) 2. of the statutes is amended to read:  
6 29.983 (1) (b) 2. For any moose, ~~elk~~, fisher, prairie chicken, or sand hill crane,  
7 \$262.50.

8 \*b2460/2.4\* SECTION 88p. 29.983 (1) (b) 13. of the statutes is amended to read:  
9 29.983 (1) (b) 13. For any game or fur-bearing animal or bird not mentioned  
10 in subds. ~~2- 1m.~~ to 8., \$17.50.”.

11 \*b3047/1.3\* **111.** Page 30, line 17: after that line insert:

12 \*b3047/1.3\* “SECTION 88g. 29.977 (1) (i) of the statutes is amended to read:  
13 29.977 (1) (i) Any muskellunge or ~~rock~~ or lake sturgeon, \$43.75.

14 \*b3047/1.3\* SECTION 88r. 29.983 (1) (b) 9. of the statutes is amended to read:  
15 29.983 (1) (b) 9. For any muskellunge, ~~rock~~ sturgeon or lake sturgeon, \$43.75.”.

16 \*b3063/1.4\* **112.** Page 30, line 17: after that line insert:

17 \*b3063/1.4\* “SECTION 88g. 30.1255 (title) of the statutes is amended to read:  
18 **30.1255 (title) Control Report on control of aquatic nuisance species.**

19 \*b3063/1.4\* SECTION 88q. 30.1255 (3) (a) (intro.) of the statutes is amended to  
20 read:

21 30.1255 (3) (a) (intro.) The department shall submit ~~periodically~~ to the  
22 legislature biennial reports describing all of the following:

23 \*b3063/1.4\* SECTION 88qm. 30.1255 (3) (b) of the statutes is amended to read:



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

6           **\*b3063/1.4\* SECTION 88r.** 30.1255 (3) (c) of the statutes is repealed.”.

7           **\*b2391/1.5\* 113.** Page 31, line 17: after that line insert:

8           **\*b2391/1.5\* “SECTION 93d.** 36.25 (11) (em) of the statutes is created to read:

9           36.25 (11) (em) The laboratory of hygiene board shall create and maintain a  
10 roster of scientists and other persons with technical expertise who are willing to work  
11 for the laboratory of hygiene if the governor declares that an emergency related to  
12 public health exists. If the governor declares such an emergency, the laboratory of  
13 hygiene board shall hire as limited-term employees the requisite number of persons  
14 from the roster to assist the department of health and family services under s.  
15 250.042. Salaries, benefits, and training of these employees shall be paid from the  
16 appropriation under s. 20.285 (1) (fg).”.

17           **\*b2900/2.18\* 114.** Page 31, line 17: after that line insert:

18           **\*b2900/2.18\* “SECTION 93m.** 36.25 (38) (b) 6. of the statutes, as affected by  
19 2001 Wisconsin Act 16, is amended to read:

20           36.25 (38) (b) 6. To pay the department of ~~electronic government~~  
21 administration for telecommunications services provided under s. ~~22.05~~ 16.972 (1).”.

22           **\*b3033/2.8\* 115.** Page 31, line 17: after that line insert:

23           **\*b3033/2.8\* “SECTION 93m.** 36.25 (38) (a) of the statutes is amended to read:

1           36.25 (38) (a) In this subsection, “educational technology” has the meaning  
2 given in s. 44.70 (3) 115.997 (3).”

3           **\*b3044/2.1\* 116.** Page 31, line 17: after that line insert:

4           **\*b3044/2.1\* “SECTION 93r.** 36.27 (1) (a) of the statutes is amended to read:

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

12           **\*b3044/2.1\* SECTION 93s.** 36.27 (1) (cm) of the statutes is created to read:

13           36.27 (1) (cm) The board shall charge a student who has completed more than  
14 165 credits toward a first baccalaureate degree academic fees or tuition sufficient to  
15 recover the full cost of any additional course work.”

16           **\*b3110/1.3\* 117.** Page 31, line 17: after that line insert:

17           **\*b3110/1.3\* “SECTION 93f.** 36.34 (1) (c) of the statutes is created to read:

18           36.34 (1) (c) 1. In this paragraph:

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

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

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

3           a. The board shall determine the percentage by which the undergraduate  
4 academic fees charged for the current academic year at each institution within the  
5 University of Wisconsin System has increased or decreased from the undergraduate  
6 academic fees charged for the previous academic year.

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

13           **\*b3046/3.1\* 118.** Page 32, line 2: after that line insert:

14           **\*b3046/3.1\* “SECTION 94m.** 38.04 (28m) of the statutes is created to read:  
15 38.04 (28m) ADVERTISING; FUNDING. The board may not use any general purpose  
16 revenue for advertising.”.

17           **\*b3110/1.4\* 119.** Page 32, line 15: after that line insert:

18           **\*b3110/1.4\* “SECTION 99r.** 39.435 (7) of the statutes is created to read:  
19 39.435 (7) (a) In this subsection:

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

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

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

6           1. The board shall determine the percentage by which the undergraduate  
7 academic fees charged for the current academic year at each institution within the  
8 University of Wisconsin System has increased or decreased from the undergraduate  
9 academic fees charged for the previous academic year.

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

16           **\*b2412/1.2\* 120.** Page 32, line 23: after that line insert:

17           **\*b2412/1.2\* “SECTION 100j.** 41.19 of the statutes, as affected by 2001  
18 Wisconsin Act 16, is repealed.”.

19           **\*b2950/1.2\* 121.** Page 32, line 23: after that line insert:

20           **\*b2950/1.2\* “SECTION 100hn.** 41.11 (6) of the statutes is created to read:  
21 41.11 (6) BADGER STATE GAMES GRANTS. From the appropriation under s. 20.380  
22 (1) (b), the department shall provide grants for the operation of the badger state  
23 games.”.

24           **\*b3033/2.9\* 122.** Page 32, line 23: after that line insert:



1 (a) at the end of the 2001–03 fiscal biennium. The secretary of administration may  
2 lapse the amounts under s. 20.515 (2) (g) in installments.”.

3 \*b2483/2.1\* **124.** Page 33, line 2: after that line insert:

4 \*b2483/2.1\* “SECTION 100n. 46.03 (18) (am) of the statutes is amended to read:  
5 46.03 (18) (am) Paragraph (a) does not prevent the department from charging  
6 and collecting the cost of adoptive placement investigations and child care as  
7 authorized under s. 48.837 (7). Paragraph (a) also does not prevent a county  
8 department under s. 51.42 or 51.437 from charging and collecting the cost of an  
9 examination ordered under s. 938.295 (2) (a) as authorized under s. 938.295 (2) (c).”.

10 \*b2816/1.1\* **125.** Page 33, line 2: after that line insert:

11 \*b2816/1.1\* “SECTION 100ng. 45.358 (3) (g) of the statutes is amended to read:  
12 45.358 (3) (g) A veteran who was discharged or released from active duty in the  
13 U.S. armed forces under honorable conditions and who was a resident of the state for  
14 at least 5 12 consecutive years months after completing entering or reentering  
15 service on active duty.

16 \*b2816/1.1\* SECTION 100nm. 45.43 (1) (title) of the statutes is amended to  
17 read:

18 45.43 (1) (title) ELECTION OR APPOINTMENT

19 \*b2816/1.1\* SECTION 100nq. 45.43 (1) (a) of the statutes is amended to read:  
20 45.43 (1) (a) Except as provided under par. (b), the county board shall elect a  
21 county veterans’ service officer who shall be a Wisconsin resident who served on  
22 active duty, other than active duty for training, under honorable conditions in the  
23 U.S. armed forces or in forces incorporated as part of the U.S. armed forces ~~for 2~~  
24 ~~consecutive years, except service on active duty for training purposes. An individual~~

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

7 **\*b2816/1.1\* SECTION 100ns.** 45.43 (1) (am) of the statutes is created to read:

8 45.43 (1) (am) Except as provided under par. (b), the county board may appoint  
9 assistant county veterans' service officers who shall be Wisconsin residents who  
10 served on active duty, other than active duty for training, under honorable conditions  
11 in the U.S. armed forces or in forces incorporated as part of the U.S. armed forces and  
12 who meet at least one of the conditions listed in s. 45.35 (5) (a) 1. a. to d. and at least  
13 one of the conditions listed in s. 45.35 (5) (a) 2. a. to c.

14 **\*b2816/1.1\* SECTION 100nv.** 45.43 (7m) (a) of the statutes, as created by 2001  
15 Wisconsin Act 16, is amended to read:

16 45.43 (7m) (a) Annually, from the appropriation under s. 20.485 (2) (s), the  
17 department shall award grants to counties that are not served by transportation  
18 services provided by the Wisconsin department of Disabled American Veterans to  
19 develop, maintain, and expand transportation services for ~~disabled~~ veterans. The  
20 grants may be used to support ~~multi-county~~ multicounty cooperative transportation  
21 services.”.

22 **\*b3033/2.10\* 126.** Page 33, line 2: after that line insert:

23 **\*b3033/2.10\* “SECTION 100ng.** Subchapter IV (title) of chapter 44 [precedes  
24 44.70] of the statutes is repealed.

1           **\*b3033/2.10\* SECTION 100nh.** 44.70 (intro.) of the statutes is renumbered  
2 115.997 (intro.).

3           **\*b3033/2.10\* SECTION 100nhm.** 44.70 (1) of the statutes is repealed.

4           **\*b3033/2.10\* SECTION 100nj.** 44.70 (1d) of the statutes, as created by 2001  
5 Wisconsin Act 16, is renumbered 115.997 (1d).

6           **\*b3033/2.10\* SECTION 100nk.** 44.70 (1m) of the statutes, as affected by 2001  
7 Wisconsin Act 104, is renumbered 115.997 (1m).

8           **\*b3033/2.10\* SECTION 100nL.** 44.70 (2) of the statutes is repealed.

9           **\*b3033/2.10\* SECTION 100nm.** 44.70 (2g) of the statutes, as affected by 2001  
10 Wisconsin Acts 16 and 57, is renumbered 115.997 (2g).

11           **\*b3033/2.10\* SECTION 100nn.** 44.70 (3) of the statutes is renumbered 115.997  
12 (3).

13           **\*b3033/2.10\* SECTION 100no.** 44.70 (3d) of the statutes, as created by 2001  
14 Wisconsin Act 16, is renumbered 115.997 (3d).

15           **\*b3033/2.10\* SECTION 100nom.** 44.70 (3g) of the statutes is renumbered  
16 115.997 (3g).

17           **\*b3033/2.10\* SECTION 100np.** 44.70 (3j) of the statutes is renumbered 115.997  
18 (3j).

19           **\*b3033/2.10\* SECTION 100npn.** 44.70 (3m) of the statutes is renumbered  
20 115.997 (3m).

21           **\*b3033/2.10\* SECTION 100nq.** 44.70 (3r) of the statutes, as created by 2001  
22 Wisconsin Act 16, is renumbered 115.997 (3r).

23           **\*b3033/2.10\* SECTION 100nqm.** 44.70 (4) of the statutes, as affected by 2001  
24 Wisconsin Act 16, is renumbered 115.997 (4).



1           **\*b3033/2.10\* SECTION 100nr.** 44.70 (5) and (6) of the statutes are renumbered  
2 115.997 (5) and (6).

3           **\*b3033/2.10\* SECTION 100nm.** 44.71 (title) of the statutes is repealed.

4           **\*b3033/2.10\* SECTION 100ns.** 44.71 (1) of the statutes is repealed.

5           **\*b3033/2.10\* SECTION 100nsg.** 44.71 (2) (title) of the statutes is repealed.

6           **\*b3033/2.10\* SECTION 100nsm.** 44.71 (2) (intro.) and (1m) of the statutes, as  
7 affected by 2001 Wisconsin Act 16, are renumbered 115.998 (intro.) and (1m) and  
8 amended to read:

9           **115.998 Technology for educational achievement in Wisconsin;**  
10 **departmental duties.** (intro.) The ~~board~~ department shall do all of the following:

11           (1m) In cooperation with school districts, cooperative educational service  
12 agencies, the technical college system board, and the board of regents of the  
13 University of Wisconsin System ~~and the department~~, promote the efficient,  
14 cost-effective procurement, installation, and maintenance of educational technology  
15 by school districts, cooperative educational service agencies, technical college  
16 districts, and the University of Wisconsin System.

17           **\*b3033/2.10\* SECTION 100nt.** 44.71 (2) (b) of the statutes, as affected by 2001  
18 Wisconsin Act 16, is renumbered 115.998 (2m).

19           **\*b3033/2.10\* SECTION 100ntm.** 44.71 (2) (c) of the statutes, as affected by 2001  
20 Wisconsin Act 16, is renumbered 115.998 (3m) and amended to read:

21           115.998 (3m) ~~With the consent of the department, enter~~ Enter into cooperative  
22 purchasing agreements under s. 16.73 (1) under which participating school districts  
23 and cooperative educational service agencies may contract for their professional  
24 employees to receive training concerning the effective use of educational technology.

1           **\*b3033/2.10\* SECTION 100nu.** 44.71 (2) (d) of the statutes, as affected by 2001  
2           Wisconsin Act 16, is renumbered 115.998 (4) and amended to read:

3           115.998 (4) In cooperation with the board of regents of the University of  
4           Wisconsin System, the technical college system board, ~~the department of public~~  
5           ~~instruction~~ and other entities, support the development of courses for the instruction  
6           of professional employees who are licensed by the state superintendent of ~~public~~  
7           ~~instruction~~ concerning the effective use of educational technology.

8           **\*b3033/2.10\* SECTION 100num.** 44.71 (2) (e) of the statutes, as affected by  
9           2001 Wisconsin Act 16, is renumbered 115.998 (5) and amended to read:

10           115.998 (5) ~~Subject to s. 44.73 (5), in cooperation with the department, provide~~  
11           Provide telecommunications access to educational agencies under the program  
12           established under s. 44.73 115.9995.

13           **\*b3033/2.10\* SECTION 100nv.** 44.71 (2) (f) of the statutes, as affected by 2001  
14           Wisconsin Act 16, is renumbered 115.998 (6) and amended to read:

15           115.998 (6) No later than October 1 of each even-numbered year, submit a  
16           biennial report concerning the board's department's activities under this subchapter  
17           to the governor, and to the appropriate standing committees of the legislature under  
18           s. 13.172 (3).

19           **\*b3033/2.10\* SECTION 100nvm.** 44.71 (2) (g) of the statutes, as affected by  
20           2001 Wisconsin Act 16, is renumbered 115.998 (7) and amended to read:

21           115.998 (7) Coordinate the purchasing of educational technology materials,  
22           supplies, equipment, and contractual services for school districts, cooperative  
23           educational service agencies, technical college districts, and the board of regents of  
24           the University of Wisconsin System by the department of administration under s.  
25           16.72 (8), and, ~~in cooperation with the department and subject to the approval of the~~

1 ~~department of electronic government~~, establish standards and specifications for  
2 purchases of educational technology hardware and software by school districts,  
3 cooperative educational service agencies, technical college districts, and the board  
4 of regents of the University of Wisconsin System.

5 **\*b3033/2.10\* SECTION 100nw.** 44.71 (2) (h) of the statutes, as affected by 2001  
6 Wisconsin Act 16, is renumbered 115.998 (8) and amended to read:

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

14 **\*b3033/2.10\* SECTION 100nwm.** 44.71 (2) (i) of the statutes, as created by 2001  
15 Wisconsin Act 16, is renumbered 115.998 (9).

16 **\*b3033/2.10\* SECTION 100nwt.** 44.71 (3) of the statutes, as affected by 2001  
17 Wisconsin Act 104, is repealed.

18 **\*b3033/2.10\* SECTION 100nx.** 44.72 (title) of the statutes is renumbered  
19 115.999 (title).

20 **\*b3033/2.10\* SECTION 100ny.** 44.72 (1) (intro.) of the statutes, as affected by  
21 2001 Wisconsin Act 16, is renumbered 115.999 (1) (intro.) and amended to read:

22 115.999 (1) EDUCATIONAL TECHNOLOGY TRAINING AND TECHNICAL ASSISTANCE  
23 GRANTS. (intro.) From the appropriation under s. ~~20.275 (1)~~ 20.255 (4) (et), the ~~board~~  
24 department shall award grants to cooperative educational service agencies and to  
25 consortia consisting of 2 or more school districts, charter school sponsors, secured

1 correctional facilities, or cooperative educational service agencies, or one or more  
2 school districts, charter school sponsors, secured correctional facilities, or  
3 cooperative educational service agencies and one or more public library boards, to  
4 provide technical assistance and training in the use of educational technology. An  
5 applicant for a grant shall submit to the ~~board~~ department a plan that specifies the  
6 school districts, charter school sponsors, secured correctional facilities, and public  
7 library boards that will participate in the program and describes how the funds will  
8 be allocated. The ~~board~~ department shall do all of the following:

9       **\*b3033/2.10\* SECTION 100nym.** 44.72 (1) (a) of the statutes is renumbered  
10 115.999 (1) (a) and amended to read:

11       115.999 (1) (a) Award grants to applicants on a competitive basis through one  
12 funding cycle annually, except that the ~~board~~ department shall ensure that at least  
13 one grant is awarded annually to an applicant located in the territory of each  
14 cooperative educational service agency.

15       **\*b3033/2.10\* SECTION 100nz.** 44.72 (1) (b) and (c) of the statutes are  
16 renumbered 115.999 (1) (b) and (c).

17       **\*b3033/2.10\* SECTION 100nzm.** 44.72 (2) (title) of the statutes is renumbered  
18 115.999 (2) (title).

19       **\*b3033/2.10\* SECTION 100oa.** 44.72 (2) (b) 1. of the statutes is renumbered  
20 115.999 (2) (b) 1.

21       **\*b3033/2.10\* SECTION 100ob.** 44.72 (2) (b) 2. of the statutes, as affected by  
22 2001 Wisconsin Act 104, is renumbered 115.999 (2) (b) 2. and amended to read:

23       115.999 (2) (b) 2. From the appropriations under s. ~~20.275 (1)~~ 20.255 (4) (f), (im),  
24 (jm), (js), and (mp), annually the ~~board~~ department shall pay \$5,000 to each eligible  
25 school district and \$5,000 to the department of corrections for each eligible

1 correctional facility. The department of corrections shall allocate funds received  
2 under this subsection among the eligible secured correctional facilities as it deems  
3 appropriate. ~~The board~~ department shall distribute the balance in the appropriation  
4 to eligible school districts and to charter school sponsors in proportion to the  
5 weighted membership of each school district and in proportion to the number of  
6 pupils attending each charter school on the 3rd Friday of September. The weighted  
7 membership for a school district shall be determined by dividing the statewide  
8 average equalized valuation per member by the school district's equalized valuation  
9 per member and multiplying the result by the school district's membership, as  
10 defined in s. 121.004 (5).

11 **\*b3033/2.10\* SECTION 100oc.** 44.72 (2) (c) of the statutes, as affected by 2001  
12 Wisconsin Act 16, is renumbered 115.999 (2) (c) and amended to read:

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

21 **\*b3033/2.10\* SECTION 100od.** 44.72 (2) (d) of the statutes, as affected by 2001  
22 Wisconsin Act 16, is renumbered 115.999 (2) (d).

23 **\*b3033/2.10\* SECTION 100oe.** 44.72 (2) (e) of the statutes is renumbered  
24 115.999 (2) (e) and amended to read:

1 115.999 (2) (e) The ~~board~~ department shall distribute the grants under par. (b)  
2 2. annually on the first Monday in February.

3 \*b3033/2.10\* SECTION 100of. 44.72 (3) of the statutes, as created by 2001  
4 Wisconsin Act 16, is renumbered 115.999 (3) and amended to read:

5 115.999 (3) COMPUTER TRAINING. Annually, the ~~board~~ department shall pay to  
6 the Racine Unified School District the amount appropriated under s. ~~20.275 (1)~~  
7 20.255 (4) (q) for training teachers and pupils in computers, including training in use  
8 of the Internet, Web design, computer animation, graphic design, and video skills.

9 \*b3033/2.10\* SECTION 100og. 44.72 (4) (title) of the statutes is renumbered  
10 115.999 (4) (title).

11 \*b3033/2.10\* SECTION 100oh. 44.72 (4) (a), (b) and (c) of the statutes, as  
12 affected by 2001 Wisconsin Act 16, are renumbered 115.999 (4) (a), (b) and (c) and  
13 amended to read:

14 115.999 (4) (a) *Financial assistance authorized.* The ~~board~~ department may  
15 provide financial assistance under this subsection to school districts and charter  
16 school sponsors from the proceeds of public debt contracted under s. 20.866 (2) (zc)  
17 and to public library boards from the proceeds of public debt contracted under s.  
18 20.866 (2) (zcm). Financial assistance under this subsection may be used only for the  
19 purpose of upgrading the electrical wiring of school and library buildings in existence  
20 on October 14, 1997, and installing and upgrading computer network wiring.

21 (b) *Financial assistance applications, terms and conditions.* The ~~board~~  
22 department shall establish application procedures for, and the terms and conditions  
23 of, financial assistance under this subsection, including a condition requiring a  
24 charter school sponsor to use financial assistance under this subsection for wiring  
25 upgrading and installation that benefits pupils attending the charter school. The

1 ~~board~~ department shall make a loan to a school district, charter school sponsor, or  
2 public library board in an amount equal to 50% of the total amount of financial  
3 assistance for which the ~~board~~ department determines the school district, charter  
4 school sponsor, or public library board is eligible and provide a grant to the school  
5 district, charter school sponsor, or public library board for the remainder of the total.  
6 The terms and conditions of any financial assistance under this subsection may  
7 include provision of professional building construction services under s. 16.85 (15).  
8 The ~~board~~ department shall determine the interest rate on loans under this  
9 subsection. The interest rate shall be as low as possible but shall be sufficient to fully  
10 pay all interest expenses incurred by the state in making the loans and to provide  
11 reserves that are reasonably expected to be required in the judgment of the ~~board~~  
12 department to ensure against losses arising from delinquency and default in the  
13 repayment of the loans. The term of a loan under this subsection may not exceed 10  
14 years.

15 (c) *Repayment of loans.* The ~~board~~ department shall credit all moneys received  
16 from school districts and charter school sponsors for repayment of loans under this  
17 subsection to the appropriation account under s. ~~20.275 (1)~~ 20.255 (4) (h). The ~~board~~  
18 department shall credit all moneys received from public library boards for  
19 repayment of loans under this subsection to the appropriation account under s.  
20 ~~20.275 (1)~~ 20.255 (4) (hb).

21 \*b3033/2.10\* SECTION 100oi. 44.72 (4) (d) of the statutes is renumbered  
22 115.999 (4) (d) and amended to read:

23 115.999 (4) (d) *Funding for financial assistance.* The ~~board~~ department, with  
24 the approval of the governor and subject to the limits of s. 20.866 (2) (zc) and (zcm),

1 may request that the building commission contract public debt in accordance with  
2 ch. 18 to fund financial assistance under this subsection.

3 \*b3033/2.10\* SECTION 100oj. 44.73 (title) of the statutes is renumbered  
4 115.9995 (title).

5 \*b3033/2.10\* SECTION 100ok. 44.73 (1) of the statutes, as affected by 2001  
6 Wisconsin Act 16, is renumbered 115.9995 (1) and amended to read:

7 115.9995 (1) Except as provided in s. 196.218 (4t), the ~~board, in consultation~~  
8 ~~with the department and subject to the approval of the department of electronic~~  
9 ~~government~~ department, shall promulgate rules establishing an educational  
10 telecommunications access program to provide educational agencies with access to  
11 data lines and video links.

12 \*b3033/2.10\* SECTION 100oL. 44.73 (2) (intro.) of the statutes is renumbered  
13 115.9995 (2) (intro.).

14 \*b3033/2.10\* SECTION 100om. 44.73 (2) (a) of the statutes, as affected by 2001  
15 Wisconsin Act 16, is renumbered 115.9995 (2) (a) and amended to read:

16 115.9995 (2) (a) Allow an educational agency to make a request to the ~~board~~  
17 department for access to either one data line or one video link, except that any  
18 educational agency may request access to additional data lines if the agency shows  
19 to the satisfaction of the ~~board~~ department that the additional data lines are more  
20 cost-effective than a single data line and except that a school district that operates  
21 more than one high school or a public library board that operates more than one  
22 library facility may request access to both a data line and a video link and access to  
23 more than one data line or video link.

24 \*b3033/2.10\* SECTION 100on. 44.73 (2) (b) of the statutes, as affected by 2001  
25 Wisconsin Act 16, is renumbered 115.9995 (2) (b).



1           **\*b3033/2.10\* SECTION 100op.** 44.73 (2) (c) of the statutes is renumbered  
2 115.9995 (2) (c).

3           **\*b3033/2.10\* SECTION 100oq.** 44.73 (2) (d) of the statutes is renumbered  
4 115.9995 (2) (d) and amended to read:

5           115.9995 (2) (d) Require an educational agency to pay the department of  
6 administration not more than \$250 per month for each data line or video link that  
7 is provided to the educational agency under the program established under sub. (1),  
8 except that the charge may not exceed \$100 per month for each data line or video link  
9 that relies on a transport medium that operates at a speed of 1.544 megabits per  
10 second.

11           **\*b3033/2.10\* SECTION 100or.** 44.73 (2) (e) of the statutes is renumbered  
12 115.9995 (2) (e).

13           **\*b3033/2.10\* SECTION 100os.** 44.73 (2) (f) of the statutes, as created by 2001  
14 Wisconsin Act 16, is renumbered 115.9995 (2) (f).

15           **\*b3033/2.10\* SECTION 100ot.** 44.73 (2g) of the statutes, as created by 2001  
16 Wisconsin Act 16, is renumbered 115.9995 (2g).

17           **\*b3033/2.10\* SECTION 100ou.** 44.73 (2r) of the statutes, as created by 2001  
18 Wisconsin Act 16, is renumbered 115.9995 (2r), and 115.9995 (2r) (c), as renumbered,  
19 is amended to read:

20           115.9995 (2r) (c) A public library board shall provide the ~~technology for~~  
21 ~~educational achievement in Wisconsin board~~ department with written notice within  
22 30 days after entering into or modifying a shared service agreement under par. (a).

23           **\*b3033/2.10\* SECTION 100ov.** 44.73 (3) of the statutes, as affected by 2001  
24 Wisconsin Act 16, is repealed.

1           **\*b3033/2.10\* SECTION 100ovm.** 44.73 (4) of the statutes is renumbered  
2 115.9995 (4).

3           **\*b3033/2.10\* SECTION 100ow.** 44.73 (5) of the statutes is repealed.

4           **\*b3033/2.10\* SECTION 100ox.** 44.73 (6) (a) of the statutes, as affected by 2001  
5 Wisconsin Act 16, is renumbered 115.9995 (6) (a) and amended to read:

6           115.9995 (6) (a) From the appropriation under s. ~~20.275 (1)~~ 20.255 (4) (s) or  
7 (tm), the ~~board~~ department may award an annual grant to a school district or private  
8 school that had in effect on October 14, 1997, a contract for access to a data line or  
9 video link, as documented by the ~~board~~ department. The ~~board~~ department shall  
10 determine the amount of the grant, which shall be equal to the cost incurred by the  
11 state to provide telecommunications access to a school district or private school  
12 under a contract entered into under s. ~~16.974 (1) or (3)~~ 16.971 (13) or (15) less the  
13 amount that the school district or private school would be paying under sub. (2) (d)  
14 if the school district or private school were participating in the program established  
15 under sub. (1), except that the amount may not be greater than the cost that a school  
16 district or private school incurs under the contract in effect on October 14, 1997. A  
17 school district or private school receiving a grant under this subsection is not eligible  
18 to participate in the program under sub. (1). No grant may be awarded under this  
19 subsection after December 31, 2005.

20           **\*b3033/2.10\* SECTION 100oy.** 44.73 (6) (b) of the statutes, as created by 2001  
21 Wisconsin Act 16, is renumbered 115.9995 (6) (b) and amended to read:

22           115.9995 (6) (b) Notwithstanding par. (a), the ~~board~~ department may award a  
23 school district that operates more than one high school and that had in effect on  
24 October 14, 1997, a contract for access to more than one data line or video link an

1 annual grant for each data line or video link serving each high school covered by that  
2 contract.”.

3 \*b3034/1.1\* **127.** Page 34, line 13: delete lines 13 to 21 and substitute:

4 \*b3034/1.1\* **SECTION 101b.** 48.21 (1) (a) of the statutes, as affected by 2001  
5 Wisconsin Act 61, is amended to read:

6 48.21 (1) (a) If a child who has been taken into custody is not released under  
7 s. 48.20, a hearing to determine whether the child shall continue to be held in custody  
8 under the criteria of ss. 48.205 to 48.209 shall be conducted by the judge or a circuit  
9 court commissioner within 48 hours of the time the decision to hold the child was  
10 made, excluding Saturdays, Sundays, and legal holidays. By the time of the hearing  
11 a petition under s. 48.25 shall be filed, except that no petition need be filed where a  
12 child is taken into custody under s. 48.19 (1) (b) or (d) 2. or 7. or where the child is  
13 a runaway from another state, in which case a written statement of the reasons for  
14 holding a child in custody shall be substituted if the petition is not filed. If no hearing  
15 has been held within 48 hours, excluding Saturdays, Sundays, and legal holidays,  
16 or if no petition or statement has been filed at the time of the hearing, the child shall  
17 be released except as provided in par. (b). A parent not present at the hearing shall  
18 be granted a rehearing upon request for good cause shown.

19 \*b3034/1.1\* **SECTION 101c.** 48.21 (3) (am) of the statutes is amended to read:

20 48.21 (3) (am) The parent, guardian, or legal custodian may waive his or her  
21 right to participate in the hearing under this section. ~~Agreement in writing of the~~  
22 ~~child is required if he or she is over 12.~~ After any waiver, a hearing rehearing shall  
23 be granted at the request of any the parent, guardian, legal custodian, or any other  
24 interested party for good cause shown.

1           **\*b3034/1.1\* SECTION 101d.** 48.21 (5) (b) 1. of the statutes, as affected by 2001  
2           Wisconsin Act 16, is repealed and recreated to read:

3           48.21 (5) (b) 1. A finding that continued placement of the child in his or her  
4           home would be contrary to the welfare of the child. Unless the judge or circuit court  
5           commissioner finds that any of the circumstances specified in s. 48.355 (2d) (b) 1. to  
6           5. applies, the order shall in addition include a finding as to whether the person who  
7           took the child into custody and the intake worker have made reasonable efforts to  
8           prevent the removal of the child from the home, while assuring that the child's health  
9           and safety are the paramount concerns, and a finding as to whether the person who  
10          took the child into custody and the intake worker have made reasonable efforts to  
11          make it possible for the child to return safely home or, if for good cause shown  
12          sufficient information is not available for the judge or circuit court commissioner to  
13          make a finding as to whether those reasonable efforts were made to prevent the  
14          removal of the child from the home, a finding as to whether those reasonable efforts  
15          were made to make it possible for the child to return safely home and an order for  
16          the county department, department, in a county having a population of 500,000 or  
17          more, or agency primarily responsible for providing services to the child under the  
18          custody order to file with the court sufficient information for the judge or circuit court  
19          commissioner to make a finding as to whether those reasonable efforts were made  
20          to prevent the removal of the child from the home by no later than 5 days after the  
21          date of the order.

22          **\*b3034/1.1\* SECTION 101e.** 48.21 (5) (b) 3. of the statutes is created to read:  
23          48.21 (5) (b) 3. If the judge or circuit court commissioner finds that any of the  
24          circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies with respect to a parent,  
25          a determination that the county department, department, in a county having a

1 population of 500,000 or more, or agency primarily responsible for providing services  
2 under the custody order is not required to make reasonable efforts with respect to the  
3 parent to make it possible for the child to return safely to his or her home.

4 \*b3034/1.1\* SECTION 101f. 48.21 (5) (c) of the statutes is created to read:

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

13 \*b3034/1.1\* SECTION 101g. 48.21 (5) (d) of the statutes is created to read:

14 48.21 (5) (d) 1. If the judge or circuit court commissioner finds that any of the  
15 circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies with respect to a parent,  
16 the judge or circuit court commissioner shall hold a hearing within 30 days after the  
17 date of that finding to determine the permanency plan for the child. If a hearing is  
18 held under this subdivision, the agency responsible for preparing the permanency  
19 plan shall file the permanency plan with the court not less than 5 days before the date  
20 of the hearing.

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

1           3. The court shall give a foster parent, treatment foster parent, or other  
2 physical custodian described in s. 48.62 (2) who is notified of a hearing under subd.  
3 2. an opportunity to be heard at the hearing by permitting the foster parent,  
4 treatment foster parent, or other physical custodian to make a written or oral  
5 statement during the hearing, or to submit a written statement prior to the hearing,  
6 relevant to the issues to be determined at the hearing. A foster parent, treatment  
7 foster parent, or other physical custodian who receives a notice of a hearing under  
8 subd. 2. and an opportunity to be heard under this subdivision does not become a  
9 party to the proceeding on which the hearing is held solely on the basis of receiving  
10 that notice and opportunity to be heard.

11           **\*b3034/1.1\* SECTION 101h.** 48.255 (1) (f) of the statutes is created to read:

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

20           **\*b3034/1.1\* SECTION 101i.** 48.255 (1m) (f) of the statutes is created to read:

21           48.255 (1m) (f) If the expectant mother is a child and the child expectant  
22 mother is being held in custody outside of her home, reliable and credible information  
23 showing that continued placement of the child expectant mother in her home would  
24 be contrary to the welfare of the child expectant mother and, unless any of the  
25 circumstances specified in s. 48.355 (2d) (b) 1. to 5. applies, reliable and credible