

2001-02
Wisconsin State Budget

Drafting File For:
Enrolled SB-55

Part **0**

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PART "O"

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1 (12zk) MILWAUKEE CHILD WELFARE ADMINISTRATION; RULES. The department of
2 health and family services shall submit in proposed form the rules required under
3 section 48.48 (17) (e) of the statutes, as created by this act, to the legislature under
4 section 227.19 of the statutes no later than the first day of the 9th month beginning
5 after the effective date of this subsection.

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~~6~~ (16r) PLAN FOR SERVICES FOR PERSONS WITH DEVELOPMENTAL DISABILITIES. The
7 department of health and family services shall develop a plan to administer and fund
8 services for persons with developmental disabilities. The plan, which shall include
9 any recommended statutory language changes that are needed to implement the
10 plan, shall be included in that department's budget request that is submitted to the
11 department of administration for the 2003-05 biennium. The plan shall include the
12 following components:

13 (a) Institutional and community-based services for persons with
14 developmental disabilities shall be administered within one administrative subunit
15 of the department of health and family services. The subunit that is designated to
16 administer these services shall be the subunit that is administering
17 community-based services for persons with developmental disabilities on the
18 effective date of this paragraph.

19 (b) Funding under the medical assistance program for institutional services
20 and home and community-based waiver services for persons with developmental
21 disabilities shall be combined into one appropriation, to the extent permissible under
22 federal law. The funding in this appropriation may not be tied to any specific
23 program or service setting, but shall be individually tailored to enable the person to
24 live in the least restrictive setting appropriate to his or her needs and preferences.

1 (16rq) MEDICAL ASSISTANCE WAIVERS FOR DEVELOPMENTAL DISABILITIES SERVICES.

2 The department of health and family services shall determine whether any new
3 waivers under the medical assistance program are necessary to administer funding
4 for medical assistance services as described in subsection (16r) (b). That department
5 shall apply for any waivers of federal medical assistance statutes and regulations
6 from the federal department of health and human services that the department of
7 health and family services determines are necessary to administer funding for
8 medical assistance services as described in subsection (16r) (b).

9 (16rr) WRITTEN PLANS OF CARE FOR PERSONAL CARE SERVICES; RULES. The
10 department of health and family services shall submit in proposed form the rules
11 required under section 49.45 (2) (a) 24. of the statutes, as created by this act, to the
12 legislative council staff under section 227.15 (1) of the statutes no later than the first
13 day of the fourth month beginning after the effective date of this subsection.

14 (16rs) PILOT PROGRAM FOR LONG-TERM CARE OF CHILDREN WITH DISABILITIES.

15 (a) In this subsection:

16 1. "Administering agency" means a county department under section 46.23,
17 51.42, or 51.437 of the statutes or a human services agency that administers the
18 program under a contract with such a county department.

19 2. "Program" means a pilot program that provides a system of long-term care
20 for children with disabilities and their families.

21 (b) The department of health and family services shall, as soon as possible
22 before July 1, 2002, seek waivers of federal medical assistance statutes and
23 regulations from the federal department of health and human services that are
24 necessary to implement, in pilot sites, the program. If the waivers are granted, the
25 program shall have all of the following characteristics:

1 1. Eligibility under sections 46.27 (11), 46.275, 46.277, 46.278, 46.985, and
2 51.44 of the statutes shall be expanded to include children with severe disabilities
3 and long-term care needs and children eligible for medical assistance with high
4 medical costs, and medical assistance coverage of services shall be expanded to
5 include services focused on the needs of children with developmental disabilities and
6 their families.

7 2. The administration of the program shall be consistent with section 46.985
8 of the statutes, including a family-centered assessment and planning process.

9 3. The program shall operate within rate settings based upon a child's level of
10 care and support needs. The department of health and family services shall
11 promulgate rules that specify rates that are consistent with federal medical
12 assistance home and community-based waiver regulations.

13 4. The department of health and family services shall coordinate supports and
14 services under the program with the medical assistance fee-for-service system,
15 including the prior authorization process.

16 5. The lead agency for the program shall be an administering agency.

17 6. Counties in which the program is located shall provide, contract for the
18 provision of, organize, or arrange for long-term care supports for eligible children up
19 to age 24 years, consistent with section 46.985 (1) (b) and (6) (f) of the statutes.

20 7. Information and assistance services operated under the program shall
21 provide, contract, or arrange for the provision of all of the following:

22 a. Information and referral services and other assistance at hours that are
23 convenient for the public.

24 b. Within the limits of available funding, prevention and intervention services.

25 c. Counseling concerning public and private benefits programs.

1 d. Assistance with understanding rights of children and parents within the
2 long-term care system.

3 8. The administering agency shall determine functional and financial
4 eligibility for the program by coordinating with the department of health and family
5 services in completing all of the following:

6 a. A determination of functional eligibility for the children's long-term support
7 benefit.

8 b. A determination of financial eligibility and of the maximum amount of cost
9 sharing required for a family who is seeking long-term care services, under
10 standards prescribed by the department of health and family services.

11 c. Assistance to a child who is eligible for a long-term support benefit and to
12 the child's family with respect to the choice of whether or not to participate in the
13 waiver pilot.

14 d. Assistance in enrolling in the program, for families who choose to enroll their
15 children.

16 9. The cost of the program may not exceed the cost of existing services under
17 sections 46.27 (11), 46.275, 46.277, 46.278, 46.985, and 51.44 of the statutes.

18 10. The program shall blend the costs per child served in the areas of the sites
19 in which services are provided under sections 46.27 (11), 46.275, 46.277, 46.278,
20 46.985, and 51.44 of the statutes.

21 11. The department of health and family services may develop a methodology
22 to distribute funding under the program on a per child per month basis.

23 12. The department of health and family services shall reinvest into the
24 children's long-term support system any funding saved by this new methodology.

1 13. The department of health and family services shall equitably assign
2 priority on any necessary waiting lists, consistent with criteria prescribed by that
3 department, for children who are eligible for the program, but for whom resources
4 are not available.

5 14. The department of health and family services shall provide transitional
6 services to families whose children with physical or developmental disabilities are
7 preparing to enter the adult service system.

8 15. The department of health and family services shall determine eligibility for
9 program applicants for state supplemental payments under section 49.77 of the
10 statutes, medical assistance under section 49.46 of the statutes, and the federal food
11 stamp program under 7 USC 2011 to 2029.

12 (c) If the federal waivers specified under paragraph (b) are approved, the
13 department of health and family services shall, as soon as possible before July 1,
14 2002, seek enactment of statutory language, including appropriation of necessary
15 funding, to implement the model described under paragraph (b), as approved under
16 the federal waivers. Any new resources for supports and services for long-term care
17 for children with disabilities and their families shall be managed under the program
18 after approval of the federal waivers specified in paragraph (b) and enactment of
19 necessary statutory language to implement the model under paragraph (b).

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21 (15e) FIFTH STANDARD FOR EMERGENCY DETENTION AND CIVIL COMMITMENT. The
22 repeal of 1995 Wisconsin Act 292, sections 5, 12, 14, 16, 20, 22, 24, 28, 30, 30h, 32,
23 and 37 (1), and the repeal of 1997 Wisconsin Act 35, sections 141, 144, 147, and 605
24 (1), apply notwithstanding section 990.03 (3) of the statutes.

25 (13d) PLAN FOR REGIONAL LABOR COST VARIATIONS FOR NURSING HOME
REIMBURSEMENT. For purposes of determining medical assistance reimbursement for

1 allowable direct care costs for facilities with respect to adjustments for regional labor
2 cost variations under section 49.45 (6m) (ar) 1. a. of the statutes, the department of
3 health and family services, together with representative of the nursing home
4 industry and organized labor, shall develop a comprehensive plan that specifies
5 varying regions of the state of Wisconsin with respect to labor costs for nursing home
6 staff. The department of health and family services shall submit the plan, by
7 September 1, 2001, or by the first day of the 2nd month beginning after the effective
8 date of this subsection, whichever is later, to the joint committee on finance for
9 review. If the cochairpersons of the joint committee on finance do not notify the
10 secretary of health and family services within 14 working days after the date on
11 which the plan is submitted that the committee intends to schedule a meeting to
12 review the plan, the department of health and family services shall implement the
13 plan in adjusting standards for medical assistance reimbursement of allowable
14 direct care costs for facilities under section 49.45 (6m) (ar) 1. a. of the statutes. If,
15 within 14 working days after the date on which the plan is submitted, the
16 cochairpersons of the committee notify the secretary of health and family services
17 that the committee intends to schedule a meeting to review the plan, the department
18 of health and family services may implement the plan only upon approval by the
~~19~~ committee.

~~20~~ (18f) RESPITE FACILITIES; RULES. The department of health and family services
21 shall submit in proposed form the rules required under section 50.85 (8) of the
22 statutes, as created by this act, to the legislative council staff under section 227.15
~~23~~ (1) of the statutes no later than October 31, 2002.

24 (14b) SUDDEN INFANT DEATH SYNDROME PREVENTION TRAINING; RULES. The
25 department of health and family services shall submit in proposed form the rules

1 required under section 48.67 of the statutes, as affected by this act, to the legislature
2 under section 227.19 of the statutes no later than the first day of the 6th month
~~3~~ beginning after the effective date of this subsection.

4 (16mn) STUDY ON FUNDING THE HEALTH INSURANCE RISK-SHARING PLAN. The board
5 of governors of the health insurance risk-sharing plan under chapter 149 of the
6 statutes, as affected by this act, shall conduct a study on alternative funding sources
7 for the health insurance risk-sharing plan. No later than January 1, 2002, the board
8 of governors shall report the results of the study, together with its findings and
9 recommendations, to the standing committees of the legislature on health in the
10 manner provided under section 13.172 (3) of the statutes and to the members of the
~~11~~ joint committee on finance.

~~12~~ (12r) STATEWIDE TRAUMA CARE SYSTEM; POSITIONS. The authorized FTE positions
13 for the department of health and family services are increased by 2.0 PR project
14 positions, to be funded from the appropriation account under section 20.435 (1) (kx)
15 of the statutes, for the purposes of the statewide trauma care system under section
16 146.56 of the statutes, as affected by this act, for the period beginning on July 1, 2001,
17 and ending on June 30, 2003.

18 (12s) STATEWIDE TRAUMA CARE SYSTEM; REGIONAL ADVISORY TRAUMA COUNCILS.
19 From the appropriation account under section 20.435 (1) (kx) of the statutes, the
20 department of health and family services shall expend \$25,000 in state fiscal year
21 2001–02 and \$50,000 in state fiscal year 2002–03 for expenses of the regional
22 advisory trauma councils under section 146.56 (1) of the statutes, as affected by this
23 act, and shall distribute \$290,000 in state fiscal year 2002–03 as grants to regional
24 advisory trauma councils for performance of activities under the statewide trauma
~~25~~ system.

1 (13b) DURABLE MEDICAL EQUIPMENT; CUSTOMIZED WHEELCHAIR. From the
2 appropriations under section 20.435 (4) (b) and (o) of the statutes, as affected by this
3 act, notwithstanding the denial of a request for prior authorization for durable
4 medical equipment for a customized wheelchair, the department of health and family
5 services shall purchase a customized wheelchair for a resident of the Vernon Manor
6 nursing home in Vernon County who has cerebral palsy and for whom a physician
7 has determined that a customized wheelchair is necessary.

8 (14k) IMMUNIZATION REGISTRY.

9 (a) The department of health and family services shall submit to the joint
10 committee on finance a request to supplement the appropriation account under
11 section 20.435 (4) (bm) of the statutes, as affected by this act, for the purpose of
12 developing and implementing a statewide immunization registry. The request shall
13 include a memorandum of understanding between the department of health and
14 family services and the Marshfield Clinic, on behalf of the Regional Early Childhood
15 Immunization Network, that specifies the amount of moneys allocated under section
16 49.175 (1) (ze) 9. of the statutes that will be used to support immunization data
17 collection by the Regional Early Childhood Immunization Network, outside of the
18 area currently served by the immunization registry system of the Marshfield Clinic
19 and that results in a savings for the department's immunization registry.

20 (b) If the cochairpersons of the committee do not notify the secretary of health
21 and family services within 14 working days after receiving the memorandum of
22 understanding and request under paragraph (a) that the cochairpersons have
23 scheduled a meeting for the purpose of reviewing the request, the appropriation
24 account under section 20.435 (4) (bm) of the statutes, as affected by this act, shall be
25 supplemented from the appropriation account under section 20.865 (4) (a) of the

1 statutes, as provided in the request. If, within 14 working days after receiving the
2 proposal, the cochairpersons notify the secretary that the cochairpersons have
3 scheduled a meeting for the purpose of reviewing the request, the appropriation
4 account may be supplemented from the appropriation account under section 20.865
5 (4) (a) of the statutes only as approved by the committee. Notwithstanding section
6 13.101 (3) of the statutes, the committee is not required to find that an emergency
7 exists prior to supplementing the appropriation account under section 20.435 (4)
8 (bm) of the statutes, as affected by this act.

9 (c) Not later than January 1, 2003, the department of health and family
10 services shall submit a report on the immunization registry to the legislature in the
11 manner provided under section 13.172 (2) of the statutes.

12 (14L) WINNEBAGO MENTAL HEALTH INSTITUTE AND MENDOTA MENTAL HEALTH
13 INSTITUTE POSITION AUTHORIZATIONS.

14 (a) The authorized FTE positions for the department of health and family
15 services are decreased by 1.58 GPR positions, funded from the appropriation under
16 section 20.435 (2) (a) of the statutes, for the purpose of providing care to residents
17 of the Winnebago Mental Health Institute and Mendota Mental Health Institute.

18 (b) The authorized FTE positions for the department of health and family
19 services are increased by 1.58 PR positions, to be funded from the appropriation
20 under section 20.435 (2) (gk) of the statutes, as affected by this act, for the purpose
21 of providing care to residents of the Winnebago Mental Health Institute and
~~22~~ Mendota Mental Health Institute.

~~23~~ (14e) MILWAUKEE HEALTH CLINICS GRANTS. In fiscal year 2001–02, from the
24 appropriation account under section 20.435 (5) (fh) of the statutes, as affected by this
25 act, the department of health and family services shall provide all of the following:

1 (a) One grant in the amount of \$273,300 to the Milwaukee Immediate Care
2 Center to allow continued operation of the facility.

3 (b) One grant in the amount of \$226,700 to the Martin Luther King Heritage
4 Health Center to expand primary care examination rooms and to create an
5 emergency care clinic at the Isaac Coggs Community Health Center.

6 (15k) MEDICAL ASSISTANCE PROVIDER FRAUD AND ABUSE; RULES. The department
7 of health and family services shall submit in proposed form the rules required under
8 section 49.45 (2) (a) 10. c., 11. b., and 12. b. and (b) 6m., 7., 8., and 9., (3) (g) 2. and
9 (h) 1n., and (21) (e) of the statutes, as created by this act, to the legislative council
10 staff under section 227.15 (1) of the statutes no later than the first day of the 10th
11 month beginning after the effective date of this subsection.

12 (14g) FEES FOR PATIENT HEALTH CARE RECORDS; RULES.

13 (a) The department of health and family services shall submit in proposed form
14 the rules required under section 146.83 (3m) of the statutes, as created by this act,
15 to the legislative council staff under section 227.15 (1) of the statutes no later than
16 the first day of the 10th month beginning after the effective date of this subsection.

17 (b) To develop the rules under paragraph (a), the secretary of health and family
18 services shall establish an advisory committee composed of members who represent
19 a balance of persons who maintain patient health care records and persons who
20 request patient health care records.

21 (13dd) INCREASE IN HOSPITAL AND HEALTH MAINTENANCE ORGANIZATION RATES OF
22 REIMBURSEMENT. No later than 90 days after the effective date of this subsection, the
23 department of health and family services shall submit to the joint committee on
24 finance a plan for distributing the moneys appropriated in the 2001-03 fiscal
25 biennium under section 20.435 (4) (o) and (w) of the statutes, as affected by this act,

1 for increasing the maximum rate of reimbursement paid to hospitals and health
2 maintenance organizations for outpatient services provided under the medical
3 assistance program under subchapter IV of chapter 49 of the statutes. The plan may
4 not increase the maximum rate of reimbursement paid to hospitals for outpatient
5 services so that the increase results in an increase in the discount rate, which is
6 shown as the difference between the rate of reimbursement paid to fee-for-service
7 providers for the same services that are provided by health maintenance
8 organizations and the rate of payment made to health maintenance organizations for
9 those services, of more than \$2,500,000 in each of calendar years 2002 and 2003. If
10 the cochairpersons of the committee do not notify the secretary of health and family
11 services within 14 working days after receiving the plan that the cochairpersons
12 have scheduled a meeting for the purpose of reviewing the plan, the department of
13 health and family services shall implement the plan. If, within 14 working days after
14 receiving the plan, the cochairpersons notify the secretary of health and family
15 services that the cochairpersons have scheduled a meeting for the purpose of
16 reviewing the plan, the department of health and family services may implement the
17 plan only as approved by the committee.

~~18~~ (15j) ASSISTIVE TECHNOLOGY AND ADAPTIVE EQUIPMENT.

19 (a) From the appropriation account under section 20.435 (6) (a) of the statutes,
20 the subunit in the department of health and family services that deals with physical
21 disabilities shall expend \$15,000 in each of state fiscal years 2001–02 and 2002–03
22 to administer funding for assistive technology and adaptive equipment for persons
23 with physical disabilities; develop statewide reporting mechanisms, contract
24 performance evaluation, and training; and work with vendors to obtain updated
25 assistive technology and adaptive equipment.

1 (b) From the appropriation account under section 20.435 (7) (bc) of the statutes,
2 the department of health and family services shall distribute \$15,000 in each of state
3 fiscal years 2001–02 and 2002–03 to the Easter Seals Society of Wisconsin, Inc., to
4 provide persons with disabilities in the agricultural industry with specialized
5 assistance regarding adaptations or modifications of agricultural equipment.

6 (c) From the appropriation account under section 20.435 (7) (bc) of the statutes,
7 the department of health and family services shall expend \$20,000 in each of state
8 fiscal years 2001–02 and 2002–03 to provide recycled medical equipment, including
9 wheelchairs, and equipment parts, maintenance, and distribution costs to persons
10 with disabilities.

11 (d) From the appropriation account under section 20.435 (7) (c) of the statutes,
12 the department of health and family services shall award grants of \$18,750 in each
13 of state fiscal years 2001–02 and 2002–03 to each of the eight independent living
14 centers for the severely disabled, to provide information, resources, and assessments
15 for the needs for assistive technology and adaptive equipment of persons with
16 disabilities who are residents of the independent living centers.

~~17~~ (13q) HEALTH INSURANCE SUPPLEMENT FOR COMMUNITY DISABILITY SERVICE
18 PROVIDERS. From the appropriation under section 20.435 (4) (bu) of the statutes, as
19 created by this act, the department of health and family services shall in state fiscal
20 year 2001–02 distribute moneys to applying providers of services under home and
21 community–based waiver programs under 42 USC 1396n (c), including the
22 long–term support community options program under section 46.27 of the statutes
23 and the community integration programs under sections 46.275, 46.277, and 46.278
24 of the statutes, to offset costs of providing health insurance to employees of the
25 providers. Moneys distributed under this subsection to an applying provider are

1 limited to the amount the provider expends for employee health care insurance costs
2 or \$50,000, whichever is less.

3 (13k) EXPANSION OF PROGRAM OF ALL-INCLUSIVE CARE OF THE ELDERLY. From the
4 appropriation under section 20.435 (7) (bc) of the statutes, the department of health
5 and family services shall provide \$60,000 for start-up costs to expand to Racine
6 County the program of all-inclusive care for persons aged 65 or older authorized
7 under 42 USC 1395 to 1395gg.

8 (14q) MARRIAGE COUNSELING. The authorized FTE positions for the department
9 of health and family services, funded from the appropriation under section 20.435
10 (3) (kx) of the statutes, are decreased by 1.0 PR position for the provision of marriage
11 counseling services.

12 (16h) PRESCRIPTION DRUG ASSISTANCE FOR ELDERLY; ADMINISTRATION. Before July
13 1, 2002, the department of health and family services may develop and submit to the
14 department of administration a proposal for expenditure of the funds appropriated
15 under section 20.865 (4) (a) of the statutes for administration of the prescription drug
16 assistance for elderly program under section 49.688 of the statutes, as created by this
17 act. The department of administration may approve, disapprove, or modify and
18 approve any proposal it receives under this subsection. If the department of
19 administration approves the proposal, the department shall submit the proposal,
20 together with any modifications, to the cochairpersons of the joint committee on
21 finance. If the cochairpersons of the committee do not notify the secretaries of
22 administration and health and family services within 14 working days after
23 receiving the proposal that the cochairpersons have scheduled a meeting for the
24 purpose of reviewing the proposal, the secretary of administration may transfer from
25 the appropriation account under section 20.865 (4) (a) of the statutes to the

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1 appropriation account under section 20.435 (4) (a) of the statutes the amount
 2 specified in the proposal or any proposed modifications of the proposal for
 3 expenditure as specified in the proposal or any proposed modifications of the
 4 proposal and may approve any position authority specified in the proposal or any
 5 proposed modifications of the proposal. If, within 14 working days after receiving the
 6 proposal, the cochairpersons notify the secretaries of administration and health and
 7 family services that the cochairpersons have scheduled a meeting for the purpose of
 8 reviewing the proposal, the secretary of administration may not transfer any amount
 9 specified in the proposal or any proposed modifications of the proposal from the
 10 appropriation account under section 20.865 (4) (a) of the statutes and may not
 11 approve any position authority specified in the proposal or any proposed
 12 modifications of the proposal, except as approved by the committee.

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13 **SECTION 9124. Nonstatutory provisions; higher educational aids**
 14 **board.**

15 (1x) REPORT ON LOAN FORGIVENESS PROGRAM. The higher educational aids board
 16 shall develop a program to forgive loans of students who graduate from the
 17 University of Wisconsin System or from the technical college system and farm for a
 18 period of 5 consecutive years. The board shall submit a report summarizing the
 19 program to the governor, and to the legislature in the manner provided under section
 20 13.172 (2) of the statutes, by March 1, 2002.

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21 **SECTION 9125. Nonstatutory provisions; historical society.**

22 (1mk) TRANSFER OF HISTORICAL LEGACY TRUST FUND BALANCE. The
 23 unencumbered balance of the historical legacy trust fund other than the bicentennial
 24 account moneys under section 25.72, 1999 stats., immediately before the effective

1 date of this subsection is transferred to the appropriation account under section
2 20.245 (1) (g) of the statutes, as affected by this act.

3 **SECTION 9126. Nonstatutory provisions; Housing and Economic**
4 **Development Authority.**

5 **SECTION 9127. Nonstatutory provisions; insurance.**

6 **SECTION 9128. Nonstatutory provisions; investment board.**

7 **SECTION 9129. Nonstatutory provisions; joint committee on finance.**

8 (1m) SUPPLEMENTAL FUNDING FOR SHARED HUMAN RESOURCES SYSTEM.

9 (a) In this subsection:

10 1. “Shared human resources system” means an automated human resources
11 information processing system that is used by state agencies, or by the department
12 of employment relations on behalf of state agencies, for all personnel transactions
13 involving the announcement, examination, and certification process for filling
14 positions in the classified service of the state civil service system.

15 2. “State agency” has the meaning specified in section 20.001 (1) of the statutes.

16 (b) Notwithstanding sections 13.101 (3) and 16.515 (1) of the statutes, the joint
17 committee on finance may not supplement the appropriation under section 20.512
18 (1) (k) of the statutes, as affected by this act, for any fiscal year during the 2001–03
19 fiscal biennium until all of the following occur:

20 1. The department of employment relations submits a report to the joint
21 committee on finance that provides a detailed plan on the costs of operation of the
22 shared human resources system, including any future development costs of the
23 system; and specifies the manner in which the department will fund the costs of
24 operating the shared human resources system during the 2001–03 fiscal biennium
25 and in succeeding biennia, including any amounts that the department intends to

1 assess individual state agencies for operating the system in the 2001–03 fiscal
2 biennium.

3 2. The department of administration submits a report to the joint committee
4 on finance that does all of the following:

5 a. Discusses the measures that the department of administration will take
6 during the biennial budget process in fiscal biennia occurring after the 2001–03
7 fiscal biennium to ensure that the legislature is provided sufficient information to
8 review any assessments that a state agency plans to make against other state
9 agencies for the operation of any information processing system.

10 b. Specifies how state agencies are to fund any unbudgeted assessment costs
11 imposed by the department of employment relations during the 2001–03 fiscal
12 biennium for operating the shared human resources system.

13 c. Explains why the costs for operating the shared human resources system
14 were not budgeted for state agencies during the 2001–03 fiscal biennium if it was the
15 intention of the department of administration that the department of employment
16 relations was to assess such costs against state agencies.

~~17~~ (1x) VOTING SYSTEM TRANSITIONAL ASSISTANCE. Notwithstanding section 13.101
18 (3) (a) of the statutes, if the elections board requests a supplemental appropriation
19 from the joint committee on finance for the purpose of providing voting system
20 transitional assistance under section 7.08 (7) of the statutes, as created by this act,
21 or SECTION 9115 (1x) of this act, no finding of emergency is required.
22 Notwithstanding sections 13.10 and 13.101 (3) of the statutes, if the elections board
23 requests a supplemental appropriation under this subsection, and the
24 cochairpersons of the joint committee on finance do not notify the elections board that
25 a meeting of the committee has been scheduled to discuss the request within 14

1 working days of the date that the request is made, the request is considered to be
2 approved by the committee.

3 **SECTION 9130. Nonstatutory provisions; judicial commission.**

4 **SECTION 9131. Nonstatutory provisions; justice.**

5 (2c) AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM GRANT. The department of
6 justice may award automated fingerprint identification system grants to local law
7 enforcement agencies in fiscal year 2001–02 from the appropriation under section
8 20.455 (2) (kh) of the statutes, as created by this act. Local law enforcement agencies
9 may use funds awarded under this subsection only for the purchase of automated
10 fingerprint identification system work stations or to cover the cost of installing
11 Badgernet lines for work stations. Each local law enforcement agency that receives
12 a grant under this subsection shall enter into an agreement with the department of
13 justice regarding the duties and obligations of the agency and of the department with
14 respect to use of automated fingerprint identification system work stations and
15 regarding use of, and access to, the state automated fingerprint identification system
16 and to other criminal records databases. The department of justice shall establish
17 grant eligibility standards and procedures for administering the grant program
18 under this subsection.

19 **SECTION 9132. Nonstatutory provisions; legislature.**

20 (1q) HIGH-CAPACITY WELL STUDY. The joint legislative council shall study the
21 issues raised by high-capacity wells in this state.

22 (2ak) PROCUREMENT SERVICES AUDIT. The joint legislative audit committee is
23 requested to direct the legislative audit bureau to conduct a performance evaluation
24 audit of the procurement services provided by the department of administration to
25 state agencies, which includes evaluating the accuracy of assessments imposed

1 under section 16.71 (6) of the statutes, as created by this act. If the legislative audit
2 bureau performs the audit, it shall file its report as described in section 13.94 (1) (b)
3 of the statutes by January 1, 2004.

4 (2x) STUDY OF IMPACTS OF GROUNDWATER USAGE. The joint legislative council is
5 requested to conduct a study of the need to modify this state's laws to address the
6 impacts of groundwater usage. If the joint legislative council conducts the study, it
7 shall include on the study committee members that have interests in agriculture,
8 surface water usage, business, and relevant science, including experts from the U.S.
9 geological survey, the Wisconsin geological and natural history survey, and the
10 Central Wisconsin Groundwater Center at the University of Wisconsin–Stevens
11 Point.

~~12~~ (2z) AUDIT OF GEOGRAPHIC INFORMATION SYSTEMS MAPPING SERVICES. The joint
13 legislative audit committee is requested to, and may, direct the legislative audit
14 bureau to perform a performance evaluation audit of the geographic information
15 systems mapping services provided by the department of natural resources. The
16 audit shall include an analysis of the degree to which the services offered by the
17 department of natural resources compete with the services offered by private
18 businesses and an analysis of whether it is most cost-effective for those services to
19 be provided by the department of natural resources or by private businesses. If the
20 committee directs the legislative audit bureau to perform an audit, the bureau shall
~~21~~ file its report as described in section 13.94 (1) (b) of the statutes.

22 (3v) EVALUATION OF CREDENTIALING FEES. The joint legislative audit committee
23 is requested to, and may, direct the legislative audit bureau to evaluate the
24 methodologies used by the department of regulation and licensing for recalculating
25 administrative and enforcement costs under section 440.03 (9) (a) of the statutes and

1 recommending changes to fees for issuing and renewing credentials under section
2 440.03 (9) (b) of the statutes. An evaluation under this subsection shall determine
3 whether the methodologies are adequately documented and administered in a
4 straightforward manner, whether they represent the actual costs associated with the
5 department's regulation of credential holders, and whether they provide sufficient
6 revenues to support the department's operations. If the committee directs the
7 legislative audit bureau to perform an evaluation under this subsection, the bureau
8 shall, no later than June 30, 2002, file its report as described in section 13.94 (1) (b)
9 of the statutes.

10 (3w) AUDIT OF THE ESTATE RECOVERY PROGRAM. The joint legislative audit
11 committee is requested to direct the legislative audit bureau to perform a financial
12 and performance evaluation audit of the estate recovery program in the department
13 of health and family services. The audit shall include information on the amount of
14 moneys recovered from nursing homes, for personal care and home health services,
15 and under the community options program, the medical assistance program, and the
16 community-based waiver programs, and shall specify the amount of moneys
17 recovered by the size of estate. If the committee directs the legislative audit bureau
18 to perform an audit, the bureau shall file its report as described under section 13.94
19 (1) (b) of the statutes.

20 (3x) WISCONSIN ADVANCED TELECOMMUNICATIONS FOUNDATION FUNDS. If the
21 secretary of administration notifies the cochairpersons of the joint committee on
22 finance under SECTION 9101 (10) (a) (intro.) of this act that the Wisconsin Advanced
23 Telecommunications Foundation has made a grant to the state in an amount less
24 than \$13,465,100, the joint committee on finance shall determine the purposes for

1 which the grant may be expended pursuant to section 13.101 (3) of the statutes or
2 pursuant to section 13.101 (4) of the statutes, as affected by this act.

~~3~~ (3xx) ACCUMULATED UNUSED SICK LEAVE CREDIT CONVERSION STUDY.

4 (a) The joint survey committee on retirement systems shall study the issue of
5 allowing participants in the Wisconsin retirement system who have terminated
6 covered employment and who have at least 25 years of creditable service under the
7 Wisconsin retirement system, but who are not eligible to receive an immediate
8 annuity under the Wisconsin retirement system at the time that they terminate
9 covered employment, to be able to convert their accumulated unused sick leave into
10 credits for the payment of health insurance premiums under section 40.05 (4) (b) of
11 the statutes on the date on which the department of employee trust funds receives
12 the participant's application for a retirement annuity or for a lump sum payment
13 under section 40.25 (1) of the statutes. The departments of employment relations
14 and employee trust funds shall provide any information requested by the joint
15 survey committee on retirement systems. The joint survey committee on retirement
16 systems shall submit the results of the study and recommendations to the
17 department of employment relations no later than January 1, 2002.

18 (b) No later than 30 days after receiving the results of the study and
19 recommendations submitted under paragraph (a), the department of employment
20 relations shall submit proposed legislation incorporating the recommendations to
~~21~~ the joint committee on employment relations.

~~22~~ (3y) AUDIT OF STATE AIRCRAFT USAGE. The joint legislative audit committee is
23 requested to direct the legislative audit bureau to conduct a performance evaluation
24 audit of aircraft usage by state agencies. If the legislative audit bureau performs the
25 audit, the bureau is requested to include an evaluation of whether the current

1 number of aircraft owned by the state is appropriate. If the legislative audit bureau
2 performs the audit, it shall file its report as described under section 13.94 (1) (b) of
3 the statutes by January 1, 2003.

4 (3z) QUALIFIED INTERPRETER DEFINITION STUDY. The joint legislative council is
5 requested to study a potential definition of “qualified interpreter”, for the purpose
6 of appointments in court proceedings and contested administrative case
7 proceedings. If the joint legislative council conducts the study, it shall report its
8 findings and conclusions to the legislature in the manner provided under section
9 13.172 (2) of the statutes.

10 (4z) STUDY ON NEW ECONOMY. The joint legislative council is requested to conduct
11 a study on how the state government, the state’s research universities, and the
12 state’s business community can foster economic development in this state by
13 assisting and developing businesses and industries that are based on science and
14 technology. If the joint legislative council conducts the study, the joint legislative
15 council shall report its findings, conclusions, and recommendations to the legislature
16 in the manner provided under section 13.172 (2) of the statutes by January 1, 2002,
17 and shall include in its report recommendations relating to all of the following:

18 (a) Ways to increase the number and percentage of jobs in this state in
19 businesses and industries that are based on science and technology.

20 (b) Ways to increase the average earnings of employees employed in this state
21 in businesses and industries that are based on science and technology.

22 (c) Ways to increase the amount of venture capital invested in this state and
23 the amount spent on research and development in this state.

24 (d) Ways to increase the number of homes in this state that have computers and
25 access to the Internet.

~~1~~ (e) A strategy to bring the best and brightest researchers to this state.

~~2~~ (4b) JURY SELECTION STUDY AND REPORT. The joint legislative council is requested
3 to study how juries are selected, including what actions are needed to increase the
4 participation of racial and ethnic minorities on juries so that juries reflect the racial
5 and ethnic composition of the areas from which the juries were selected. If the joint
6 legislative council conducts the study, it shall report its findings and
7 recommendations to the legislature in the manner provided under section 13.172 (2)
~~8~~ of the statutes.

~~9~~ (4m) EVALUATION AND REPORT TO LEGISLATURE. By October 1, 2004, the legislative
10 audit bureau shall evaluate, on a quantitative and qualitative basis, the success of
11 restorative justice programming in Milwaukee county and the county selected under
12 section 978.044 (4) of the statutes, as created by this act, in serving victims,
13 offenders, and communities affected by crime and shall report its findings to the
14 appropriate standing committees of the legislature, as determined by the speaker of
15 the assembly and the president of the senate, under section 13.172 (3) of the statutes.

~~16~~ (5q) AUDIT OF THE DIVISION OF INTERNATIONAL AND EXPORT DEVELOPMENT. The joint
17 legislative audit committee is requested to direct the legislative audit bureau to
18 perform a financial and performance evaluation audit of the division of international
19 and export development in the department of commerce. The audit shall examine
20 the general operations of the division. If the committee directs the legislative audit
21 bureau to perform the audit under this subsection, the bureau shall file its report as
~~22~~ described in section 13.94 (1) (b) of the statutes by January 1, 2003.

23 **SECTION 9133. Nonstatutory provisions; lieutenant governor.**

24 **SECTION 9134. Nonstatutory provisions; lower Wisconsin state**
25 **riverway board.**

1 **SECTION 9135. Nonstatutory provisions; Medical College of Wisconsin.**

2 **SECTION 9136. Nonstatutory provisions; military affairs.**

3 **SECTION 9137. Nonstatutory provisions; natural resources.**

4 (1) DRY CLEANER ENVIRONMENTAL RESPONSE PROGRAM DEDUCTIBLE. The
5 department of natural resources shall identify any award made under section 292.65
6 of the statutes using the deductible under section 292.65 (8) (e) 3., 1999 stats., and
7 recalculate the award using the deductible under section 292.65 (8) (e) of the
8 statutes, as affected by this act. Before July 1, 2002, the department shall pay to the
9 recipient the difference between the amount of the original award and the amount
10 as recalculated under this subsection.

~~11~~ (1k) RECYCLING EFFICIENCY INCENTIVE GRANTS. Notwithstanding section 16.42
12 (1) (e) of the statutes, in submitting information under section 16.42 of the statutes
13 for purposes of the 2003–05 biennial budget bill, the department of natural resources
14 shall submit information concerning the appropriation under section 20.370 (6) (bv)
15 of the statutes, as created by this act, as though the amount appropriated to the
16 department under that appropriation for fiscal year 2002–03 were \$7,600,000.

17 (1kL) EMERGENCY RULES FOR RECYCLING PILOT PROGRAM. Using the procedure
18 under section 227.24 of the statutes, the department of natural resources may
19 promulgate as emergency rules the rules required under section 287.11 (4) (a) of the
20 statutes, as created by this act. Notwithstanding section 227.24 (1) (c) and (2) of the
21 statutes, the emergency rules may remain in effect until December 31, 2005.
22 Notwithstanding section 227.24 (1) (a) and (3) of the statutes, the department is not
23 required to provide evidence that promulgating a rule under this subsection as an
24 emergency rule is necessary for the preservation of public peace, health, safety, or

1 welfare and is not required to provide a finding of emergency for a rule promulgated
2 under this subsection.

3 (1km) RECYCLING POSITION AUTHORIZATION. The authorized FTE positions for the
4 department of natural resources are increased by 1.0 SEG position to be funded from
5 the appropriation under section 20.370 (2) (hq) of the statutes, for recycling program
~~6~~ administration.

7 (1x) APPLICABILITY OF HIGH-CAPACITY WELL REQUIREMENTS. The treatment of
8 section 281.17 (1) (c) of the statutes applies to an approval issued by the department
9 of natural resources under section 281.17 of the statutes on or after September 1,
10 2000. The department of natural resources shall modify an approval issued by the
11 department of natural resources under section 281.17 of the statutes on or after
12 September 1, 2000, in order to incorporate into the approval the condition required
13 under section 281.17 (1) (c) 1. of the statutes, as created by this act.

14 (2) FOX RIVER NAVIGATIONAL SYSTEM AUTHORITY; INITIAL TERMS. Notwithstanding
15 the length of terms of the members of the board of directors of the authority specified
16 in section 237.02 (1) (a) of the statutes, as created by this act, the initial members
17 shall be appointed for the following terms:

18 (a) Three members for a term that expires on July 1, 2004.

19 (b) Three members for a term that expires on July 1, 2005.

~~20~~ (2g) NONPOINT SOURCE POSITIONS. The authorized FTE positions for the
21 department of natural resources are increased by 5.5 SEG positions, funded by the
22 appropriation under section 20.370 (3) (mt) of the statutes, to reflect the transfer of
23 funding for nonpoint source water pollution control to the environmental fund.

24 (2h) NONPOINT SOURCE ADMINISTRATION. The authorized FTE positions for the
25 department of natural resources are increased by 8.0 SEG positions, funded by the

1 appropriation under section 20.370 (4) (mr) of the statutes, to reflect the transfer of
2 funding for nonpoint source water pollution control to the environmental fund.

3 (2t) COMPUTER ACCESSIBLE WATER RESOURCE MANAGEMENT INFORMATION.

4 (a) During the 2001–03 fiscal biennium, the department of natural resources
5 may submit to the joint committee on finance a proposal concerning the continued
6 development of a system to provide computer accessible water resource management
7 information.

8 (b) If the cochairpersons of the committee do not notify the department within
9 14 working days after the date of any submittal under paragraph (a) that the
10 committee has scheduled a meeting for the purpose of reviewing the proposal, the
11 appropriation under section 20.370 (4) (aq) of the statutes, as affected by this act, is
12 supplemented by \$100,000 for fiscal year 2002–03, from the appropriation account
13 under section 20.865 (4) (u) of the statutes, and the appropriation under section
14 20.370 (4) (ax) of the statutes, as created by this act, is supplemented by \$100,000
15 for fiscal year 2002–03, from the appropriation account under section 20.865 (4) (u)
16 of the statutes, for the purpose of implementing the proposal. If, within 14 working
17 days after the date of the submittal under paragraph (a), the cochairpersons of the
18 committee notify the department that the committee has scheduled a meeting for the
19 purpose of reviewing the proposal and if the committee approves the proposal, the
20 committee may, from the appropriation under section 20.865 (4) (u) of the statutes,
21 supplement the appropriation under section 20.370 (4) (aq) of the statutes, as
22 affected by this act, by an amount not to exceed \$100,000 for fiscal year 2002–03 and
23 may supplement the appropriation under section 20.370 (4) (ax) of the statutes, as
24 created by this act, by an amount not to exceed \$100,000 for fiscal year 2002–03 for

1 the purpose of implementing the proposal. Notwithstanding section 13.101 (3) (a)
2 of the statutes, the committee is not required to find that an emergency exists.

3 (4p) SPARTA OVERPASS. During the 2001–03 fiscal biennium, the department of
4 natural resources shall provide \$124,000 from the appropriation under section
5 20.370 (5) (cz) of the statutes, as created by this act, to the city of Sparta in Monroe
6 County for construction of the snowmobile–bicycle–pedestrian overpass over I 90
7 specified in SECTION 9152 (4k) of this act.

8 (4x) RECREATIONAL FISHING PIER. From the appropriation under section 20.370
9 (5) (cq) of the statutes, as affected by this act, the department of natural resources
10 shall provide \$80,000 in fiscal year 2001–02 to the village of Whiting in Portage
11 County for the construction of a recreational fishing pier on the Plover River that is
12 accessible to persons with disabilities.

13 (4y) REPORT ON ADMINISTRATIVE FUNDING.

14 (a) The department of natural resources shall prepare a report that does all of
15 the following:

16 1. Explains the department's rationale for the manner in which the department
17 distributes the obligation to pay for the department's administrative costs among the
18 department's programs and revenue sources.

19 2. Presents arguments to support the position that the distribution specified
20 in subdivision 1. is equitable in spite of the fact that some of the revenues collected
21 by the department from approval, user, registration, and similar fees are not
22 expended for programs that relate to the purposes for which the fees were paid.

23 3. Presents alternatives to the distribution specified in subdivision 1. that the
24 department believes may result in a more equitable distribution.

1 (b) The department of natural resources shall submit the report prepared
2 under paragraph (a) to the joint committee on finance no later than March 1, 2002.

3 (4z) REPORT ON CONCESSIONS IN STATE PARKS. The department of natural
4 resources shall undertake an analysis of the operation and profitability of concession
5 operations in the state parks as those operations exist on the effective date of this
6 subsection and shall investigate the option of providing these concession operations
7 by contracting with the private sector. The department shall prepare a report
8 consisting of the results of the department's analysis and investigation and shall
9 submit the report to the governor and to the joint committee on finance no later than
10 October 1, 2002.

11 (5e) WAUSAU WHITEWATER COURSE. From the appropriation under section
12 20.370 (5) (cq) of the statutes, as affected by this act, the department of natural
13 resources shall provide \$50,000 in fiscal year 2001–02 to an organization that is
14 known as the Wausau Kayak/Canoe Corporation to upgrade that part of the
15 Wisconsin River in the city of Wausau that is known as the Wausau Whitewater
16 Course.

~~FF~~ (5mk) GREAT LAKES FORESTRY MUSEUM.

18 (a) In fiscal year 2001–02, from the appropriation under section 20.370 (5) (aw)
19 of the statutes, as affected by this act, the department of natural resources shall
20 award a grant in an amount not to exceed \$150,000 to an organization known as the
21 Great Lakes Forestry Museum to develop a facility in the city of Rice Lake for
22 educating the public about the history of forestry and logging in this state. In fiscal
23 year 2002–03, from the appropriation under section 20.375 (2) (rq) of the statutes,
24 as created by this act, the department of forestry shall award a grant in an amount
25 not to exceed \$150,000 to the same organization for the same purpose. The amount

1 of the funding shall be equal to the amount of contributions towards the facility from
2 funding sources other than this state.

3 (b) Within 6 months after spending the full amount of the grants under
4 paragraph (a), the organization shall submit to the department of natural resources
~~5~~ and the department of forestry a report detailing how the grant proceeds were used.

~~6~~ (5vv) URBAN FORESTRY GRANT FOR WINNEBAGO COUNTY. From the appropriation
7 under section 20.370 (5) (bw) of the statutes, as affected by this act, and
8 notwithstanding the limitation under section 23.097 (1) of the statutes that urban
9 forestry grants be awarded to cities and villages, the department of natural resources
10 shall provide \$37,500 in fiscal year 2001-02 to Winnebago County to provide funding
11 to Winnebago County under section 23.097 of the statutes, as affected by this act.

12 (5vw) URBAN FORESTRY GRANT FOR OUTAGAMIE COUNTY. From the appropriation
13 under section 20.370 (5) (bw) of the statutes, as affected by this act, and
14 notwithstanding the limitation under section 23.097 (1) of the statutes that urban
15 forestry grants be awarded to cities and villages, the department of natural resources
16 shall provide \$37,500 in fiscal year 2001-02 to Outagamie County to provide funding
17 to Outagamie County under section 23.097 of the statutes, as affected by this act.

18 (5vx) URBAN FORESTRY GRANT FOR BURNETT COUNTY. From the appropriation
19 under section 20.370 (5) (bw) of the statutes, as affected by this act, and
20 notwithstanding the limitation under section 23.097 (1) of the statutes that urban
21 forestry grants be awarded to cities and villages, the department of natural resources
22 shall provide \$25,000 in fiscal year 2001 02 to Burnett County to provide funding
23 to Burnett County under section 23.097 of the statutes, as affected by this act.

24 (5vy) URBAN FORESTRY GRANT FOR WAUPACA. From the appropriation under
25 section 20.370 (5) (bw) of the statutes, as affected by this act, the department of

1 natural resources shall provide \$15,000 in fiscal year 2001-02 and from the
2 appropriation under section 20.375 (2) (w) of the statutes, as affected by this act, the
3 department of forestry shall provide \$15,000 in fiscal year 2002-03 to the city of
~~4~~ Waupaca for a tree planting demonstration project.

5 (5x) URBAN FORESTRY GRANT FOR MILWAUKEE. From the appropriation under
6 section 20.370 (5) (bw) of the statutes, as affected by this act, the department of
~~7~~ natural resources shall provide \$150,000 in fiscal year 2001-02 and from the
8 appropriation under section 20.375 (2) (w) of the statutes, as affected by this act, the
~~9~~ department of forestry shall provide \$150,000 in fiscal year 2002-03 to the city of
10 Milwaukee for a tree planting demonstration project.

11 (5y) URBAN FORESTRY GRANT FOR RACINE. From the appropriation under section
12 20.370 (5) (bw) of the statutes, as affected by this act, the department of natural
~~13~~ resources shall provide \$15,000 in fiscal year 2001-02 and from the appropriation
14 under section 20.375 (2) (w) of the statutes, as affected by this act, the department
~~15~~ of forestry shall provide \$15,000 in fiscal year 2002-03 to the city of Racine for a tree
16 planting demonstration project.

17 (5z) WISCONSIN CONSERVATION HALL OF FAME. From the appropriation under
18 section 20.370 (5) (ak) of the statutes, as created by this act, the department of
19 natural resources shall provide, in fiscal year 2001-02, a total of \$10,000 to the
20 Wisconsin Conservation Hall of Fame Foundation, Inc., for the Wisconsin
21 Conservation Hall of Fame.

22 (6f) STUDY ON WILD CRANES. From the appropriation under section 20.370 (1)
23 (kk) of the statutes, as created by this act, the department of natural resources shall
24 provide in fiscal year 2001-02 a total of \$30,000 and in fiscal year 2002-03 a total

1 of \$30,000 to the University of Wisconsin System and the International Crane
2 Foundation jointly for a study of crop damage caused in this state by cranes.

3 (6g) ROOT RIVER DREDGING PROJECT. From the appropriation under section
4 20.370 (5) (cq) of the statutes, as affected by this act, and before applying the
5 percentages under section 30.92 (4) (b) 6. of the statutes, the department of natural
6 resources shall provide to the city of Racine the amount necessary for the dredging
7 of the Root River from the city of Racine to Lake Michigan, in an amount not to exceed
8 \$104,000. The city of Racine need not contribute any moneys to match the amount
9 provided from the appropriation under section 20.370 (5) (cq) of the statutes, as
10 affected by this act. Notwithstanding section 30.92 (4) (b) 7. or 8. a. of the statutes,
11 as affected by this act, the dredging project specified under this subsection qualifies
12 as a recreational boating project for the purpose of providing moneys under this
13 subsection. This project need not be placed on the priority list under section 30.92
14 (3) (a) of the statutes. This subsection does not apply after June 30, 2003.

15 (7f) OCONTO RIVER DREDGING PROJECT. From the appropriation under section
16 20.370 (5) (cq) of the statutes, as affected by this act, and before applying the
17 percentages under section 30.92 (4) (b) 6. of the statutes, the department of natural
18 resources shall provide to the city of Oconto the amount that is necessary for the
19 dredging of a portion of the Oconto River, in an amount not to exceed \$386,000. The
20 city of Oconto need not contribute any moneys to match the amount provided from
21 the appropriation under section 20.370 (5) (cq) of the statutes, as affected by this act.
22 Notwithstanding section 30.92 (4) (b) 7. or 8. a. of the statutes, as affected by this act,
23 the dredging project specified under this subsection qualifies as a recreational
24 boating project for the purpose of providing moneys under this subsection. This

1 project need not be placed on the priority list under section 30.92 (3) (a) of the
2 statutes. This subsection does not apply after June 30, 2003.

~~3~~ (8d) MANITOWOC RIVER PROJECT. From the appropriation under section 20.370
4 (5) (cq) of the statutes, as affected by this act, and before applying the percentages
5 under section 30.92 (4) (b) 6. of the statutes, the department of natural resources in
6 fiscal year 2001–02 shall provide \$340,000 to the city of Manitowoc to dredge the
7 Manitowoc River in the area where the submarine U.S.S. Cobia is moored and to
8 make dock wall repairs and improvements to that mooring area. The city of
9 Manitowoc need not contribute any moneys to match the amount provided from the
10 appropriation under section 20.370 (5) (cq) of the statutes, as affected by this act.
11 Notwithstanding section 30.92 (4) (b) 7. or 8. a. of the statutes, as affected by this act,
12 the dredging project specified under this subsection qualifies as a recreational
13 boating project for the purpose of providing moneys under this subsection. This
14 project need not be placed on the priority list under section 30.92 (3) (a) of the
~~15~~ statutes. This subsection does not apply after June 30, 2002.

~~16~~ (8c) JANESVILLE RIVERFRONT PARKWAY DEVELOPMENT PROJECT. From the
17 appropriation under section 20.370 (5) (cq) of the statutes, as affected by this act, the
18 department of natural resources shall provide \$250,000 to the city of Janesville for
19 a project to develop a riverfront parkway that includes the development of a marina
20 with a boat launch and transient boat slips. The amount expended under this
21 subsection shall be considered an expenditure for an inland water project under
22 section 30.92 (4) (b) 6. of the statutes. The city of Janesville need not contribute any
23 moneys to match the amount provided from the appropriation under section 20.370
24 (5) (cq) of the statutes, as affected by this act. Notwithstanding section 30.92 (4) (b)
25 4., 7., or 8. of the statutes, as affected by this act, the project specified under this

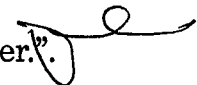
1 subsection qualifies as a recreational boating project for the purpose of providing
2 moneys under this subsection. This project need not be placed on the priority list
3 under section 30.92 (3) (a) of the statutes. This subsection does not apply after June
4 30, 2003.

5 (8m) PERROT STATE PARK BRIDGE STUDY. The department of natural resources
6 shall study the feasibility and desirability of constructing a bridge at Perrot State
7 Park in the town of Trempealeau that would provide safe access by park users to
8 Trempealeau Mountain. No later than June 30, 2002, the department shall submit
9 a report to the legislature concerning the results of the study in the manner provided
10 under section 13.172 (2) of the statutes.

11 (8k) MENOMINEE RIVER BOAT LAUNCH IMPROVEMENTS. From the appropriation
12 under section 20.370 (5) (cq) of the statutes, as affected by this act, and before
13 applying the percentages under section 30.92 (4) (b) 6. of the statutes, the
14 department of natural resources shall provide to the city of Marinette the amount
15 necessary for improvements to boat launching facilities, including parking lots, that
16 provide access to the Menominee River, in an amount not to exceed \$242,600. This
17 project need not be placed on the priority list under section 30.92 (3) (a) of the
18 statutes. This subsection does not apply after June 30, 2003.

19 (9n) SOUTHEASTERN WISCONSIN FOX RIVER COMMISSION. The department of
20 natural resources shall provide in fiscal year 2001-02, from the appropriation under
21 section 20.370 (5) (cq) of the statutes, as affected by this act, \$200,000 for the
22 Southeastern Wisconsin Fox River commission. The commission may use these
23 funds for its activities authorized under subchapter VI of chapter 33 of the statutes
24 and for providing matching funding for any grants that the commission may be able
25 to obtain.

~~1~~ (8q) LAKE MANAGEMENT GRANT FOR FISH LAKE. From the appropriation under
2 section 20.370 (6) (ar) of the statutes, the department of natural resources during
3 fiscal year 2001-02 shall provide a lake management grant of \$200,000 to Dane
4 County for water quality and lake level improvements for Fish Lake and Mud Lake
5 in Dane County and Crystal Lake located in both Dane County and Columbia
6 County. The 75% limitation under section 281.69 (2) (a) of the statutes does not apply
~~7~~ to this grant.

~~8~~ (8mk) ATLAS MILL RENOVATION. From the appropriation under section 20.370
9 (5) (ax) of the statutes, as created by this act, the department of natural resources
10 shall provide \$250,000 in fiscal year 2001-02 to an organization known as the Paper
11 International Hall of Fame, Inc., to renovate the facility known as the Atlas Mill
12 located in the city of Appleton into a facility to be known as the World Paper Center." 

~~13~~ (9zw) TRANSFER OF THE DIVISION OF FORESTRY TO THE DEPARTMENT OF FORESTRY.

14 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
15 liabilities of the department of natural resources that are primarily related to the
16 functions of the division of forestry, as determined by the secretary of administration,
17 shall become the assets and liabilities of the department of forestry. If either
18 department is dissatisfied with the secretary's determination, that department may
19 bring the matter to the cochairpersons of the joint committee on finance for
20 consideration by the committee, and the committee shall affirm or modify the
21 decision.

22 (b) *Employee transfers.*

23 1. All incumbent employees holding positions in the department of natural
24 resources relating primarily to the functions of the division of forestry, as determined
25 by the secretary of administration, are transferred on the effective date of this

1 subdivision to the department of forestry. If either department is dissatisfied with
2 the secretary's determination, that department may bring the matter to the
3 cochairpersons of the joint committee on finance for consideration by the committee,
4 and the committee shall affirm or modify the decision.

5 2. The secretary of administration shall determine which incumbent
6 employees holding positions in the department of natural resources that relate
7 primarily to general administration and program support will be transferred to the
8 department of forestry. If either department is dissatisfied with the secretary's
9 determination, that department may bring the matter to the cochairpersons of the
10 joint committee on finance for consideration by the committee, and the committee
11 shall affirm or modify the decision.

12 (c) *Employee status.* Employees transferred under paragraph (b) shall have the
13 same rights and status under subchapter V of chapter 111 and chapter 230 of the
14 statutes in the department of forestry that they enjoyed in the department of natural
15 resources immediately before the transfer. Notwithstanding section 230.28 (4) of the
16 statutes, no employee so transferred who has attained permanent status in class is
17 required to serve a probationary period.

18 (d) *Tangible personal property.* On the effective date of this paragraph, all
19 tangible personal property, including records, of the department of natural resources
20 that is primarily related to the functions of the division of forestry, as determined by
21 the secretary of administration, shall be transferred to the department of forestry.
22 If either department is dissatisfied with the secretary's determination, that
23 department may bring the matter to the cochairpersons of the joint committee on
24 finance for consideration by the committee, and the committee shall affirm or modify
25 the decision.

1 (e) *Contracts.* All contracts entered into by the department of natural resources
2 in effect on the effective date of this paragraph that are primarily related to the
3 functions of the division of forestry, as determined by the secretary of administration,
4 remain in effect and are transferred to the department of forestry. If either
5 department is dissatisfied with the secretary's determination, that department may
6 bring the matter to the cochairpersons of the joint committee on finance for
7 consideration by the committee, and the committee shall affirm or modify the
8 decision. The department of forestry shall carry out any such contractual obligations
9 unless modified or rescinded by the department of forestry to the extent allowed
10 under the contract.

11 (f) *Rules and orders.* All rules promulgated by the department of natural
12 resources that are primarily related to the functions of the division of forestry, as
13 determined by the secretary of administration, and that are in effect on the effective
14 date of this paragraph remain in effect until their specified expiration dates or until
15 amended or repealed by the department of forestry. All orders issued by the
16 department of natural resources that are primarily related to the functions of the
17 division of forestry, as determined by the secretary of administration, and that are
18 in effect on the effective date of this paragraph remain in effect until their specified
19 expiration dates or until modified or rescinded by the department of forestry. If
20 either department is dissatisfied with the secretary's determination, that
21 department may bring the matter to the cochairpersons of the joint committee on
22 finance for consideration by the committee, and the committee shall affirm or modify
23 the decision.

24 (g) *Pending matters.* Any matter pending with the department of natural
25 resources on the effective date of this paragraph that is primarily related to the

1 functions of the division of forestry, as determined by the secretary of administration,
2 is transferred to the department of forestry and all materials submitted to or actions
3 taken by the department of natural resources with respect to the pending matter are
4 considered as having been submitted to or taken by the department of forestry. If
5 either department is dissatisfied with the secretary's determination, that
6 department may bring the matter to the cochairpersons of the joint committee on
7 finance for consideration by the committee, and the committee shall affirm or modify
8 the decision.

9 (h) *Position changes.*

10 1. The authorized FTE positions for the department of natural resources are
11 decreased by 3.5 FED positions related to forests funded from the appropriation
12 under section 20.370 (1) (my) of the statutes.

13 2. The authorized FTE positions for the department of natural resources are
14 decreased by 2.0 FED positions related to southern state forests funded from the
15 appropriation under section 20.370 (1) (my) of the statutes.

16 3. The authorized FTE positions for the department of natural resources are
17 decreased by 1.48 PR positions related to forestry funded from the appropriation
18 under section 20.370 (8) (mk) of the statutes.

19 4. The authorized FTE positions for the department of natural resources are
20 increased by 44.75 SEG positions funded from the appropriation under section
21 20.370 (1) (mv) of the statutes, as created by this act.

22 5. The authorized FTE positions for the department of natural resources are
23 increased by 2.0 FED positions funded from the appropriation under section 20.370
24 (1) (mx) of the statutes, as created by this act.

1 18. There are authorized for the department of forestry 2.5 FTE SEG positions
2 to be funded from the appropriation under section 20.375 (2) (sv) of the statutes, as
3 affected by this act.

4 21. There are authorized for the department of forestry 1.48 FTE PR positions
5 to be funded from the appropriation under section 20.375 (3) (tm) of the statutes, as
6 created by this act.

7 22. There are authorized for the department of forestry 432.94 FTE SEG
8 positions related to forestry to be funded from the appropriation under section 20.375
9 (2) (q) of the statutes, as created by this act.

10 23. There are authorized for the department of forestry 31.41 FTE SEG
11 positions related to land program management to be funded from the appropriation
12 under section 20.375 (2) (q) of the statutes, as created by this act.

13 24. There are authorized for the department of forestry 31.16 FTE SEG
14 positions related to land facilities and lands to be funded from the appropriation
15 under section 20.375 (2) (q) of the statutes, as created by this act.

16 25. There are authorized for the department of forestry 10.03 FTE SEG
17 positions related to enforcement and science to be funded from the appropriation
18 under section 20.375 (2) (q) of the statutes, as affected by this act.

19 26. There are authorized for the department of forestry 76.55 FTE SEG
20 positions related to administration and technology to be funded from the
21 appropriation under section 20.375 (2) (q) of the statutes, as created by this act.

22 27. There are authorized for the department of forestry 29.91 FTE SEG
23 positions related to customer service to be funded from the appropriation under
24 section 20.375 (2) (q) of the statutes, as created by this act.

1 28. There are authorized for the department of forestry 3.5 FTE FED positions
2 to be funded from the appropriation under section 20.375 (2) (x) of the statutes, as
3 created by this act.

4 (9zy) APPOINTMENT OF FORESTRY SECRETARY; EARLY APPOINTMENT.

5 Notwithstanding the effective date of the treatment of section 15.45 of the statutes
6 by this act, the governor may nominate and with the advice and consent of the senate
7 appoint, before July 1, 2002, the secretary of forestry to take office on July 1, 2002.

8 **SECTION 9138. Nonstatutory provisions; personnel commission.**

9 **SECTION 9139. Nonstatutory provisions; public defender board.**

10 (1) MISDEMEANOR OFFENDER DIVERSION PROGRAM. The public defender board, in
11 consultation with the director of state courts and the Wisconsin District Attorneys
12 Association, shall develop alternative charging and sentencing options for
13 misdemeanor crimes in order to divert misdemeanor offenders from imprisonment,
14 and shall submit a proposal describing the recommended options to the secretary of
15 administration by July 1, 2002. The proposal shall address, among other topics,
16 alternative charging and sentencing options for nonviolent crimes against property.
17 If the secretary of administration approves the proposal, he or she shall submit the
18 proposal to the joint committee on finance. If the cochairpersons of the committee
19 do not notify the secretary of administration within 14 working days after the date
20 of his or her submittal that the committee has scheduled a meeting for the purpose
21 of reviewing the proposal, the public defender board and the director of state courts,
22 in conjunction with the Wisconsin District Attorneys Association, shall implement
23 the portions of the proposal that are permitted under state statutes or rules. If,
24 within 14 working days after the date of the secretary's submittal, the cochairpersons
25 of the committee notify the secretary that the committee has scheduled a meeting for

1 the purpose of reviewing the proposal, the proposal may be implemented only upon
2 approval of the committee.

3 (2q) QUARTERLY SAVINGS REPORT. At the end of each quarter in fiscal years
4 2001–02 and 2002–03, the public defender board shall submit to the cochairpersons
5 of the joint committee on finance a report of the amount of savings recognized by the
6 public defender board during the previous 3 months. The public defender board shall
7 request additional funding from the joint committee on finance in accordance with
8 the method provided under section 13.10 of the statutes, if a shortfall occurs in any
9 appropriation to the public defender board.

10 **SECTION 9140. Nonstatutory provisions; public instruction.**

~~11~~ (5w) WISCONSIN HUMANITIES COUNCIL. Notwithstanding sections 20.255 (2) (cf)
12 and 115.366 (1) of the statutes, from the amount appropriated to the department of
13 public instruction under section 20.255 (2) (cf) of the statutes in the 2001–02 fiscal
14 year, the department shall pay \$50,000 to the Wisconsin Humanities Council to
~~15~~ organize and plan the Wisconsin Book Festival.

~~16~~ (3q) DEAF AND HARD-OF-HEARING EDUCATION COUNCIL. Notwithstanding the
17 length of term specified in section 15.377 (2) of the statutes, one of the initial
18 members of the deaf and hard-of-hearing education council appointed under section
19 15.377 (2) (a) of the statutes, one of the initial members appointed under section
20 15.377 (2) (i) of the statutes, the initial member appointed under section 15.377 (2)
21 (b) of the statutes, and the initial member appointed under section 15.377 (2) (c) of
22 the statutes shall serve for terms expiring on July 1, 2002; the initial members
23 appointed under section 15.377 (2) (d), (e), and (f) of the statutes and one of the initial
24 members appointed under section 15.377 (2) (i) of the statutes shall serve for terms
25 expiring on July 1, 2003; and the initial members appointed under section 15.377 (2)

1 (g) and (h) of the statutes, one of the initial members appointed under section 15.377
2 (2) (a) of the statutes, and one of the members appointed under section 15.377 (2) (i)
~~3~~ of the statutes shall serve for terms expiring on July 1, 2004.

~~4~~ (6mk) EXPENDITURE OF FEDERAL FUNDS. The department of public instruction
5 shall expend \$100,000 from the appropriation under section 20.255 (3) (mm) of the
6 statutes before July 1, 2002, for the purposes of the grant program under SECTION
~~7~~ 9149 (3mk) of this act.

~~8~~ (6w) AFTER-SCHOOL CARE GRANTS PROGRAM.

9 (a) A school board may apply to the state superintendent of public instruction
10 for a grant to fund an after-school care program for pupils who are eligible to receive
11 temporary assistance for needy families under 42 USC 601 to 619 and who would
12 otherwise be unsupervised by an adult in the afternoon after school.

13 (b) The state superintendent of public instruction shall award grants from the
14 appropriation under section 20.255 (2) (kn) of the statutes, as created by this act, and
15 shall ensure, to the extent feasible, that the grants are evenly distributed among
~~16~~ rural, suburban, and urban school districts.

~~17~~ (10k) JOINT LEGISLATIVE COUNCIL STUDY ON SCHOOL FINANCING. The joint
18 legislative council is requested to conduct a study of school financing. If the joint
19 legislative council conducts the study, it shall report its findings, conclusions, and
20 recommendations to the legislature in the manner provided under section 13.172 (2)
~~21~~ of the statutes by June 30, 2003.

~~22~~ (10fm) JOINT LEGISLATIVE COUNCIL STUDY ON SPECIAL EDUCATION. The joint council
23 is requested to conduct a study of criteria to determine a pupil's need for special
24 education services; the extent of the problem of providing special education services
25 to violent pupils and recommendations on how to address the problem; the

1 availability of alternative regular education programs that might be more
2 appropriate for pupils currently enrolled in special education programs; the impact
3 of statewide, standardized tests on referrals to special education; current training
4 of special education teachers; special education funding; and whether it is possible
5 to recover a larger percentage of medical assistance funds for the provision of special
6 education services. If the joint legislative council conducts the study, it shall report
7 its findings, conclusions, and recommendations to the legislature in the manner
~~8~~ provided under section 13.172 (2) of the statutes by June 30, 2003.

~~9~~ (10f) REVENUE LIMITS. For the purpose of determining a school district's revenue
10 limit in the 2002-03 school year, the department of public instruction shall exclude
11 from the base the amount of state aid received, and property taxes levied, to pay the
12 additional cost of 4-year-old kindergarten pupils who are not children with
13 disabilities, as defined in section 115.76 (5) of the statutes, resulting from 2001
~~14~~ Wisconsin Act ... (this act), sections 2761d and 2761g.

15 **SECTION 9141. Nonstatutory provisions; public lands, board of**
16 **commissioners of.**

~~17~~ (1p) PROJECT POSITION. Notwithstanding section 230.27 (1) of the statutes, 1.0
18 FTE project position that is authorized for the board of commissioners to perform
19 duties related to submerged log activities and that terminates in September 2001 is
20 extended to September 30, 2002, and the authorized FTE positions for the board of
21 commissioners are increased by 1.0 PR project position until September 30, 2002, for
~~22~~ the purpose of performing duties relating to submerged log activities.

23 **SECTION 9142. Nonstatutory provisions; public service commission.**

24 (2) TRANSITIONAL PROVISIONS; WATER AND SEWER SERVICE TO MANUFACTURED HOME
25 PARKS. On the effective date of this subsection, each of the following applies:

1 (a) *Assets and liabilities.* The assets and liabilities of the public service
2 commission primarily related to the regulation of water and sewer service provided
3 to manufactured home parks, as determined by the secretary of administration, shall
4 become the assets and liabilities of the department of commerce.

5 (b) *Tangible personal property.* All tangible personal property, including
6 records, of the public service commission primarily related to the regulation of water
7 and sewer service provided to manufactured home parks, as determined by the
8 secretary of administration, is transferred to the department of commerce.

9 (c) *Contracts.* All contracts entered into by the public service commission in
10 effect on the effective date of this paragraph that are primarily related to the
11 regulation of water and sewer service provided to manufactured home parks, as
12 determined by the secretary of administration, remain in effect and are transferred
13 to the department of commerce. The department of commerce shall carry out any
14 obligations under such a contract until the contract is modified or rescinded by the
15 department of commerce to the extent allowed under the contract.

16 (d) *Rules and orders.* All rules promulgated by the public service commission
17 that are in effect on the effective date of this paragraph and that are primarily related
18 to the regulation of water and sewer service provided to manufactured home parks,
19 as determined by the secretary of administration, remain in effect until their
20 specified expiration date or until amended or repealed by the department of
21 commerce. All orders issued by the public service commission that are in effect on
22 the effective date of this paragraph and that are primarily related to the regulation
23 of water and sewer service provided to manufactured home parks, as determined by
24 the secretary of administration, remain in effect until their specified expiration date
25 or until modified or rescinded by the department of commerce.

1 (e) *Pending matters.* Any matter pending with the public service commission
2 on the effective date of this paragraph and that is primarily related to the regulation
3 of water and sewer service provided to manufactured home parks, as determined by
4 the secretary of administration, is transferred to the department of commerce and
5 all materials submitted to or actions taken by the public service commission with
6 respect to the pending matter are considered as having been submitted to or taken
7 by the department of commerce.

~~8~~ (2zq) DISTRIBUTED GENERATION RULES.

9 (a) The public service commission shall submit in proposed form the rules
10 required under section 196.496 (2) of the statutes, as created by this act, to the
11 legislative council staff under section 227.15 (1) of the statutes no later than the first
12 day of the 9th month beginning after the effective date of this paragraph.

13 (b) The public service commission shall create a committee under section
14 227.13 of the statutes to advise the commission with respect to promulgating the
15 rules required under section 196.496 (2) of the statutes, as created by this act. The
16 advisory committee shall consist of one employee each of the department of
17 administration and the department of natural resources, designated by the
18 secretaries of the respective departments, and members who represent interests
19 regarding distributed generation facilities, including distributed generation
20 equipment manufacturers and installers, customers, energy advocacy groups, utility
21 workers, environmental groups, public utilities, and electric cooperative
~~22~~ associations.

~~23~~ (3mk) WISCONSIN ADVANCED TELECOMMUNICATIONS FOUNDATION ASSESSMENTS.

24 (a) In this subsection:

25 1. "Commission" means the public service commission.

1 2. “Endowment fund” means the fund established by the foundation under
2 section 14.28 (2) (g), 1999 stats.

3 3. “Foundation” means the Wisconsin Advanced Telecommunications
4 Foundation.

5 4. “Telecommunications provider” has the meaning given in section 196.01 (8p)
6 of the statutes.

7 (b) No later than the first day of the 2nd month beginning after the effective
8 date of this paragraph, the commission shall do each of the following:

9 1. Determine the total amount that the foundation solicited from each
10 telecommunications provider for contribution to the endowment fund and the total
11 amount that each telecommunications provider contributed to the endowment fund.

12 2. Assess against each telecommunications provider the difference, if any,
13 between the amount solicited by the foundation and the amount contributed by the
14 telecommunications provider, as determined under subdivision 1.

15 (c) A telecommunications provider shall pay an assessment made by the
16 commission under paragraph (b) within 30 days after the commission mails the bill
17 to the telecommunications provider. The bill constitutes notice of the assessment
18 and demand for payment. Disputes over failure to pay the assessment shall be
19 governed by section 196.85 (3) to (8), 1999 stats., except that any reference to a public
20 utility shall refer instead to a telecommunications provider, and any reference to a
21 bill rendered under section 196.85 (1) of the statutes, 1999 stats., shall refer instead
22 to a bill rendered under this paragraph.

23 (d) A telecommunications provider may establish a surcharge on customers’
24 bills to collect the amount of an assessment paid under paragraph (c), but only if the
25 bills indicate that the surcharge is being assessed due to the telecommunications

1 provider's failure to meet its responsibility to make contributions to the Wisconsin
2 Advanced Telecommunications Fund.

3 **SECTION 9143. Nonstatutory provisions; regulation and licensing.**

4 (3c) FORM FOR EYE EXAMINATIONS AND EVALUATIONS.

5 (a) By January 1, 2002, the medical examining board and the optometry
6 examining board shall jointly develop a form to be used for eye examinations and
7 evaluations under section 118.135 of the statutes, as created by this act. The form
8 shall provide a place for the physician or optometrist to indicate whether follow-up
9 care is recommended.

10 (b) By May 31, 2002, the department of regulation and licensing shall
11 distribute the form to school districts and charter schools as provided under section
12 440.03 (16) of the statutes, as created by this act.

13 **SECTION 9144. Nonstatutory provisions; revenue.**

14 (1c) STUDY ON PROMOTING ECONOMIC GROWTH. The department of revenue shall
15 study options for restructuring shared revenue to encourage high-growth sectors of
16 the economy and the creation of high-quality jobs in this state. The study shall
17 include considering using up to 10% of the amount distributed to counties and
18 municipalities under section 79.03 of the statutes to match local efforts to encourage
19 creation of high-quality jobs in this state; recommending ways to incorporate smart
20 growth planning under section 16.965 of the statutes into the shared revenue
21 program; and studying the feasibility of allowing towns to maintain their boundaries
22 in exchange for shared revenue payments. No later than January 1, 2003, the
23 department of revenue shall report the result of its study to the secretary of
24 administration.

~~1~~ (1q) ESTATE TAX; PROPOSED LEGISLATION. If the federal government enacts any
2 law that provides revenue to the state that is intended to offset any loss of estate tax
3 revenue under chapter 72 of the statutes as a result of any federal law enacted in
4 2001, the department of revenue shall submit proposed legislation regarding
5 modifications to the estate tax under chapter 72 of the statutes to the joint committee
6 on finance. Proposed legislation submitted under this subsection may not, in
7 conjunction with the fiscal effect of any federal law, result in any increase or decrease
~~8~~ in total state tax revenues.

9 (2e) SHARED REVENUE POPULATION ADJUSTMENT.

10 (a) Notwithstanding section 79.005 (2) of the statutes, the population used for
~~11~~ purposes of determining 2001 shared revenue payments for counties under section
12 79.03 of the statutes and 2001 county mandate relief payments under section 79.058
13 of the statutes shall be the population determined by the department of
~~14~~ administration under section 16.96 of the statutes for the statements provided to
~~15~~ counties in the year 2000 under section 79.015 of the statutes.

16 (b) Notwithstanding section 79.005 (2) of the statutes, the department of
17 administration shall provide, to the best of its ability, 2001 and 2002 population
18 estimates that are reconciled with the most recent federal decennial census to the
19 department of revenue on or before August 1, 2001. The department of revenue shall
~~20~~ use the reconciled estimates to prepare the statement of estimated 2002 county
~~21~~ shared revenue payments and county mandate relief payments provided on or before
22 September 15, 2001, under section 79.015 of the statutes.

23 (c) Notwithstanding section 79.005 (2) of the statutes, the department of
24 administration shall provide, to the best of its ability, 2000 and 2001 population
25 estimates that are reconciled with the most recent federal decennial census to the

1 department of revenue on or before August 1, 2002. The department of revenue shall
2 use the reconciled estimates to calculate corrections to 2001 county shared revenue
3 payments and county mandate relief payments under section 79.08 of the statutes.

4 (2x) VOLUNTEER INCOME TAX ASSISTANCE PROGRAM. The department of revenue
5 shall, in undertaking the program described in section 73.03 (56) of the statutes, as
6 created by this act, work with the Internal Revenue Service and the University of
7 Wisconsin—Extension to recruit sufficient volunteers to meet the demand, no later
8 than January 1, 2002, for the volunteer income tax assistance program.

9 (2z) STUDY ON MOVING TAX-PROCESSING ACTIVITIES. The department of revenue
10 shall study the feasibility of moving its tax-processing activities in Madison to a
11 location in southwestern Wisconsin. No later than January 1, 2003, the department
12 of revenue shall report the results of its study to the governor and the legislature.

13 (3z) ADOPTION OF FEDERAL INCOME TAX LAW CHANGES. Changes to the Internal
14 Revenue Code made by P.L. 106-554 apply to the definitions of the "Internal Revenue
15 Code" in chapter 71 of the statutes at the time that those changes apply for federal
16 income tax purposes.

~~17~~ (4p) LOTTERY AND GAMING PROPERTY TAX CREDIT.

18 (a) Notwithstanding section 79.10 (10) (bm) and (bn) of the statutes, as affected
19 by this act, and section 79.10 (10) (bm) 2. of the statutes, as created by this act, a
20 person who was eligible for a credit under section 79.10 (9) (bm), 1999 stats., or under
21 section 79.10 (10) (bn), 1999 stats., related to the 2000 property tax assessment, but
22 who did not receive the credit, may claim the credit by applying to the department
23 of revenue in the manner specified under section 79.10 (10) (bm) 2. of the statutes,
24 as created by this act, no later than October 1, 2001.

1 (b) Notwithstanding section 79.10 (10) (bm) and (bn) of the statutes, as affected
2 by this act, and section 79.10 (10) (bm) 2. of the statutes, as created by this act, the
3 department of revenue shall pay, from the appropriation under section 20.835 (3) (s)
4 of the statutes, as created by this act, all eligible claims under section 79.10 (9) (bm),
5 1999 stats., or under section 79.10 (10) (bn), 1999 stats., related to the 1999 property
~~6~~ tax assessment that the department received no later than October 1, 2001.

7 **SECTION 9145. Nonstatutory provisions; secretary of state.**

8 **SECTION 9146. Nonstatutory provisions; state fair park board.**

9 (1) STATE FAIR PARK POLICE SERVICES.

10 (a) On the effective date of this paragraph, 6.0 full-time equivalent positions
11 in the state fair park board having duties primarily related to the state fair park
12 police and the incumbents in those positions, as determined by the secretary of
13 administration, are transferred to the department of administration.

14 (b) Employees transferred under paragraph (a) have all the rights and the
15 same status under subchapter V of chapter 111 and chapter 230 of the statutes in the
16 department of administration that they enjoyed in the state fair park board
17 immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes,
18 no employee so transferred who has attained permanent status in class is required
19 to serve a probationary period.

20 **SECTION 9147. Nonstatutory provisions; supreme court.**

~~21~~ (1n) COURT INTERPRETER PROGRAM. The authorized FTE positions for the
22 supreme court are increased by 1.0 GPR project position, for a 2-year period
23 beginning on the first day of the 2nd month beginning after publication, to be funded
24 from the appropriation under section 20.680 (2) (a) of the statutes, for the purpose
~~25~~ of developing and administering a court interpreter testing and training program.

1 **SECTION 9148. Nonstatutory provisions; technical college system.**

2 (1f) TRUCK DRIVER TRAINING CENTER. The director of the technical college system
3 shall determine the opening date of the truck driver training center at Waukesha
4 County Technical College and notify the director of state courts of that date. The
5 technical college system board may not award grants for truck driver training under
6 section 38.04 (31) of the statutes, as created by this act, until the first day of the
7 ~~twelfth~~ month beginning after the date of that notice.

8 **SECTION 9149. Nonstatutory provisions; technology for educational**
9 **achievement in Wisconsin board.**

10 (3mk) INTERNET DATA LINE GRANT PROGRAM. From the appropriation under
11 section 20.275 (1) (i) of the statutes, the technology for educational achievement in
12 Wisconsin board shall, in consultation with the department of public instruction,
13 award grants in the 2001-02 fiscal year to public library boards on behalf of public
14 libraries that did not have access to high-speed Internet data lines as of May 1, 2001.
15 Grants awarded under this subsection may be used for infrastructure, wiring,
16 communications hardware, and computer and access costs associated with the
17 installation and use of high-speed Internet data lines in public libraries.

18 **SECTION 9150. Nonstatutory provisions; tobacco control board.**

19 **SECTION 9151. Nonstatutory provisions; tourism.**

20 (1mk) GRANT FOR MOVING HISTORIC HOME. From the appropriation under section
21 20.380 (1) (b) of the statutes, as affected by this act, the department of tourism shall
22 provide a grant of \$35,000 in fiscal year 2001-02 to the New Berlin Historical Society
23 for costs associated with moving the Theodora Winton Youmans home to the New
24 Berlin historic park. The department of tourism shall enter into an agreement with

1 the New Berlin Historical Society that specifies the uses for the grant proceeds and
2 reporting and auditing requirements.

~~3~~ (2ht) HERITAGE TOURISM PROGRAM. The authorized FTE positions for the
4 department of tourism are increased by 1.0 PR positions, to be funded from the
5 appropriation under section 20.380 (1) (kg) of the statutes, as affected by this act, for
6 operation of the heritage tourism program under section 41.19 of the statutes, as
7 affected by this act.

8 **SECTION 9152. Nonstatutory provisions; transportation.**

9 (2) POSITION AUTHORIZATION; EMPLOYEE TRANSFER.

10 (a) The authorized FTE positions for the department of transportation are
11 decreased by 1.0 SEG position for the performance of duties primarily related to
12 printing services.

13 (b) On the effective date of this paragraph, 1.0 FTE position in the department
14 of transportation performing duties primarily related to printing services and the
15 incumbent employee holding that position, as determined by the secretary of
16 administration, are transferred to the department of administration. The employee
17 transferred under this paragraph has all the rights and the same status under
18 subchapter V of chapter 111 and chapter 230 of the statutes in the department of
19 administration that the employee enjoyed in the department of transportation
20 immediately before the transfer. Notwithstanding section 230.28 (4) of the statutes,
21 no employee so transferred who has attained permanent status in class is required
22 to serve a probationary period.

~~23~~ (2vx) UNIFIED DISADVANTAGED BUSINESS CERTIFICATION PROGRAM.

24 (a) No person may use the list of disadvantaged businesses established by the
25 department of transportation under section 84.076 (3), 1999 stats., for bids first

1 advertised after the last day of the 5th month beginning after the effective date of
2 this paragraph.

3 (b) Notwithstanding section 84.072 of the statutes, as created by this act, no
4 later than the first day of the 4th month beginning after the effective date of this
5 paragraph, the department of transportation shall certify as a disadvantaged
6 business under section 84.072 of the statutes, as created by this act, any business
7 that, on the effective date of this paragraph, is certified by the department as a
8 disadvantaged business for the purposes of section 84.076, 1999 stats.
9 Notwithstanding section 84.072 of the statutes, as created by this act, the
10 department of transportation is not required to review any documentation in
11 certifying under this paragraph a business as a disadvantaged business under
12 section 84.072 of the statutes, as created by this act.

~~13~~ (2t) STATEWIDE TRAUMA CARE SYSTEM. From the appropriation account under
14 section 20.395 (4) (ax) of the statutes, as affected by this act, the department of
15 transportation shall transfer \$185,000 in fiscal year 2001-02 and \$500,000 in fiscal
16 year 2002-03 to the appropriation under section 20.435 (1) (kx) of the statutes for the
17 purposes of the statewide trauma care system under section 146.56 of the statutes.

~~18~~ (2cd) ALLOCATION OF EXPENDITURE REDUCTIONS; LAPSES TO TRANSPORTATION FUND.

19 (a) Within 30 days of the final credits by the department of employee trust
20 funds to appropriations of the department of transportation to implement 1999
21 Wisconsin Act 11, section 27 (1) (b) 1., for the payment of contributions under the
22 Wisconsin retirement system, the department of transportation shall submit a plan
23 to the joint committee on finance that does all of the following:

24 1. Allocates reductions of \$3,530,800 in fiscal year 2001-02 among program
25 revenue, program revenue-service, segregated fund revenue, and segregated fund

1 revenue–service appropriations, as defined in section 20.001 (2) (b), (c), (d), and (da)
2 of the statutes, under section 20.395 of the statutes, as affected by this act, less any
3 amount lapsed in fiscal year 2000–01 as a result of any credits by the department of
4 employee trust funds to the department of transportation’s appropriations to
5 implement such act.

6 2. Allocates reductions of \$800,000 in each fiscal year of the 2001–03 fiscal
7 biennium from among the appropriations under section 20.395 (3) (iq) and (5) (cq)
8 and (dq) of the statutes; the appropriation under section 20.395 (4) (aq) of the
9 statutes, as affected by this act; and, from moneys associated with delivery costs of
10 the department of transportation, the appropriations under section 20.395 (3) (cq)
11 and (eq) of the statutes, as affected by this act, and the appropriation under section
12 20.395 (3) (bq) of the statutes.

13 (b) The plan submitted under paragraph (a) shall require all of the following:

14 1. That the amount of any proposed reductions under paragraph (a) 1. from
15 program revenue, program revenue–service, or segregated fund revenue–service
16 appropriations lapse to the transportation fund.

17 2. That the amount of any proposed reductions under paragraph (a) 2. lapse to
18 the transportation fund.

19 (c) If the cochairpersons of the committee do not notify the department of
20 transportation that the committee has scheduled a meeting for the purpose of
21 reviewing the proposed plan within 14 working days after the date of the submittal,
22 the department of transportation may implement the plan. If, within 14 days after
23 the date of the submittal, the cochairpersons of the committee notify the department
24 of transportation that the committee has scheduled a meeting for the purpose of

1 reviewing the proposed plan, the department of transportation may not implement
2 the plan until it is approved by the committee, as submitted or as modified.

3 (3) AIRPORT FINANCING COMMITTEE. There is created an airport financing
4 committee consisting of members appointed by the governor. The governor shall
5 appoint members representing the department of transportation, the department of
6 commerce, airport managers, airlines serving this state, the general aviation
7 community, the people of this state, and private businesses having an interest in
8 transportation policy and financing. The committee shall select its officers and the
9 person appointed chairperson shall call the committee's first meeting. The
10 committee shall review and evaluate this state's airport system needs and the
11 current system of funding those needs and shall recommend changes, if any, to better
12 meet those needs. The committee shall evaluate, among other things: aircraft
13 registration fees; aviation fuel taxes and fees; allocation of sales tax receipts from the
14 sale of aircraft, parts, and services; and the allocation of other moneys for airport
15 financing. The committee's recommendations, if any, should, if enacted, generate
16 revenue in amounts equal to or greater than the sum of moneys appropriated for
17 aeronautical activities in fiscal year 2002. Not later than December 31, 2002, the
18 committee shall submit a report containing the committee's evaluation, findings,
19 and recommendations to the governor, and to the legislature in the manner provided
20 under section 13.172 (2) of the statutes.

21 (3b) LONG-RANGE SURFACE TRANSPORTATION INVESTMENT PLANNING COMMITTEE.


22 (a) There is created a long-range surface transportation investment planning
23 committee consisting of the governor, or a representative of the governor, and 14
24 members nominated by the speaker of the assembly and the majority leader of the
25 senate, acting jointly, and appointed by the governor. Members shall be nominated

1 and appointed within 20 days after the effective date of this paragraph and shall
2 include:

- 3 1. A representative of the senate.
- 4 2. A representative of the assembly.
- 5 3. A representative of the Wisconsin Alliance of Cities.
- 6 4. A representative of the League of Wisconsin Municipalities.
- 7 5. A representative of the Wisconsin Towns Association.
- 8 6. A representative of the Wisconsin Counties Association.
- 9 7. A representative of the Wisconsin Transportation Builders Association.
- 10 8. A representative of the Wisconsin Urban and Rural Transit Association.
- 11 9. A representative of the Citizens for a Better Environment.
- 12 10. A representative of the American Automobile Association of Wisconsin.
- 13 11. A representative of the Wisconsin Council of the Blind.
- 14 12. A representative of the Wisconsin Association of Railroad Passengers.
- 15 13. A representative of a community proposing a commuter rail initiative.
- 16 14. A representative of the Bicycle Federation of Wisconsin.

17 (b) The committee shall have the following duties: to gather information
18 relating to state and local needs for surface transportation programs, including state
19 highways, transit, local roads, passenger rail including commuter rail, and bicycle
20 and pedestrian transportation; to involve the participation of relevant groups,
21 including those with interests in all relevant transportation modes, local and state
22 government, the environment, transportation program users, persons with
23 disabilities, and private businesses; to assess potential future long-range funding
24 needs for surface transportation programs up to a 20-year planning horizon or 2020;
25 to develop a recommended multiprogram state surface transportation investment

1 plan, including funding; and to prepare a report containing the committee's
2 evaluation, findings, and recommendations. Not later than October 15, 2002, the
3 committee shall submit the report to the governor and to the legislature in the
4 manner provided under section 13.172 (2) of the statutes.

5 (c) The committee shall hold its first meeting no later than 28 days after the
6 effective date of this paragraph and shall select a chairperson at that meeting. The
7 department of transportation and the legislative fiscal bureau shall provide staff
8 assistance to the committee. 

9 (3d) PORT ARTHUR ROAD EXTENSION IN CITY OF LADYSMITH. From the
10 appropriation under section 20.395 (2) (eq) of the statutes, as affected by this act, the
11 department of transportation shall allocate \$200,000 or 80% of the cost of the project,
12 whichever is less, in the 2001–03 fiscal biennium to fund a project to close a portion
13 of College Avenue in the city of Ladysmith and to extend Port Arthur Road east to
14 STH 27 in the city of Ladysmith, if the city of Ladysmith provides a local contribution
15 toward the costs of the project in an amount equal to at least 20% of the cost of the
16 project.

17 (3e) IMPROVEMENTS TO USH 51 IN CITY OF MADISON. Notwithstanding section
18 85.07 of the statutes, during the 2001–03 fiscal biennium, the department of
19 transportation shall expend funds not to exceed \$300,000 from federal funds
20 available under 23 USC 152 for a highway improvement project on USH 51 at the
21 intersection of Rieder Road in the city of Madison in Dane County, if the project is
22 consistent with the requirements of 23 USC 152 and regulations promulgated under
23 23 USC 152. The project shall include reconstruction of the southbound lanes of USH
24 51 at Rieder Road to incorporate a divided deceleration and turn lane on USH 51 for
25 southbound traffic turning east onto Rieder Road from USH 51 and a divided

1 acceleration lane on USH 51 for traffic traveling west on Rieder Road turning south
2 onto USH 51. The project shall also include installation of any traffic control signals
3 necessary to allow traffic traveling west on Rieder Road to turn onto southbound
4 USH 51 without requiring southbound traffic on USH 51 to stop.

5 (3h) HANSON ROAD BRIDGE IN BURKE. Not later than December 31, 2003, the
6 department of transportation shall construct the Hanson Road bridge project in the
7 town of Burke in Dane County and shall reconfigure Portage Road in the town of
8 Burke to accommodate such construction.

9 (3k) AUTOMATED DRIVERS' LICENSE TESTING. The department of transportation
10 shall conduct a study to determine whether to require automated drivers' license
11 testing throughout the state and shall prepare a report containing its findings and
12 recommendations. The department shall submit the report to the governor, and to
13 the legislature in the manner provided under section 13.172 (2) of the statutes, not
14 later than June 30, 2003.

15 (3mp) OVERPAYMENT OF STATE TRANSIT OPERATING AIDS. Notwithstanding section
16 85.20 (4m) (er) of the statutes, the department of transportation shall waive
17 repayment by the city of Rhinelander of any outstanding balance of overpayments
18 of state transit operating aids distributed by the department to the city for the
19 calendar years 1997 through 1999.

20 (3wy) HIGHWAY REST AREAS. The total amount of any proposed expenditures or
21 encumbrances that the department of transportation does not make in the 2001-03
22 fiscal biennium as a result of the implementation of section 84.04 (4) of the statutes,
23 as created by this act, shall be expended or encumbered by the department in the
24 2001-03 fiscal biennium to reopen previously closed rest areas or to keep open rest

1 areas that are proposed for closure in areas where other rest areas and motorist
2 services described in section 86.195 (3) of the statutes are not available.

3 (4) GRANTS TO LOCAL PROFESSIONAL FOOTBALL STADIUM DISTRICTS. From the
4 appropriation under section 20.395 (1) (gr) of the statutes, as created by this act, the
5 department of transportation shall award grants in January 2002 to a local
6 professional football stadium district created under subchapter IV of chapter 229 of
7 the statutes for the development, construction, reconstruction, or improvement of
8 parking lots, garages, transportation facilities, or other functionally related or
9 auxiliary facilities or structures on the site of the existing parking lot facility, of a
10 football stadium, as defined in section 229.821 (6) of the statutes. Within 30 days of
11 receipt of the grants under this subsection, the local professional football stadium
12 district shall provide all grant proceeds to the professional football team described
13 in section 229.823 of the statutes to be used by the professional football team for the
14 purposes of the grants specified in this subsection.

15 (4c) WAUSAU CITY SQUARE PARK PEDESTRIAN PATHWAY. In the 2001–03 fiscal
16 biennium, from the appropriation under section 20.395 (2) (nx) of the statutes, the
17 department of transportation shall award a grant to the city of Wausau for the project
18 known as the City Square Park Pedestrian Pathway, if the city of Wausau
19 contributes funds for the project that at least equal 20% of the costs of the project.

20 (4d) HALFWAY CREEK BIKE TRAIL PROJECT. In the 2001–03 fiscal biennium, from
21 the appropriation under section 20.395 (2) (nx) of the statutes, the department of
22 transportation shall award a grant to the village of Holmen for the project known as
23 the Halfway Creek Bike Trail, if a person, other than the state, contributes funds for
24 the project that at least equal 20% of the costs of the project.

~~1~~ (4k) SPARTA OVERPASS. In the 2001–03 fiscal biennium, from the appropriation
2 under section 20.395 (2) (nx) of the statutes, the department of transportation shall
3 award a grant of \$496,000 to the city of Sparta in Monroe County for construction
4 of a snowmobile–bicycle–pedestrian overpass over I 90 in the city of Sparta. The
5 overpass shall be at least 14 feet in width and shall be located to provide convenient
6 and safe access to the Elroy–Sparta State Trail, the La Crosse River State Trail, and
~~7~~ nearby snowmobile trails.

~~8~~ (4e) CAPITOL COURT PROJECT. Of the amounts appropriated to the department
9 of transportation under section 20.395 (3) (cq) of the statutes, as affected by this act,
10 on the effective date of this subsection, the department shall allocate \$250,000 for
11 preliminary engineering for and construction, reconstruction, or improvement of
12 highways, transportation facilities, or other functionally related or auxiliary
13 facilities or structures associated with the Capitol Court project on West Capitol
14 Drive in the city of Milwaukee and for associated economic development.
15 Notwithstanding section 20.001 (3) (c) of the statutes, if the department has not
16 expended or encumbered any funds for the project on or before June 30, 2003, the
17 funds allocated under this subsection shall lapse from the appropriation account
18 under section 20.395 (3) (cq) of the statutes, as affected by this act, to the
~~19~~ transportation fund.

~~20~~ (4h) EISNER AVENUE PEDESTRIAN–BIKE TRAIL PROJECT. In the 2001–03 fiscal
21 biennium, from the appropriation under section 20.395 (2) (nx) of the statutes, the
22 department of transportation shall award a grant under section 85.026 (2) of the
23 statutes to the city of Sheboygan in Sheboygan County or the town of Sheboygan in
24 Sheboygan County, or both, for the project known as the Eisner Avenue
25 Pedestrian–Bike Trail Improvement project, if the recipient of the grant awarded

1 under this subsection contributes funds for the project that total at least 20% of the
2 costs of the project.

3 (4nk) CLAYTON PEDESTRIAN FACILITY. In the 2001–03 fiscal biennium, the
4 department of transportation shall construct a grade-separated pedestrian crossing
5 of USH 45 in the town of Clayton in Winnebago County if the town of Clayton
6 contributes funds for the project that at least equal 15% of the costs of the project.

7 (4v) GRANTS TO BROWN COUNTY AND MUNICIPALITIES. From the appropriation
8 under section 20.395 (2) (iq) of the statutes in fiscal year 2001–02, the department
9 of transportation shall award grants under section 84.185 of the statutes, as affected
10 by this act, totaling \$410,000 in January 2002 to Brown County, the city of Green Bay,
11 and the village of Ashwaubenon to be used to pay costs associated with the CTH
12 “VK”/Lombardi Avenue project in the city of Green Bay in Brown County. Grant
13 proceeds under this subsection shall be distributed in proportion to the percentage
14 of the costs of the project to be borne by each local governmental unit. The provisions
15 of section 84.185 of the statutes, as affected by this act, relating to the awarding of
16 grants, the amount of grants, and the eligibility requirements for grants, including
17 a required local contribution under section 84.185 (2) (b) 5. of the statutes, do not
18 apply to grants awarded under this subsection.

19 (4x) MENASHA RECREATIONAL TRAIL. Notwithstanding limitations on the amount
20 and use of aids provided under section 86.31 of the statutes, as affected by this act,
21 or on eligibility requirements for receiving aids under section 86.31 of the statutes,
22 as affected by this act, the department of transportation shall award a grant of
23 \$25,000 in the 2001–03 fiscal biennium to the town of Menasha in Winnebago County
24 for the construction of a recreational trail along Cold Spring Road in the town of
25 Menasha. Payment of the grant under this subsection shall be made from the

1 appropriation under section 20.395 (2) (fr) of the statutes, as affected by this act,
2 before making any other allocation of funds under section 86.31 (3) (b) of the statutes,
3 and is in addition to the town of Menasha's entitlement, as defined in section 86.31
4 (1) (ar) of the statutes, to aids under section 86.31 of the statutes, as affected by this
5 act.

6 (4z) IMPROVEMENT OF 85TH STREET IN KENOSHA COUNTY. Notwithstanding
7 limitations on the amount and use of aids provided under section 86.31 of the
8 statutes, as affected by this act, or on eligibility requirements for receiving aids
9 under section 86.31 of the statutes, as affected by this act, the department of
10 transportation shall award a grant of \$609,000 in the 2001–03 fiscal biennium to the
11 village of Pleasant Prairie in Kenosha County for improvements to 85th Street in the
12 village of Pleasant Prairie. Payment of the grant under this subsection shall be made
13 from the appropriation under section 20.395 (2) (fr) of the statutes, as affected by this
14 act, before making any other allocation of funds under section 86.31 (3) (b) of the
15 statutes, and is in addition to the village of Pleasant Prairie's entitlement, as defined
16 in section 86.31 (1) (ar) of the statutes, to aids under section 86.31 of the statutes, as
17 affected by this act.

18 (5) PARKING FACILITY GRANT. The department of transportation shall award a
19 grant of \$420,700 to Kenosha County from the appropriation under section 20.395
20 (1) (bs) of the statutes, as affected by this act, in fiscal year 2001–02 to provide 50%
21 of the local share required for a congestion mitigation and air quality improvement
22 project under section 85.245 of the statutes relating to a parking facility in the city
23 of Kenosha. No grant may be awarded under this subsection unless Kenosha County
24 makes a matching fund contribution toward the local share required for the project
25 that is equal to the amount of the grant awarded under this subsection.