

PART "O"

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1 of the statutes, for the purpose of performing income augmentation activities under
2 section 46.46 of the statutes."

3 **1678.** Page 1337, line 15: delete "2002" and substitute "2003".

4 **1679.** Page 1338, line 2: after that line insert:

5 "(9wo) REPORT ON POTENTIAL BADGER CARE HEALTH CARE PROGRAMS SAVINGS. The
6 department of health and family services shall study the potential for long-term
7 savings under the badger care health care program under section 49.665 of the
8 statutes, as affected by this act. No later than January 1, 2002, the department of
9 health and family services shall report the results of the study, together with its
10 findings and recommendations, to the joint committee on finance."

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11 ✓ **1680.** Page 1338, line 20: after that line insert:

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

19 (a) Institutional and community-based services for persons with
20 developmental disabilities shall be administered within one administrative subunit
21 of the department of health and family services. The subunit that is designated to
22 administer these services shall be the subunit that is administering
23 community-based services for persons with developmental disabilities on the
24 effective date of this paragraph.

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

7 (16rq) MEDICAL ASSISTANCE WAIVERS FOR DEVELOPMENTAL DISABILITIES SERVICES.

8 The department of health and family services shall determine whether any new
9 waivers under the medical assistance program are necessary to administer funding
10 for medical assistance services as described in subsection (16r) (b). That department
11 shall apply for any waivers of federal medical assistance statutes and regulations
12 from the federal department of health and human services that the department of
13 health and family services determines are necessary to administer funding for
14 medical assistance services as described in subsection (16r) (b).

15 (16rr) WRITTEN PLANS OF CARE FOR PERSONAL CARE SERVICES; RULES. The
16 department of health and family services shall submit in proposed form the rules
17 required under section 49.45 (2) (a) 24. of the statutes, as created by this act, to the
18 legislative council staff under section 227.15 (1) of the statutes no later than the first
19 day of the fourth month beginning after the effective date of this subsection.

20 (16rs) PILOT PROGRAM FOR LONG-TERM CARE OF CHILDREN WITH DISABILITIES.

21 (a) In this subsection:

22 1. “Administering agency” means a county department under section 46.23,
23 51.42, or 51.437 of the statutes or a human services agency that administers the
24 program under a contract with such a county department.

1 2. “Program” means a pilot program that provides a system of long-term care
2 for children with disabilities and their families.

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

8 1. Eligibility under sections 46.27 (11), 46.275, 46.277, 46.278, 46.985, and
9 51.44 of the statutes shall be expanded to include children with severe disabilities
10 and long-term care needs and children eligible for medical assistance with high
11 medical costs, and medical assistance coverage of services shall be expanded to
12 include services focused on the needs of children with developmental disabilities and
13 their families.

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

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

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

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

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

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

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

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

9 c. Counseling concerning public and private benefits programs.

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

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

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

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

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

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

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

3 10. The program shall blend the costs per child served in the areas of the sites
4 in which services are provided under sections 46.27 (11), 46.275, 46.277, 46.278,
5 46.985, and 51.44 of the statutes.

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

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

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

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

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

21 (c) If the federal waivers specified under paragraph (b) are approved, the
22 department of health and family services shall, as soon as possible before July 1,
23 2002, seek enactment of statutory language, including appropriation of necessary
24 funding, to implement the model described under paragraph (b), as approved under
25 the federal waivers. Any new resources for supports and services for long-term care

1 for children with disabilities and their families shall be managed under the program
2 after approval of the federal waivers specified in paragraph (b) and enactment of
3 necessary statutory language to implement the model under paragraph (b).”

4 ✓ **1681.** Page 1338, line 20: after that line insert:

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

9 ✓ **1682.** Page 1338, line 20: after that line insert:

10 “(13d) PLAN FOR REGIONAL LABOR COST VARIATIONS FOR NURSING HOME
11 REIMBURSEMENT. For purposes of determining medical assistance reimbursement for
12 allowable direct care costs for facilities with respect to adjustments for regional labor
13 cost variations under section 49.45 (6m) (ar) 1. a. of the statutes, the department of
14 health and family services, together with representative of the nursing home
15 industry and organized labor, shall develop a comprehensive plan that specifies
16 varying regions of the state of Wisconsin with respect to labor costs for nursing home
17 staff. The department of health and family services shall submit the plan, by
18 September 1, 2001, or by the first day of the 2nd month beginning after the effective
19 date of this subsection, whichever is later, to the joint committee on finance for
20 review. If the cochairpersons of the joint committee on finance do not notify the
21 secretary of health and family services within 14 working days after the date on
22 which the plan is submitted that the committee intends to schedule a meeting to
23 review the plan, the department of health and family services shall implement the
24 plan in adjusting standards for medical assistance reimbursement of allowable

1 direct care costs for facilities under section 49.45 (6m) (ar) 1. a. of the statutes. If,
2 within 14 working days after the date on which the plan is submitted, the
3 cochairpersons of the committee notify the secretary of health and family services
4 that the committee intends to schedule a meeting to review the plan, the department
5 of health and family services may implement the plan only upon approval by the
6 committee.”.

7 ✓ **1683.** Page 1338, line 20: after that line insert:

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

12 ✓ **1684.** Page 1338, line 20: after that line insert:

13 “(14b) SUDDEN INFANT DEATH SYNDROME PREVENTION TRAINING; RULES. The
14 department of health and family services shall submit in proposed form the rules
15 required under section 48.67 of the statutes, as affected by this act, to the legislature
16 under section 227.19 of the statutes no later than the first day of the 6th month
17 beginning after the effective date of this subsection.”.

18 ✓ **1685.** Page 1338, line 20: after that line insert:

19 “(16mn) STUDY ON FUNDING THE HEALTH INSURANCE RISK-SHARING PLAN. The board
20 of governors of the health insurance risk-sharing plan under chapter 149 of the
21 statutes, as affected by this act, shall conduct a study on alternative funding sources
22 for the health insurance risk-sharing plan. No later than January 1, 2002, the board
23 of governors shall report the results of the study, together with its findings and
24 recommendations, to the standing committees of the legislature on health in the

1 manner provided under section 13.172 (3) of the statutes and to the members of the
2 joint committee on finance.”.

3 ✓ **1686.** Page 1338, line 20: after that line insert:

4 “(12r) STATEWIDE TRAUMA CARE SYSTEM; POSITIONS. The authorized FTE positions
5 for the department of health and family services are increased by 2.0 PR project
6 positions, to be funded from the appropriation account under section 20.435 (1) (kx)
7 of the statutes, for the purposes of the statewide trauma care system under section
8 146.56 of the statutes, as affected by this act, for the period beginning on July 1, 2001,
9 and ending on June 30, 2003.

10 (12s) STATEWIDE TRAUMA CARE SYSTEM; REGIONAL ADVISORY TRAUMA COUNCILS.
11 From the appropriation account under section 20.435 (1) (kx) of the statutes, the
12 department of health and family services shall expend \$25,000 in state fiscal year
13 2001–02 and \$50,000 in state fiscal year 2002–03 for expenses of the regional
14 advisory trauma councils under section 146.56 (1) of the statutes, as affected by this
15 act, and shall distribute \$290,000 in state fiscal year 2002–03 as grants to regional
16 advisory trauma councils for performance of activities under the statewide trauma
17 system.”.

18 ✓ ✓ **1687.** Page 1338, line 20: after that line insert:

19 “(13b) DURABLE MEDICAL EQUIPMENT; CUSTOMIZED WHEELCHAIR. From the
20 appropriations under section 20.435 (4) (b) and (o) of the statutes, as affected by this
21 act, notwithstanding the denial of a request for prior authorization for durable
22 medical equipment for a customized wheelchair, the department of health and family
23 services shall purchase a customized wheelchair for a resident of the Vernon Manor

1 nursing home in Vernon County who has cerebral palsy and for whom a physician
2 has determined that a customized wheelchair is necessary.”

3 ✓ **1688.** Page 1338, line 20: after that line insert:

4 “(14k) IMMUNIZATION REGISTRY.

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

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

1 account may be supplemented from the appropriation account under section 20.865
2 (4) (a) of the statutes only as approved by the committee. Notwithstanding section
3 13.101 (3) of the statutes, the committee is not required to find that an emergency
4 exists prior to supplementing the appropriation account under section 20.435 (4)
5 (bm) of the statutes, as affected by this act.

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

9 (14L) WINNEBAGO MENTAL HEALTH INSTITUTE AND MENDOTA MENTAL HEALTH
10 INSTITUTE POSITION AUTHORIZATIONS.

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

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

20 ✓ **1689.** Page 1338, line 20: after that line insert:

21 “(14e) MILWAUKEE HEALTH CLINICS GRANTS. In fiscal year 2001–02, from the
22 appropriation account under section 20.435 (5) (fh) of the statutes, as affected by this
23 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 ✓ **1690.** Page 1338, line 20: after that line insert:

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

13 ✓ **1691.** Page 1338, line 20: after that line insert:

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

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

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

23 ✓ **1692.** Page 1338, line 20: after that line insert:

1 ✓ “(13dd) INCREASE IN HOSPITAL AND HEALTH MAINTENANCE ORGANIZATION RATES OF
2 REIMBURSEMENT. No later than 90 days after the effective date of this subsection, the
3 department of health and family services shall submit to the joint committee on
4 finance a plan for distributing the moneys appropriated in the 2001–03 fiscal
5 biennium under section 20.435 (4) (o) and (w) of the statutes, as affected by this act,
6 for increasing the maximum rate of reimbursement paid to hospitals and health
7 maintenance organizations for outpatient services provided under the medical
8 assistance program under subchapter IV of chapter 49 of the statutes. The plan may
9 not increase the maximum rate of reimbursement paid to hospitals for outpatient
10 services so that the increase results in an increase in the discount rate, which is
11 shown as the difference between the rate of reimbursement paid to fee-for-service
12 providers for the same services that are provided by health maintenance
13 organizations and the rate of payment made to health maintenance organizations for
14 those services, of more than \$2,500,000 in each of calendar years 2002 and 2003. If
15 the cochairpersons of the committee do not notify the secretary of health and family
16 services within 14 working days after receiving the plan that the cochairpersons
17 have scheduled a meeting for the purpose of reviewing the plan, the department of
18 health and family services shall implement the plan. If, within 14 working days after
19 receiving the plan, the cochairpersons notify the secretary of health and family
20 services that the cochairpersons have scheduled a meeting for the purpose of
21 reviewing the plan, the department of health and family services may implement the
22 plan only as approved by the committee.”.

23 ✓ **1693.** Page 1338, line 20: after that line insert:

24 “(15j) ASSISTIVE TECHNOLOGY AND ADAPTIVE EQUIPMENT.

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

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

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

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

24 ✓✓ **1694.** Page 1338, line 20: after that line insert:

1 “(13q) HEALTH INSURANCE SUPPLEMENT FOR COMMUNITY DISABILITY SERVICE
2 PROVIDERS. From the appropriation under section 20.435 (4) (bu) of the statutes, as
3 created by this act, the department of health and family services shall in state fiscal
4 year 2001–02 distribute moneys to applying providers of services under home and
5 community–based waiver programs under 42 USC 1396n (c), including the
6 long–term support community options program under section 46.27 of the statutes
7 and the community integration programs under sections 46.275, 46.277, and 46.278
8 of the statutes, to offset costs of providing health insurance to employees of the
9 providers. Moneys distributed under this subsection to an applying provider are
10 limited to the amount the provider expends for employee health care insurance costs
11 or \$50,000, whichever is less.”.

12 ✓✓ **1695.** Page 1338, line 20: after that line insert:

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

18 ✓✓ **1696.** Page 1338, line 20: after that line insert:

19 “(14q) MARRIAGE COUNSELING. The authorized FTE positions for the department
20 of health and family services, funded from the appropriation under section 20.435
21 (3) (kx) of the statutes, are decreased by 1.0 PR position for the provision of marriage
22 counseling services.”.

23 ✓✓ **1697.** Page 1338, line 20: after that line insert:

1 “(16h) PRESCRIPTION DRUG ASSISTANCE FOR ELDERLY; ADMINISTRATION. Before July
2 1, 2002, the department of health and family services may develop and submit to the
3 department of administration a proposal for expenditure of the funds appropriated
4 under section 20.865 (4) (a) of the statutes for administration of the prescription drug
5 assistance for elderly program under section 49.688 of the statutes, as created by this
6 act. The department of administration may approve, disapprove, or modify and
7 approve any proposal it receives under this subsection. If the department of
8 administration approves the proposal, the department shall submit the proposal,
9 together with any modifications, to the cochairpersons of the joint committee on
10 finance. If the cochairpersons of the committee do not notify the secretaries of
11 administration and health and family services within 14 working days after
12 receiving the proposal that the cochairpersons have scheduled a meeting for the
13 purpose of reviewing the proposal, the secretary of administration may transfer from
14 the appropriation account under section 20.865 (4) (a) of the statutes to the
15 appropriation account under section 20.435 (4) (a) of the statutes the amount
16 specified in the proposal or any proposed modifications of the proposal for
17 expenditure as specified in the proposal or any proposed modifications of the
18 proposal and may approve any position authority specified in the proposal or any
19 proposed modifications of the proposal. If, within 14 working days after receiving the
20 proposal, the cochairpersons notify the secretaries of administration and health and
21 family services that the cochairpersons have scheduled a meeting for the purpose of
22 reviewing the proposal, the secretary of administration may not transfer any amount
23 specified in the proposal or any proposed modifications of the proposal from the
24 appropriation account under section 20.865 (4) (a) of the statutes and may not

1 approve any position authority specified in the proposal or any proposed
2 modifications of the proposal, except as approved by the committee.”

3 ✓ **1698.** Page 1338, line 22: after that line insert:

4 “(1x) REPORT ON LOAN FORGIVENESS PROGRAM. The higher educational aids board
5 shall develop a program to forgive loans of students who graduate from the
6 University of Wisconsin System or from the technical college system and farm for a
7 period of 5 consecutive years. The board shall submit a report summarizing the
8 program to the governor, and to the legislature in the manner provided under section
9 13.172 (2) of the statutes, by March 1, 2002.”

10 ✓ **1699.** Page 1338, line 24: delete “(1)mk” and substitute “(1mk)”.

11 ✓ **1700.** Page 1340, line 17: after that line insert:

12 “(1x) VOTING SYSTEM TRANSITIONAL ASSISTANCE. Notwithstanding section 13.101
13 (3) (a) of the statutes, if the elections board requests a supplemental appropriation
14 from the joint committee on finance for the purpose of providing voting system
15 transitional assistance under section 7.08 (7) of the statutes, as created by this act,
16 or SECTION 9115 (1x) of this act, no finding of emergency is required.
17 Notwithstanding sections 13.10 and 13.101 (3) of the statutes, if the elections board
18 requests a supplemental appropriation under this subsection, and the
19 cochairpersons of the joint committee on finance do not notify the elections board that
20 a meeting of the committee has been scheduled to discuss the request within 14
21 working days of the date that the request is made, the request is considered to be
22 approved by the committee.”

23 ✓ **1701.** Page 1341, line 9: after that line insert:

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

3 ✓
✓ **1702.** Page 1341, line 24: after that line insert:

4 “(2z) AUDIT OF GEOGRAPHIC INFORMATION SYSTEMS MAPPING SERVICES. The joint
5 legislative audit committee is requested to, and may, direct the legislative audit
6 bureau to perform a performance evaluation audit of the geographic information
7 systems mapping services provided by the department of natural resources. The
8 audit shall include an analysis of the degree to which the services offered by the
9 department of natural resources compete with the services offered by private
10 businesses and an analysis of whether it is most cost-effective for those services to
11 be provided by the department of natural resources or by private businesses. If the
12 committee directs the legislative audit bureau to perform an audit, the bureau shall
13 file its report as described in section 13.94 (1) (b) of the statutes.”.

14 ✓ **1703.** Page 1343, line 5: after that line insert:

15 “(3xx) ACCUMULATED UNUSED SICK LEAVE CREDIT CONVERSION STUDY.

16 (a) The joint survey committee on retirement systems shall study the issue of
17 allowing participants in the Wisconsin retirement system who have terminated
18 covered employment and who have at least 25 years of creditable service under the
19 Wisconsin retirement system, but who are not eligible to receive an immediate
20 annuity under the Wisconsin retirement system at the time that they terminate
21 covered employment, to be able to convert their accumulated unused sick leave into
22 credits for the payment of health insurance premiums under section 40.05 (4) (b) of
23 the statutes on the date on which the department of employee trust funds receives
24 the participant’s application for a retirement annuity or for a lump sum payment

1 under section 40.25 (1) of the statutes. The departments of employment relations
2 and employee trust funds shall provide any information requested by the joint
3 survey committee on retirement systems. The joint survey committee on retirement
4 systems shall submit the results of the study and recommendations to the
5 department of employment relations no later than January 1, 2002.

6 (b) No later than 30 days after receiving the results of the study and
7 recommendations submitted under paragraph (a), the department of employment
8 relations shall submit proposed legislation incorporating the recommendations to
9 the joint committee on employment relations.”.

10 ✓ **1704.** Page 1343, line 5: after that line insert:

11 “(3y) AUDIT OF STATE AIRCRAFT USAGE. The joint legislative audit committee is
12 requested to direct the legislative audit bureau to conduct a performance evaluation
13 audit of aircraft usage by state agencies. If the legislative audit bureau performs the
14 audit, the bureau is requested to include an evaluation of whether the current
15 number of aircraft owned by the state is appropriate. If the legislative audit bureau
16 performs the audit, it shall file its report as described under section 13.94 (1) (b) of
17 the statutes by January 1, 2003.”.

18 ✓ **1705.** Page 1343, line 11: after that line insert:

19 “(4z) STUDY ON NEW ECONOMY. The joint legislative council is requested to
20 conduct a study on how the state government, the state’s research universities, and
21 the state’s business community can foster economic development in this state by
22 assisting and developing businesses and industries that are based on science and
23 technology. If the joint legislative council conducts the study, the joint legislative
24 council shall report its findings, conclusions, and recommendations to the legislature

1 in the manner provided under section 13.172 (2) of the statutes by January 1, 2002,
2 and shall include in its report recommendations relating to all of the following:

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

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

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

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

11 (e) A strategy to bring the best and brightest researchers to this state.”.

12 ✓ **1706.** Page 1343, line 11: after that line insert:

13 “(4b) JURY SELECTION STUDY AND REPORT. The joint legislative council is
14 requested to study how juries are selected, including what actions are needed to
15 increase the participation of racial and ethnic minorities on juries so that juries
16 reflect the racial and ethnic composition of the areas from which the juries were
17 selected. If the joint legislative council conducts the study, it shall report its findings
18 and recommendations to the legislature in the manner provided under section
19 13.172 (2) of the statutes.”.

20 ✓ **1707.** Page 1343, line 11: after that line insert:

21 “(4m) EVALUATION AND REPORT TO LEGISLATURE. By October 1, 2004, the
22 legislative audit bureau shall evaluate, on a quantitative and qualitative basis, the
23 success of restorative justice programming in Milwaukee county and the county
24 selected under section 978.044 (4) of the statutes, as created by this act, in serving

1 victims, offenders, and communities affected by crime and shall report its findings
2 to the appropriate standing committees of the legislature, as determined by the
3 speaker of the assembly and the president of the senate, under section 13.172 (3) of
4 the statutes.”.

5 ✓ **1708.** Page 1343, line 11: after that line insert:

6 “(5q) AUDIT OF THE DIVISION OF INTERNATIONAL AND EXPORT DEVELOPMENT. The
7 joint legislative audit committee is requested to direct the legislative audit bureau
8 to perform a financial and performance evaluation audit of the division of
9 international and export development in the department of commerce. The audit
10 shall examine the general operations of the division. If the committee directs the
11 legislative audit bureau to perform the audit under this subsection, the bureau shall
12 file its report as described in section 13.94 (1) (b) of the statutes by January 1, 2003.”.

13 ✓ **1709.** Page 1343, line 24: after that line insert:

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

20 (1kL) EMERGENCY RULES FOR RECYCLING PILOT PROGRAM. Using the procedure
21 under section 227.24 of the statutes, the department of natural resources may
22 promulgate as emergency rules the rules required under section 287.11 (4) (a) of the
23 statutes, as created by this act. Notwithstanding section 227.24 (1) (c) and (2) of the
24 statutes, the emergency rules may remain in effect until December 31, 2005.

1 Notwithstanding section 227.24 (1) (a) and (3) of the statutes, the department is not
2 required to provide evidence that promulgating a rule under this subsection as an
3 emergency rule is necessary for the preservation of public peace, health, safety, or
4 welfare and is not required to provide a finding of emergency for a rule promulgated
5 under this subsection.

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

10 ✓✓ **1710.** Page 1344, line 13: after that line insert:

11 “(2g) NONPOINT SOURCE POSITIONS. The authorized FTE positions for the
12 department of natural resources are increased by 5.5 SEG positions, funded by the
13 appropriation under section 20.370 (3) (mt) of the statutes, to reflect the transfer of
14 funding for nonpoint source water pollution control to the environmental fund.

15 (2h) NONPOINT SOURCE ADMINISTRATION. The authorized FTE positions for the
16 department of natural resources are increased by 8.0 SEG positions, funded by the
17 appropriation under section 20.370 (4) (mr) of the statutes, to reflect the transfer of
18 funding for nonpoint source water pollution control to the environmental fund.”.

19 ✓✓ **1711.** Page 1344, line 13: after that line insert:

20 “(2t) COMPUTER ACCESSIBLE WATER RESOURCE MANAGEMENT INFORMATION.

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

1 (b) If the cochairpersons of the committee do not notify the department within
2 14 working days after the date of any submittal under paragraph (a) that the
3 committee has scheduled a meeting for the purpose of reviewing the proposal, the
4 appropriation under section 20.370 (4) (aq) of the statutes, as affected by this act, is
5 supplemented by \$100,000 for fiscal year 2002–03, from the appropriation account
6 under section 20.865 (4) (u) of the statutes, and the appropriation under section
7 20.370 (4) (ax) of the statutes, as created by this act, is supplemented by \$100,000
8 for fiscal year 2002–03, from the appropriation account under section 20.865 (4) (u)
9 of the statutes, for the purpose of implementing the proposal. If, within 14 working
10 days after the date of the submittal under paragraph (a), the cochairpersons of the
11 committee notify the department that the committee has scheduled a meeting for the
12 purpose of reviewing the proposal and if the committee approves the proposal, the
13 committee may, from the appropriation under section 20.865 (4) (u) of the statutes,
14 supplement the appropriation under section 20.370 (4) (aq) of the statutes, as
15 affected by this act, by an amount not to exceed \$100,000 for fiscal year 2002–03 and
16 may supplement the appropriation under section 20.370 (4) (ax) of the statutes, as
17 created by this act, by an amount not to exceed \$100,000 for fiscal year 2002–03 for
18 the purpose of implementing the proposal. Notwithstanding section 13.101 (3) (a)
19 of the statutes, the committee is not required to find that an emergency exists.”

20 ✓ **1712.** Page 1344, line 14: delete lines 14 to 19.

21 ✓ **1713.** Page 1344, line 19: after that line insert:

22 “(4p) SPARTA OVERPASS. During the 2001–03 fiscal biennium, the department
23 of natural resources shall provide \$124,000 from the appropriation under section
24 20.370 (5) (cz) of the statutes, as created by this act, to the city of Sparta in Monroe

1 County for construction of the snowmobile–bicycle–pedestrian overpass over I 90
2 specified in SECTION 9152 (4k) of this act.”.

3 **1714.** Page 1346, line 3: delete lines 3 to 14 and substitute:

4 “(5mk) GREAT LAKES FORESTRY MUSEUM.

5 (a) In fiscal year 2001–02, from the appropriation under section 20.370 (5) (aw)
6 of the statutes, as affected by this act, the department of natural resources shall
7 award a grant in an amount not to exceed \$150,000 to an organization known as the
8 Great Lakes Forestry Museum to develop a facility in the city of Rice Lake for
9 educating the public about the history of forestry and logging in this state. In fiscal
10 year 2002–03, from the appropriation under section 20.375 (2) (rq) of the statutes,
11 as created by this act, the department of forestry shall award a grant in an amount
12 not to exceed \$150,000 to the same organization for the same purpose. The amount
13 of the funding shall be equal to the amount of contributions towards the facility from
14 funding sources other than this state.

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

18 **1715.** Page 1346, line 15: before that line insert:

19 “(5vv) URBAN FORESTRY GRANT FOR WINNEBAGO COUNTY. From the appropriation
20 under section 20.370 (5) (bw) of the statutes, as affected by this act, and
21 notwithstanding the limitation under section 23.097 (1) of the statutes that urban
22 forestry grants be awarded to cities and villages, the department of natural resources
23 shall provide \$37,500 in fiscal year 2001–02 to Winnebago County to provide funding
24 to Winnebago County under section 23.097 of the statutes, as affected by this act.

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

7 (5vx) URBAN FORESTRY GRANT FOR BURNETT COUNTY. From the appropriation
8 under section 20.370 (5) (bw) of the statutes, as affected by this act, and
9 notwithstanding the limitation under section 23.097 (1) of the statutes that urban
10 forestry grants be awarded to cities and villages, the department of natural resources
11 shall provide \$25,000 in fiscal year 2001–02 to Burnett County to provide funding
12 to Burnett County under section 23.097 of the statutes, as affected by this act.

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

19 ✓ **1716.** Page 1346, line 17: after “2001–02 and” insert “from the appropriation
20 under section 20.375 (2) (w) of the statutes, as affected by this act, the department
21 of forestry shall provide”.

22 ✓ **1717.** Page 1346, line 17: delete “\$50,000 in fiscal year 2001–02 and \$50,000”
23 and substitute “\$150,000 in fiscal year 2001–02 and \$150,000”.

1 ✓ **1718.** Page 1346, line 21: after “2001–02 and” insert “from the appropriation
2 under section 20.375 (2) (w) of the statutes, as affected by this act, the department
3 of forestry shall provide”.

4 ✓ **1719.** Page 1348, line 6: after that line insert:

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

18 ✓ **1720.** Page 1348, line 6: after that line insert:

19 “(8c) JANESVILLE RIVERFRONT PARKWAY DEVELOPMENT PROJECT. From the
20 appropriation under section 20.370 (5) (cq) of the statutes, as affected by this act, the
21 department of natural resources shall provide \$250,000 to the city of Janesville for
22 a project to develop a riverfront parkway that includes the development of a marina
23 with a boat launch and transient boat slips. The amount expended under this
24 subsection shall be considered an expenditure for an inland water project under

1 section 30.92 (4) (b) 6. of the statutes. The city of Janesville need not contribute any
2 moneys to match the amount provided from the appropriation under section 20.370
3 (5) (cq) of the statutes, as affected by this act. Notwithstanding section 30.92 (4) (b)
4 4., 7., or 8. of the statutes, as affected by this act, the project specified under this
5 subsection qualifies as a recreational boating project for the purpose of providing
6 moneys under this subsection. This project need not be placed on the priority list
7 under section 30.92 (3) (a) of the statutes. This subsection does not apply after June
8 30, 2003.”.

9 **1721.** Page 1348, line 6: after that line insert:

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

16 **1722.** Page 1348, line 6: after that line insert:

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

1 ✓ **1723.** Page 1348, line 6: after that line insert:

2 “(9n) SOUTHEASTERN WISCONSIN FOX RIVER COMMISSION. The department of
3 natural resources shall provide in fiscal year 2001–02, from the appropriation under
4 section 20.370 (5) (cq) of the statutes, as affected by this act, \$200,000 for the
5 Southeastern Wisconsin Fox River commission. The commission may use these
6 funds for its activities authorized under subchapter VI of chapter 33 of the statutes
7 and for providing matching funding for any grants that the commission may be able
8 to obtain.”

9 ✓ **1724.** Page 1348, line 6: after that line insert:

10 “(8q) LAKE MANAGEMENT GRANT FOR FISH LAKE. From the appropriation under
11 section 20.370 (6) (ar) of the statutes, the department of natural resources during
12 fiscal year 2001–02 shall provide a lake management grant of \$200,000 to Dane
13 County for water quality and lake level improvements for Fish Lake and Mud Lake
14 in Dane County and Crystal Lake located in both Dane County and Columbia
15 County. The 75% limitation under section 281.69 (2) (a) of the statutes does not apply
16 to this grant.”

17 ✓ ✓ **1725.** Page 1348, line 6: after that line insert:

18 “(8mk) ATLAS MILL RENOVATION. From the appropriation under section 20.370
19 (5) (ax) of the statutes, as created by this act, the department of natural resources
20 shall provide \$250,000 in fiscal year 2001–02 to an organization known as the Paper
21 International Hall of Fame, Inc., to renovate the facility known as the Atlas Mill
22 located in the city of Appleton into a facility to be known as the World Paper Center.”

23 ✓ **1726.** Page 1348, line 6: after that line insert:

24 “(9zw) TRANSFER OF THE DIVISION OF FORESTRY TO THE DEPARTMENT OF FORESTRY.

1 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
2 liabilities of the department of natural resources that are primarily related to the
3 functions of the division of forestry, as determined by the secretary of administration,
4 shall become the assets and liabilities of 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.

9 (b) *Employee transfers.*

10 1. All incumbent employees holding positions in the department of natural
11 resources relating primarily to the functions of the division of forestry, as determined
12 by the secretary of administration, are transferred on the effective date of this
13 subdivision to the department of forestry. If either department is dissatisfied with
14 the secretary's determination, that department may bring the matter to the
15 cochairpersons of the joint committee on finance for consideration by the committee,
16 and the committee shall affirm or modify the decision.

17 2. The secretary of administration shall determine which incumbent
18 employees holding positions in the department of natural resources that relate
19 primarily to general administration and program support will be transferred to the
20 department of forestry. If either department is dissatisfied with the secretary's
21 determination, that department may bring the matter to the cochairpersons of the
22 joint committee on finance for consideration by the committee, and the committee
23 shall affirm or modify the decision.

24 (c) *Employee status.* Employees transferred under paragraph (b) shall have the
25 same rights and status under subchapter V of chapter 111 and chapter 230 of the

1 statutes in the department of forestry that they enjoyed in the department of natural
2 resources immediately before the transfer. Notwithstanding section 230.28 (4) of the
3 statutes, no employee so transferred who has attained permanent status in class is
4 required to serve a probationary period.

5 (d) *Tangible personal property.* On the effective date of this paragraph, all
6 tangible personal property, including records, of the department of natural resources
7 that is primarily related to the functions of the division of forestry, as determined by
8 the secretary of administration, shall be transferred to the department of forestry.
9 If either department is dissatisfied with the secretary's determination, that
10 department may bring the matter to the cochairpersons of the joint committee on
11 finance for consideration by the committee, and the committee shall affirm or modify
12 the decision.

13 (e) *Contracts.* All contracts entered into by the department of natural resources
14 in effect on the effective date of this paragraph that are primarily related to the
15 functions of the division of forestry, as determined by the secretary of administration,
16 remain in effect and are transferred to the department of forestry. If either
17 department is dissatisfied with the secretary's determination, that department may
18 bring the matter to the cochairpersons of the joint committee on finance for
19 consideration by the committee, and the committee shall affirm or modify the
20 decision. The department of forestry shall carry out any such contractual obligations
21 unless modified or rescinded by the department of forestry to the extent allowed
22 under the contract.

23 (f) *Rules and orders.* All rules promulgated by the department of natural
24 resources that are primarily related to the functions of the division of forestry, as
25 determined by the secretary of administration, and that are in effect on the effective

1 date of this paragraph remain in effect until their specified expiration dates or until
2 amended or repealed by the department of forestry. All orders issued by the
3 department of natural resources that are primarily related to the functions of the
4 division of forestry, as determined by the secretary of administration, and that are
5 in effect on the effective date of this paragraph remain in effect until their specified
6 expiration dates or until modified or rescinded by the department of forestry. If
7 either department is dissatisfied with the secretary's determination, that
8 department may bring the matter to the cochairpersons of the joint committee on
9 finance for consideration by the committee, and the committee shall affirm or modify
10 the decision.

11 (g) *Pending matters.* Any matter pending with the department of natural
12 resources on the effective date of this paragraph that is primarily related to the
13 functions of the division of forestry, as determined by the secretary of administration,
14 is transferred to the department of forestry and all materials submitted to or actions
15 taken by the department of natural resources with respect to the pending matter are
16 considered as having been submitted to or taken by the department of forestry. If
17 either department is dissatisfied with the secretary's determination, that
18 department may bring the matter to the cochairpersons of the joint committee on
19 finance for consideration by the committee, and the committee shall affirm or modify
20 the decision.

21 (h) *Position changes.*

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

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

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

7 4. The authorized FTE positions for the department of natural resources are
8 increased by 44.75 SEG positions funded from the appropriation under section
9 20.370 (1) (mv) of the statutes, as created by this act.

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

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

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

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

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

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

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

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

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

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

16 (9zy) APPOINTMENT OF FORESTRY SECRETARY; EARLY APPOINTMENT.

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

20 ✓ **1727.** Page 1349, line 10: after that line insert:

21 “(5w) WISCONSIN HUMANITIES COUNCIL. Notwithstanding sections 20.255 (2) (cf)
22 and 115.366 (1) of the statutes, from the amount appropriated to the department of
23 public instruction under section 20.255 (2) (cf) of the statutes in the 2001–02 fiscal

1 year, the department shall pay \$50,000 to the Wisconsin Humanities Council to
2 organize and plan the Wisconsin Book Festival.”.

3 ✓ **1728.** Page 1349, line 10: after that line insert:

4 “(3q) DEAF AND HARD-OF-HEARING EDUCATION COUNCIL. Notwithstanding the
5 length of term specified in section 15.377 (2) of the statutes, one of the initial
6 members of the deaf and hard-of-hearing education council appointed under section
7 15.377 (2) (a) of the statutes, one of the initial members appointed under section
8 15.377 (2) (i) of the statutes, the initial member appointed under section 15.377 (2)
9 (b) of the statutes, and the initial member appointed under section 15.377 (2) (c) of
10 the statutes shall serve for terms expiring on July 1, 2002; the initial members
11 appointed under section 15.377 (2) (d), (e), and (f) of the statutes and one of the initial
12 members appointed under section 15.377 (2) (i) of the statutes shall serve for terms
13 expiring on July 1, 2003; and the initial members appointed under section 15.377 (2)
14 (g) and (h) of the statutes, one of the initial members appointed under section 15.377
15 (2) (a) of the statutes, and one of the members appointed under section 15.377 (2) (i)
16 of the statutes shall serve for terms expiring on July 1, 2004.”.

17 ✓ **1729.** Page 1349, line 11: delete the material beginning with that line and
18 ending with page 1350, line 10.

19 ✓ **1730.** Page 1350, line 13: delete the material beginning with “section” and
20 ending with “act” on line 14 and substitute “SECTION 9149 (3mk) of this act”.

21 ✓ **1731.** Page 1350, line 14: after that line insert:

22 “(6w) AFTER-SCHOOL CARE GRANTS PROGRAM.

23 (a) A school board may apply to the state superintendent of public instruction
24 for a grant to fund an after-school care program for pupils who are eligible to receive

1 temporary assistance for needy families under 42 USC 601 to 619 and who would
2 otherwise be unsupervised by an adult in the afternoon after school.

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

7 ✓ **1732.** Page 1350, line 14: after that line insert:

8 “(10k) JOINT LEGISLATIVE COUNCIL STUDY ON SCHOOL FINANCING. The joint
9 legislative council is requested to conduct a study of school financing. If the joint
10 legislative council conducts the study, it shall report its findings, conclusions, and
11 recommendations to the legislature in the manner provided under section 13.172 (2)
12 of the statutes by June 30, 2003.”

13 ✓ **1733.** Page 1350, line 14: after that line insert:

14 “(10fm) JOINT LEGISLATIVE COUNCIL STUDY ON SPECIAL EDUCATION. The joint
15 council is requested to conduct a study of criteria to determine a pupil’s need for
16 special education services; the extent of the problem of providing special education
17 services to violent pupils and recommendations on how to address the problem; the
18 availability of alternative regular education programs that might be more
19 appropriate for pupils currently enrolled in special education programs; the impact
20 of statewide, standardized tests on referrals to special education; current training
21 of special education teachers; special education funding; and whether it is possible
22 to recover a larger percentage of medical assistance funds for the provision of special
23 education services. If the joint legislative council conducts the study, it shall report

1 its findings, conclusions, and recommendations to the legislature in the manner
2 provided under section 13.172 (2) of the statutes by June 30, 2003.”.

3 ✓ **1734.** Page 1350, line 14: after that line insert:

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

10 ✓ **1735.** Page 1350, line 16: after that line insert:

11 “(1p) PROJECT POSITION. Notwithstanding section 230.27 (1) of the statutes, 1.0
12 FTE project position that is authorized for the board of commissioners to perform
13 duties related to submerged log activities and that terminates in September 2001 is
14 extended to September 30, 2002, and the authorized FTE positions for the board of
15 commissioners are increased by 1.0 PR project position until September 30, 2002, for
16 the purpose of performing duties relating to submerged log activities.”.

17 ✓ **1736.** Page 1352, line 3: delete lines 3 to 7 and substitute:

18 “(2zq) DISTRIBUTED GENERATION RULES.

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

23 (b) The public service commission shall create a committee under section
24 227.13 of the statutes to advise the commission with respect to promulgating the

1 rules required under section 196.496 (2) of the statutes, as created by this act. The
2 advisory committee shall consist of one employee each of the department of
3 administration and the department of natural resources, designated by the
4 secretaries of the respective departments, and members who represent interests
5 regarding distributed generation facilities, including distributed generation
6 equipment manufacturers and installers, customers, energy advocacy groups, utility
7 workers, environmental groups, public utilities, and electric cooperative
8 associations.”.

9 ✓ **1737.** Page 1352, line 7: after that line insert:

10 “(3mk) WISCONSIN ADVANCED TELECOMMUNICATIONS FOUNDATION ASSESSMENTS.

11 (a) In this subsection:

12 1. “Commission” means the public service commission.

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

15 3. “Foundation” means the Wisconsin Advanced Telecommunications
16 Foundation.

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

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

21 1. Determine the total amount that the foundation solicited from each
22 telecommunications provider for contribution to the endowment fund and the total
23 amount that each telecommunications provider contributed to the endowment fund.

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

4 (c) A telecommunications provider shall pay an assessment made by the
5 commission under paragraph (b) within 30 days after the commission mails the bill
6 to the telecommunications provider. The bill constitutes notice of the assessment
7 and demand for payment. Disputes over failure to pay the assessment shall be
8 governed by section 196.85 (3) to (8), 1999 stats., except that any reference to a public
9 utility shall refer instead to a telecommunications provider, and any reference to a
10 bill rendered under section 196.85 (1) of the statutes, 1999 stats., shall refer instead
11 to a bill rendered under this paragraph.

12 (d) A telecommunications provider may establish a surcharge on customers'
13 bills to collect the amount of an assessment paid under paragraph (c), but only if the
14 bills indicate that the surcharge is being assessed due to the telecommunications
15 provider's failure to meet its responsibility to make contributions to the Wisconsin
16 Advanced Telecommunications Fund.”

17 ✓ **1738.** Page 1352, line 9: after “EXAMINATIONS” insert “AND EVALUATIONS”.

18 ✓ **1739.** Page 1352, line 11: after “examinations” insert “and evaluations”.

19 ✓ **1740.** Page 1352, line 13: delete the material beginning with “for” and ending
20 with “and” on line 14 and substitute “for the physician or optometrist to indicate”.

21 ✓ **1741.** Page 1352, line 20: delete lines 20 to 25.

22 ✓ **1742.** Page 1352, line 25: after that line insert:

23 “(1c) STUDY ON PROMOTING ECONOMIC GROWTH. The department of revenue shall
24 study options for restructuring shared revenue to encourage high-growth sectors of

1 the economy and the creation of high-quality jobs in this state. The study shall
2 include considering using up to 10% of the amount distributed to counties and
3 municipalities under section 79.03 of the statutes to match local efforts to encourage
4 creation of high-quality jobs in this state; recommending ways to incorporate smart
5 growth planning under section 16.965 of the statutes into the shared revenue
6 program; and studying the feasibility of allowing towns to maintain their boundaries
7 in exchange for shared revenue payments. No later than January 1, 2003, the
8 department of revenue shall report the result of its study to the secretary of
9 administration.”.

10 ✓ **1743.** Page 1352, line 25: after that line insert:

11 “(1q) ESTATE TAX; PROPOSED LEGISLATION. If the federal government enacts any
12 law that provides revenue to the state that is intended to offset any loss of estate tax
13 revenue under chapter 72 of the statutes as a result of any federal law enacted in
14 2001, the department of revenue shall submit proposed legislation regarding
15 modifications to the estate tax under chapter 72 of the statutes to the joint committee
16 on finance. Proposed legislation submitted under this subsection may not, in
17 conjunction with the fiscal effect of any federal law, result in any increase or decrease
18 in total state tax revenues.”.

19 ✓ **1744.** Page 1353, line 3: after “payments” insert “for counties”.

20 ✓ **1745.** Page 1353, line 6: delete “municipalities and”.

21 ✓ **1746.** Page 1353, line 12: after “2002” insert “county”.

22 ✓ **1747.** Page 1353, line 13: after “revenue” insert “payments”.

23 ✓ **1748.** Page 1353, line 19: delete “shared revenue” and substitute “county
24 shared revenue payments”.

1 ✓ **1749.** Page 1354, line 8: after that line insert:

2 “(4p) LOTTERY AND GAMING PROPERTY TAX CREDIT.

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

10 (b) Notwithstanding section 79.10 (10) (bm) and (bn) of the statutes, as affected
11 by this act, and section 79.10 (10) (bm) 2. of the statutes, as created by this act, the
12 department of revenue shall pay, from the appropriation under section 20.835 (3) (s)
13 of the statutes, as created by this act, all eligible claims under section 79.10 (9) (bm),
14 1999 stats., or under section 79.10 (10) (bn), 1999 stats., related to the 1999 property
15 tax assessment that the department received no later than October 1, 2001.”

16 ✓ **1750.** Page 1354, line 22: after that line insert:

17 “(1n) COURT INTERPRETER PROGRAM. The authorized FTE positions for the
18 supreme court are increased by 1.0 GPR project position, for a 2-year period
19 beginning on the first day of the 2nd month beginning after publication, to be funded
20 from the appropriation under section 20.680 (2) (a) of the statutes, for the purpose
21 of developing and administering a court interpreter testing and training program.”

22 ✓ **1751.** Page 1355, line 23: after that line insert:

23 “(2ht) HERITAGE TOURISM PROGRAM. The authorized FTE positions for the
24 department of tourism are increased by 1.0 PR positions, to be funded from the

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24

1 appropriation under section 20.380 (1) (kg) of the statutes, as affected by this act, for
2 operation of the heritage tourism program under section 41.19 of the statutes, as
3 affected by this act.”.

4 **1752.** Page 1356, line 13: after that line insert:

5 “(2vx) UNIFIED DISADVANTAGED BUSINESS CERTIFICATION PROGRAM.


6 (a) No person may use the list of disadvantaged businesses established by the
7 department of transportation under section 84.076 (3), 1999 stats., for bids first
8 advertised after the last day of the 5th month beginning after the effective date of
9 this paragraph.

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

20 **1753.** Page 1356, line 13: after that line insert:

21 “(2t) STATEWIDE TRAUMA CARE SYSTEM. From the appropriation account under
22 section 20.395 (4) (ax) of the statutes, as affected by this act, the department of
23 transportation shall transfer \$185,000 in fiscal year 2001–02 and \$500,000 in fiscal

1 year 2002–03 to the appropriation under section 20.435 (1) (kx) of the statutes for the
2 purposes of the statewide trauma care system under section 146.56 of the statutes.”.

3  **1754.** Page 1356, line 13: after that line insert:

4 “(2cd) ALLOCATION OF EXPENDITURE REDUCTIONS; LAPSES TO TRANSPORTATION FUND.

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

10 1. Allocates reductions of \$3,530,800 in fiscal year 2001–02 among program
11 revenue, program revenue–service, segregated fund revenue, and segregated fund
12 revenue–service appropriations, as defined in section 20.001 (2) (b), (c), (d), and (da)
13 of the statutes, under section 20.395 of the statutes, as affected by this act, less any
14 amount lapsed in fiscal year 2000–01 as a result of any credits by the department of
15 employee trust funds to the department of transportation’s appropriations to
16 implement such act.

17 2. Allocates reductions of \$800,000 in each fiscal year of the 2001–03 fiscal
18 biennium from among the appropriations under section 20.395 (3) (iq) and (5) (cq)
19 and (dq) of the statutes; the appropriation under section 20.395 (4) (aq) of the
20 statutes, as affected by this act; and, from moneys associated with delivery costs of
21 the department of transportation, the appropriations under section 20.395 (3) (cq)
22 and (eq) of the statutes, as affected by this act, and the appropriation under section
23 20.395 (3) (bq) of the statutes.

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

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

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

6 (c) If the cochairpersons of the committee do not notify the department of
7 transportation that the committee has scheduled a meeting for the purpose of
8 reviewing the proposed plan within 14 working days after the date of the submittal,
9 the department of transportation may implement the plan. If, within 14 days after
10 the date of the submittal, the cochairpersons of the committee notify the department
11 of transportation that the committee has scheduled a meeting for the purpose of
12 reviewing the proposed plan, the department of transportation may not implement
13 the plan until it is approved by the committee, as submitted or as modified.”

14 ✓ **1755.** Page 1357, line 6: after that line insert:

15 “(3b) LONG-RANGE SURFACE TRANSPORTATION INVESTMENT PLANNING COMMITTEE.

16 (a) There is created a long–range surface transportation investment planning
17 committee consisting of the governor, or a representative of the governor, and 14
18 members nominated by the speaker of the assembly and the majority leader of the
19 senate, acting jointly, and appointed by the governor. Members shall be nominated
20 and appointed within 20 days after the effective date of this paragraph and shall
21 include:

- 22 1. A representative of the senate.
23 2. A representative of the assembly.
24 3. A representative of the Wisconsin Alliance of Cities.

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

12 (b) The committee shall have the following duties: to gather information
13 relating to state and local needs for surface transportation programs, including state
14 highways, transit, local roads, passenger rail including commuter rail, and bicycle
15 and pedestrian transportation; to involve the participation of relevant groups,
16 including those with interests in all relevant transportation modes, local and state
17 government, the environment, transportation program users, persons with
18 disabilities, and private businesses; to assess potential future long-range funding
19 needs for surface transportation programs up to a 20-year planning horizon or 2020;
20 to develop a recommended multiprogram state surface transportation investment
21 plan, including funding; and to prepare a report containing the committee's
22 evaluation, findings, and recommendations. Not later than October 15, 2002, the
23 committee shall submit the report to the governor and to the legislature in the
24 manner provided under section 13.172 (2) of the statutes.

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

5 ✓ **1756.** Page 1357, line 8: delete “(fq) of the statutes, as created by this act,”
6 and substitute “(eq) of the statutes, as affected by this act,”.

7 ✓ **1757.** Page 1357, line 14: after that line insert:

8 “(3e) IMPROVEMENTS TO USH 51 IN CITY OF MADISON. Notwithstanding section
9 85.07 of the statutes, during the 2001–03 fiscal biennium, the department of
10 transportation shall expend funds not to exceed \$300,000 from federal funds
11 available under 23 USC 152 for a highway improvement project on USH 51 at the
12 intersection of Rieder Road in the city of Madison in Dane County, if the project is
13 consistent with the requirements of 23 USC 152 and regulations promulgated under
14 23 USC 152. The project shall include reconstruction of the southbound lanes of USH
15 51 at Rieder Road to incorporate a divided deceleration and turn lane on USH 51 for
16 southbound traffic turning east onto Rieder Road from USH 51 and a divided
17 acceleration lane on USH 51 for traffic traveling west on Rieder Road turning south
18 onto USH 51. The project shall also include installation of any traffic control signals
19 necessary to allow traffic traveling west on Rieder Road to turn onto southbound
20 USH 51 without requiring southbound traffic on USH 51 to stop.”.

21 ✓ **1758.** Page 1357, line 14: after that line insert:

22 “(3h) HANSON ROAD BRIDGE IN BURKE. Not later than December 31, 2003, the
23 department of transportation shall construct the Hanson Road bridge project in the

1 town of Burke in Dane County and shall reconfigure Portage Road in the town of
2 Burke to accommodate such construction.”

3 ✓ **1759.** Page 1357, line 14: after that line insert:

4 “(3k) AUTOMATED DRIVERS’ LICENSE TESTING. The department of transportation
5 shall conduct a study to determine whether to require automated drivers’ license
6 testing throughout the state and shall prepare a report containing its findings and
7 recommendations. The department shall submit the report to the governor, and to
8 the legislature in the manner provided under section 13.172 (2) of the statutes, not
9 later than June 30, 2003.”

10 ✓ **1760.** Page 1357, line 19: after that line insert:

11 “(3wy) HIGHWAY REST AREAS. The total amount of any proposed expenditures or
12 encumbrances that the department of transportation does not make in the 2001–03
13 fiscal biennium as a result of the implementation of section 84.04 (4) of the statutes,
14 as created by this act, shall be expended or encumbered by the department in the
15 2001–03 fiscal biennium to reopen previously closed rest areas or to keep open rest
16 areas that are proposed for closure in areas where other rest areas and motorist
17 services described in section 86.195 (3) of the statutes are not available.”

18 ✓ **1761.** Page 1358, line 16: after that line insert:

19 “(4k) SPARTA OVERPASS. In the 2001–03 fiscal biennium, from the appropriation
20 under section 20.395 (2) (nx) of the statutes, the department of transportation shall
21 award a grant of \$496,000 to the city of Sparta in Monroe County for construction
22 of a snowmobile–bicycle–pedestrian overpass over I 90 in the city of Sparta. The
23 overpass shall be at least 14 feet in width and shall be located to provide convenient

1 and safe access to the Elroy–Sparta State Trail, the La Crosse River State Trail, and
2 nearby snowmobile trails.”.

3 ✓ **1762.** Page 1358, line 16: after that line insert:

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

16 ✓ **1763.** Page 1358, line 16: after that line insert:

17 “(4h) EISNER AVENUE PEDESTRIAN-BIKE TRAIL PROJECT. In the 2001–03 fiscal
18 biennium, from the appropriation under section 20.395 (2) (nx) of the statutes, the
19 department of transportation shall award a grant under section 85.026 (2) of the
20 statutes to the city of Sheboygan in Sheboygan County or the town of Sheboygan in
21 Sheboygan County, or both, for the project known as the Eisner Avenue
22 Pedestrian–Bike Trail Improvement project, if the recipient of the grant awarded
23 under this subsection contributes funds for the project that total at least 20% of the
24 costs of the project.”.

1 **1764.** Page 1358, line 20: after that line insert:

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

14 **1765.** Page 1358, line 20: delete “50%” and substitute “15%”.

15 **1766.** Page 1359, line 7: after that line insert:

16 “(4z) IMPROVEMENT OF 85TH STREET IN KENOSHA COUNTY. Notwithstanding
17 limitations on the amount and use of aids provided under section 86.31 of the
18 statutes, as affected by this act, or on eligibility requirements for receiving aids
19 under section 86.31 of the statutes, as affected by this act, the department of
20 transportation shall award a grant of \$609,000 in the 2001–03 fiscal biennium to the
21 village of Pleasant Prairie in Kenosha County for improvements to 85th Street in the
22 village of Pleasant Prairie. Payment of the grant under this subsection shall be made
23 from the appropriation under section 20.395 (2) (fr) of the statutes, as affected by this
24 act, before making any other allocation of funds under section 86.31 (3) (b) of the