

1 (4) No cause of action of any nature may arise against and no civil liability may
2 be imposed upon a member of the board of directors for any act or omission in the
3 performance of his or her powers and duties under this chapter, unless the person
4 asserting liability proves that the act or omission constitutes willful misconduct.

5 (5) The members of the board of directors shall annually elect a chairperson
6 and may elect other officers as they consider appropriate. Five voting members of
7 the board of directors constitute a quorum for the purpose of conducting the business
8 and exercising the powers of the authority, notwithstanding the existence of any
9 vacancy. The board of directors may take action upon a vote of a majority of the
10 members present, unless the bylaws of the authority require a larger number.

11 (6) The board of directors shall appoint a chief executive officer who shall not
12 be a member of the board of directors and who shall serve at the pleasure of the board
13 of directors. The authority may delegate by resolution to one or more of its members
14 or its executive director any powers and duties that it considers proper. The chief
15 executive officer shall receive such compensation as may be determined by the board
16 of directors. The chief executive officer or other person designated by resolution of
17 the board of directors shall keep a record of the proceedings of the authority and shall
18 be custodian of all books, documents, and papers filed with the authority, the minute
19 book or journal of the authority, and its official seal. The chief executive officer or
20 other person may cause copies to be made of all minutes and other records and
21 documents of the authority and may give certificates under the official seal of the
22 authority to the effect that such copies are true copies, and all persons dealing with
23 the authority may rely upon such certificates.

24 **237.03 Duties of authority. (1) GENERAL DUTIES.** In addition to all other
25 duties imposed under this chapter, the authority shall do all of the following:

1 (a) Adopt bylaws and policies and procedures for the regulation of its affairs
2 and the conduct of its business.

3 (b) Contract for any legal services required for the authority.

4 (c) Establish the authority's annual budget and monitor the fiscal management
5 of the authority.

6 (d) Procure liability insurance covering its officers and employees and procure
7 insurance against any loss in connection with its property and other assets.

8 (e) Make every reasonable effort to contract with one or more corporations to
9 provide the services specified under s. 237.09 (2).

10 (2) DUTIES UPON LEASING. Upon entering into the lease under s. 237.06, the
11 authority shall rehabilitate, repair, replace, operate, and maintain the navigational
12 system.

13 **237.04 Powers of authority.** The authority shall have all the powers
14 necessary or convenient to carry out the purposes and provisions of this chapter. In
15 addition to all other powers granted by this chapter, the authority may:

16 (1) Incur debt, except as restricted under s. 237.05 (1).

17 (2) Sue and be sued.

18 (3) Hire employees, define their duties, and fix their rate of compensation.

19 (4) Have a seal and alter the seal at pleasure; have perpetual existence; and
20 maintain an office.

21 (5) Appoint any technical or professional advisory committee that the
22 authority finds necessary to assist the authority in exercising its duties and powers.

23 The authority shall define the duties of the committee, and provide reimbursement
24 for the expenses of the committee.

1 (6) Enter into contracts with 3rd parties as are necessary for the rehabilitation,
2 repair, replacement, operation, or maintenance of the navigational system.

3 (7) Acquire, lease, subject to s. 237.05 (2), and dispose of property as is
4 necessary for the rehabilitation, repair, replacement, operation, or maintenance of
5 the navigational system.

6 (8) Accept gifts and other funding for the rehabilitation, repair, replacement,
7 operation, or maintenance of the navigational system.

8 (9) Charge user fees for services the authority provides to the operators of
9 watercraft using the navigational system.

10 (10) Charge fees for use of facilities of the navigational system as provided in
11 s. 16.845.

12 **237.05 Restrictions on authority.** (1) The authority may not issue bonds.

13 (2) The authority may not sublease all, or any part of, the navigational system
14 without the approval of the department of administration.

15 **237.06 Lease.** Upon transfer of the ownership of the navigational system by
16 the federal government to the state, the department of administration on behalf of
17 the state and the authority shall enter into a lease agreement under which the state
18 shall lease the navigational system to the authority for nominal consideration. The
19 secretary of administration shall determine the amount of the rental payments.

20 **237.07 Management plan; financial statements.** (1) (a) The authority
21 shall submit to the department of administration a plan that does all the following:

22 1. Addresses the costs of and funding for the rehabilitation, repair,
23 replacement, operation, and maintenance of the navigational system.

1 2. Describes how the authority will manage its funds to ensure that sufficient
2 funding is available to abandon the navigational system if the operation of the
3 navigational system is no longer feasible.

4 (b) The authority shall submit the plan under par. (a) within 180 days after the
5 date on which the state and the authority enter into the lease agreement specified
6 in s. 237.06.

7 (2) The authority shall update and resubmit the plan under sub. (1) upon the
8 request of the department of administration.

9 (3) (a) For each fiscal year, the authority shall submit to the department of
10 administration an audited financial statement of the funding received by the
11 authority from the department of natural resources under s. 237.08 (2) and by the
12 authority from contributions and other funding accepted by the authority under s.
13 237.08 (3).

14 (b) The financial statement under par. (a) shall include notes that explain in
15 detail the specific sources of funding contained in the financial statement.

16 (4) For each fiscal year in which moneys are to be released to the authority by
17 the department of natural resources under s. 237.08, each corporation specified in
18 s. 237.09 shall submit to the authority an audited financial statement of the amount
19 raised by the corporation under s. 237.09 (2) (b) for that fiscal year.

20 **237.08 Sources of funding. (1) FEDERAL FUNDING.** The authority shall accept
21 federal funding for the rehabilitation, repair, replacement, operation, and
22 maintenance of the navigational system and shall agree with any conditions
23 attached to the funding.

24 (2) **STATE FUNDING.** From the appropriation under s. 20.370 (5) (cq) and before
25 applying the percentages under s. 30.92 (4) (b) 6., the department of natural

1 resources shall set aside for the rehabilitation and repair of the navigational system
2 \$400,000 in each fiscal year to be matched by the moneys raised under s. 237.09 (2)
3 (b). The funding shall be set aside beginning with the first fiscal year beginning after
4 the submittal of the initial management plan submitted under s. 237.07 (1) and shall
5 continue to be set aside in each of the next 6 consecutive fiscal years. From the
6 funding that is set aside, the department shall release to the authority for each fiscal
7 year an amount equal to the total amount raised by each corporation under s. 237.09
8 (2) (b) for which matching funding has not been previously released.

9 (3) OTHER FUNDING. The authority shall encourage and may accept
10 contributions and funding for the rehabilitation, repair, replacement, operation, or
11 maintenance of the navigational system. The authority shall also accept funding
12 raised by each corporation under s. 237.09 (2).

13 **237.09 Requirements for nonprofit corporations.** (1) Each corporation
14 contracted with under s. 237.03 (1) (e) shall be a nonprofit corporation as described
15 in section 501 (c) (3) of the Internal Revenue Code that is exempt from federal income
16 tax under section 501 (a) of the Internal Revenue Code and shall be based in one or
17 more of the counties in which the navigational system is located.

18 (2) Each corporation contracted with under s. 237.03 (1) (e) shall do all of the
19 following:

20 (a) Provide marketing and fund-raising services for the authority.

21 (b) Make every reasonable effort to raise \$2,750,000 of local or private funding
22 for the rehabilitation and repair of the navigational system.

23 (c) Accept for investment moneys received by the authority for rehabilitation
24 and repair under s. 237.08 and invest the moneys at a rate of return that the

1 authority finds adequate to enable the authority to exercise its duties and powers in
2 rehabilitating and repairing the navigational system.

3 (3) If the authority contracts with more than one corporation under s. 237.03
4 (1) (e), all of the corporations shall make the effort to raise the total of \$2,750,000.

5 **237.10 Rapide Croche lock.** (1) Upon entering into the lease under s.
6 237.06, the authority shall maintain the sea lamprey barrier at the Rapide Croche
7 lock according to specifications of the department of natural resources in order to
8 prevent sea lampreys and other aquatic nuisance from moving upstream.

9 (2) If the authority decides to construct a means to transport watercraft around
10 the Rapide Croche lock, the authority shall develop a plan for the construction that
11 includes steps to be taken to control sea lampreys and other aquatic nuisance species.
12 The authority shall submit the plan to the department of natural resources and may
13 not implement the plan unless it has been approved by the department.

14 **237.11 Political activities.** (1) No employee of the authority may directly
15 or indirectly solicit or receive subscriptions or contributions for any partisan political
16 party or any political purpose while engaged in his or her official duties as an
17 employee. No employee of the authority may engage in any form of political activity
18 calculated to favor or improve the chances of any political party or any person seeking
19 or attempting to hold partisan political office while engaged in his or her official
20 duties as an employee or engage in any political activity while not engaged in his or
21 her official duties as an employee to such an extent that the person's efficiency during
22 working hours will be impaired or that he or she will be tardy or absent from work.
23 Any violation of this section is adequate grounds for dismissal.

24 (2) If an employee of the authority declares an intention to run for partisan
25 political office the employee shall be placed on a leave of absence for the duration of

1 the election campaign and if elected shall no longer be employed by the authority on
2 assuming the duties and responsibilities of such office.

3 (3) An employee of the authority may be granted by the chief executive officer
4 a leave of absence to participate in partisan political campaigning.

5 (4) Persons on leave of absence under sub. (2) or (3) shall not be subject to the
6 restrictions of sub. (1), except as they apply to the solicitation of assistance,
7 subscription, or support from any other employee in the authority.

8 **237.12 Liability limited.** (1) Neither the state nor any political subdivision
9 of the state nor any officer, employee, or agent of the state or a political subdivision
10 who is acting within the scope of employment or agency is liable for any debt,
11 obligation, act, or omission of the authority.

12 (2) All of the expenses incurred by the authority in exercising its duties and
13 powers under this chapter shall be payable only from funds of the authority.

14 **237.13 Exemption.** (1) In this section, “lock structure” includes a spillway
15 of a lock and excludes the canal body of a lock.

16 (2) Any activity or work that is performed on a lock structure that is part of the
17 navigational system is exempt from any permit or other approval required under ch.
18 30 or 31.

19 **237.14 Abandonment.** If the authority determines the operation of the
20 navigational system is no longer feasible, the authority shall submit a plan to the
21 department of administration and to the department of natural resources describing
22 the steps the authority will take in abandoning the navigational system. The
23 navigational system may not be abandoned unless both the department of
24 administration and the department of natural resources determine that the plan for

1 abandonment will preserve the public rights in the Fox River, will ensure safety, and
2 will protect life, health, and property.

3 **237.15 Transitional provisions. (1) FUNDING.** The department of
4 administration shall transfer the unencumbered balances in the appropriation
5 accounts under s. 20.370 (9) (jL) and (ju) to the authority on the day after the date
6 on which the state and the authority enter into the lease agreement specified in s.
7 237.06.

8 **(2) TRANSFERS.** (a) The chairperson of the Fox River management commission
9 and the chairperson of the board of directors of the authority, acting jointly, shall
10 identify all of the following that will transfer from the commission to the authority:

11 1. Any assets and liabilities of the commission.

12 2. Any tangible personal property, including records, of the commission.

13 3. Any contracts entered into by the commission, and any policies and
14 procedures of the commission that will be in effect on the day after the date on which
15 the state and the authority enter into the lease agreement specified in s. 237.06.

16 (b) On the day after the date on which the state and the authority enter into
17 the lease agreement specified in s. 237.06, all of the assets, liabilities, and personal
18 property identified for transfer under par. (a) 1. and 2. shall become the assets,
19 liabilities, and personal property of the authority.

20 (c) On the day after the date on which the state and the authority enter into
21 the lease agreement specified in s. 237.06, all the contracts identified under par. (a)
22 3. shall remain in effect and the authority shall, beginning on that day, carry out any
23 such contractual obligations until modified or rescinded to the extent allowed under
24 the contract.

1 (d) On the day after the date on which the state and the authority enter into
2 the lease agreement specified in s. 237.06, all policies and procedures identified in
3 par. (a) 3. shall become policies and procedures of the authority and shall remain in
4 effect until their expiration date or until modified or rescinded by the authority.

5 (e) In case of disagreement with respect to any matter specified in pars. (a) to
6 (d), the secretary of administration shall determine the matter and shall develop a
7 plan for an orderly transfer of the item subject to the disagreement.

8 *b0690/2.8* SECTION 3128m. Chapter 247 of the statutes is created to read:

9 **CHAPTER 247**

10 **WISCONSIN ARTISTIC**

11 **ENDOWMENT FOUNDATION**

12 **247.02 Definition.** In this chapter, “foundation” means the Wisconsin Artistic
13 Endowment Foundation.

14 **247.03 Creation and organization.** (1) There is created a public body
15 corporate and politic, to be known as the “Wisconsin Artistic Endowment
16 Foundation.” The foundation shall be a nonprofit corporation organized under ch.
17 181 so that contributions to it are deductible from adjusted gross income under
18 section 170 of the Internal Revenue Code.

19 (2) The board of directors of the foundation shall consist of the following
20 persons:

21 (a) Eight nominees of the governor, who are residents of this state, represent
22 the diverse artistic interests of the people of this state, and represent each of the
23 geographic regions of the state, appointed for 7-year terms with the advice and
24 consent of the senate. At least one of the nominees shall be knowledgeable in

1 marketing and fund raising. Each member appointed under this paragraph may
2 hold office until a successor is appointed.

3 (b) The chairperson of the arts board or the chairperson's designee.

4 (c) The executive secretary of the arts board as a nonvoting member.

5 (d) Two representatives to the assembly, one appointed by the speaker of the
6 assembly and one appointed by the minority leader of the assembly.

7 (e) Two senators, one appointed by the majority leader of the senate and one
8 appointed by the minority leader of the senate.

9 (3) The board of directors holds the powers of the foundation. The members
10 of the board of directors shall annually elect a chairperson and may elect other
11 officers as they consider appropriate. Seven voting members of the board of directors
12 constitute a quorum for the purpose of conducting the business and exercising the
13 powers of the foundation, notwithstanding the existence of any vacancy. The board
14 of directors may take action upon a vote of a majority of the voting members present,
15 unless the bylaws of the foundation require a larger number.

16 (4) No member of the board of directors may receive compensation for
17 performing his or her duties. Each member shall be reimbursed for actual and
18 necessary expenses, including travel expenses, incurred in performing those duties.

19 **247.05 General powers and duties.** (1) Except as otherwise provided in this
20 chapter, the foundation has all of the powers necessary and convenient to carry out
21 its duties under sub. (2) and s. 247.06, including the power to do all of the following:

22 (a) Make, amend, and repeal bylaws for the conduct of its affairs.

23 (b) Adopt a seal and alter that seal.

24 (c) Sue and be sued.

25 (d) Maintain an office.

1 (e) Solicit and accept donations of money, property, and art objects.

2 (f) Execute contracts and other instruments.

3 (g) Employ legal, financial, technical, or other experts and any other necessary
4 employees, and fix their qualifications, duties, and compensation.

5 (h) Establish arts programs with the advice of the arts board and statewide arts
6 organizations.

7 (i) Convert any noncash gift, grant, bequest, or other contribution to the
8 foundation to cash.

9 (2) The foundation shall do all of the following:

10 (a) In carrying out its responsibilities under this chapter, ensure to the greatest
11 extent possible the equitable distribution of funds and other support among all of the
12 following:

13 1. The various geographic regions of the state.

14 2. Urban, suburban, and rural areas of the state.

15 3. The various ethnic, racial, and cultural groups of the state.

16 (b) Appoint a licensed appraiser to evaluate each donated art object to establish
17 the current value of, potential appreciation of, degree of risk in holding, and
18 recommended timing for sale of, the art object.

19 (c) Adopt bylaws for accepting restricted donations.

20 (d) Annually submit to the governor and to the presiding officer of each house
21 of the legislature an audited financial statement of the operations of the foundation,
22 prepared in accordance with generally accepted accounting principles.

23 (e) Contract for all education and marketing activities.

24 (f) Deposit in the state treasury all cash, gifts, grants, bequests, or other
25 contributions made to the foundation, and all noncash gifts, grants, bequests, or

1 other contributions made to the foundation that have been converted to cash under
2 sub. (1) (i).

3 (g) Biennially review the foundation's priorities for expenditures under s.
4 247.06 (1) (b) and report those priorities to the presiding officer of each house of the
5 legislature.

6 **247.06 Support of arts programs.** (1) (a) The foundation may distribute
7 moneys appropriated under s. 20.220 (1) (r) to the arts board for programs that
8 provide operating support to arts organizations and for the Wisconsin regranting
9 program under s. 44.62.

10 (b) The foundation may distribute moneys appropriated under s. 20.220 (1) (r)
11 to an arts program established under s. 247.05 (1) (h) if the program is reviewed
12 biennially by the foundation with the advice of the arts board and statewide arts
13 organizations. To the extent possible, the programs funded under this paragraph
14 shall use existing arts board mechanisms and staff for administering and
15 distributing the moneys.

16 (2) (a) Of the total amount distributed by the foundation under sub. (1) in any
17 fiscal year that constitutes earnings on unrestricted donations, the foundation shall
18 distribute at least 50% to the arts board under sub. (1) (a).

19 (b) The foundation may not distribute moneys to the arts board under sub. (1)
20 (a) in any fiscal year in which the foundation determines that the amount of general
21 purpose revenue appropriated to the arts board under s. 20.215 is less than the
22 amount appropriated in the previous fiscal year.

23 **247.07 Dissolution.** The foundation may not dissolve and wind up its affairs
24 unless the legislature enacts a law ordering dissolution.

1 ***b1043/1.5* SECTION 3128pd.** 250.01 (4) (a) 2. of the statutes is amended to
2 read:

3 250.01 (4) (a) 2. A city–county health department established under s. 251.02
4 ~~(1)~~ (1m).

5 ***b1043/1.5* SECTION 3128pe.** 251.01 (1) of the statutes is renumbered 251.01
6 (1r) and amended to read:

7 251.01 (1r) “County board of health” means a board of health for a single county
8 health department or for a multiple county health department.

9 ***b1043/1.5* SECTION 3128pf.** 251.01 (1g) of the statutes is created to read:

10 251.01 (1g) “City–county board of health” means a board of health for a
11 city–county health department.

12 ***b1043/1.5* SECTION 3128pg.** 251.01 (2) of the statutes is repealed.

13 ***b1043/1.5* SECTION 3128ph.** 251.01 (3) of the statutes is amended to read:

14 251.01 (3) “County health officer” means the position of a local health officer
15 in a single county health department or in a multiple county health department.

16 ***b1043/1.5* SECTION 3128pi.** 251.01 (7m) of the statutes is created to read:

17 251.01 (7m) “Represented employee” means an employee in a collective
18 bargaining unit for which a representative is recognized or certified under subch. IV
19 of ch. 111.

20 ***b1043/1.5* SECTION 3128pj.** 251.02 (1) of the statutes is amended to read:

21 251.02 (1) In counties with a population of less than 500,000, unless a county
22 board establishes a city–county health department under sub. (1m) jointly with the
23 governing body of a city or establishes a multiple county health department under
24 sub. (3) in conjunction with another county, the county board shall establish a single
25 county health department that meets, which shall meet the requirements of this

1 chapter. The county health department shall serve all areas of the county that are
2 not served by a city health department that was established prior to
3 January 1, 1994, by a town or village health department established under sub.
4 (3m), or by a multiple municipal local health department established under sub. (3r).
5 No governing body of a city may establish a city health department ~~may be~~
6 ~~established after January 1, 1994, but a city-county health department may be~~
7 ~~established after that date.~~

8 *b1043/1.5* SECTION 3128pk. 251.02 (1m) of the statutes is created to read:

9 251.02 (1m) Subject to sub. (1r), in counties with a population of less than
10 500,000, the county board and the governing body of a city that has a city health
11 department may jointly establish a city-county health department, which shall meet
12 the requirements of this chapter. A city-county health department shall serve all
13 areas of the county that are not served by a city health department that was
14 established prior to January 1, 1994, by a town or village health department
15 established under sub. (3m), or by a multiple municipal local health department
16 established under sub. (3r). A city-county health department established under this
17 subsection after the effective date of this subsection ... [revisor inserts date], is
18 subject to the control of the city and county acting jointly under an agreement
19 entered into under s. 66.0301 that specifies, in conformity with this chapter, all of the
20 following:

21 (a) The powers and duties of the city-county health department.

22 (b) The powers and duties of the city-county board of health for the city-county
23 health department.

1 (c) The relative powers and duties of the city and county with respect to
2 governance of the city–county health department and the city–county board of
3 health.

4 *b1043/1.5* SECTION 3128pL. 251.02 (1r) of the statutes is created to read:

5 251.02 (1r) If a city that assigns represented employees to its city health
6 department and if a county that assigns represented employees to its county health
7 department jointly establish a city–county health department under an agreement
8 specified under sub. (1m), all of the following shall apply, but only if the represented
9 employees at the city health department and at the county health department who
10 perform similar functions are included in collective bargaining units that are
11 represented by the same representative:

12 (a) The city–county health department shall offer employment to all city and
13 county employees who are represented employees and who perform functions for the
14 city and county that are transferred to the city–county health department in the
15 agreement under sub. (1m).

16 (b) Notwithstanding s. 111.70 (4) (d), if, in any collective bargaining unit that
17 is initially created at the city–county health department, all of the former city and
18 county employees were represented by the same representative when they were
19 employed by the city or county, that representative shall become the initial
20 representative of the employees in the collective bargaining unit without the
21 necessity of filing a petition or conducting an election.

22 (c) Unless otherwise prohibited by law, with respect to city–county health
23 department employees who were formerly represented employees at the city or
24 county, the city–county health department shall adhere to the terms of the collective
25 bargaining agreements that covered these employees while they were employed by

1 the city or county until such time that the city–county health department and the
2 representative of the employees have entered into a collective bargaining agreement.

3 *b1043/1.5* SECTION 3128pm. 251.02 (3) of the statutes is amended to read:

4 251.02 (3) A county board may, in conjunction with the county board of another
5 county, establish a multiple county health department in conjunction with the
6 county board of another county, which shall meet the requirements of this chapter.
7 A multiple county health department shall serve all areas of the respective counties
8 that are not served by a city health department that was established prior to January
9 1, 1994, by a town or village health department established under sub. (3m), or by
10 a multiple municipal local health department established under sub. (3r).

11 *b1043/1.5* SECTION 3128pn. 251.04 (1) of the statutes is amended to read:

12 251.04 (1) ~~A city or county board of health shall govern each local health~~
13 ~~department other than a local health department~~ Except as authorized in s. 251.02
14 (3m) and (3r) and a, a city board of health shall govern a city health department, a
15 county board of health shall govern a county health department or multiple county
16 health department, and a city–county board of health shall govern a city–county
17 health department. A city or board of health, a county board of health, a city–county
18 board of health, or a board of health for a local health department as authorized in
19 s. 251.02 (3m) and (3r) shall assure the enforcement of state public health statutes
20 and public health rules of the department as prescribed for a Level I local health
21 department. A local board of health may contract or subcontract with a public or
22 private entity to provide public health services. The contractor’s staff shall meet the
23 appropriate qualifications for positions in a Level I local health department.

24 *b1043/1.5* SECTION 3128pp. 251.08 of the statutes is amended to read:

1 **251.08 Jurisdiction of local health department.** The jurisdiction of the
2 local health department shall extend to the entire area represented by the governing
3 body of the county, city, village or town that established the local health department,
4 except that the jurisdiction of a single or multiple county health department or of a
5 city–county health department does not extend to cities, villages and towns that
6 have local health departments. Cities, towns and villages having local health
7 departments may by vote of their local boards of health determine to come under the
8 jurisdiction of the county health department. No part of any expense incurred under
9 this section by a county health department may be levied against any property
10 within any city, village or town that has a local health department and that has not
11 determined to come under the jurisdiction of the county health department.

12 ***b1043/1.5* SECTION 3128pq.** 251.11 (1) of the statutes is amended to read:

13 251.11 (1) The local board of health of every multiple county health department
14 established under s. 251.02 (3) and of every city–county health department
15 established under s. 251.02 (4) (1m) shall annually prepare a budget of its proposed
16 expenditures for the ensuing fiscal year and determine the proportionate cost to each
17 participating county and city on the basis of equalized valuation. A certified copy of
18 the budget, which shall include a statement of the amount required from each county
19 and city, shall be delivered to the county board of each participating county and to
20 the mayor or city manager of each participating city. The appropriation to be made
21 by each participating county and city shall be determined by the governing body of
22 the county and city. No part of the cost apportioned to the county shall be levied
23 against any property within the city.

24 ***b1043/1.5* SECTION 3128pr.** 251.11 (2) of the statutes is amended to read:

1 251.11 (2) The local board of health of ~~every~~ a multiple county health
2 department established under s. 251.02 (3) ~~and of every city-county health~~
3 ~~department established under s. 251.02 (1)~~ shall, under this section, determine the
4 compensation for the employees of the multiple county health departments and
5 ~~city-county health departments.~~ The local board of health of a city-county health
6 department established under s. 251.02 (1m) shall, under this section, determine the
7 compensation for the employees of the city-county health department.

8 ***b1043/1.5* SECTION 3128ps.** 251.15 (2) of the statutes is amended to read:

9 251.15 (2) A city that had established a local health department prior to
10 deciding to participate in a city-county health department established under s.
11 251.02 (1) (1m) may withdraw from the city-county health department if the
12 common council of the city gives written notice to the county board of the
13 participating county.

14 ***-0420/4.2* SECTION 3129.** 252.12 (title) of the statutes is amended to read:

15 **252.12 (title) ~~Services relating to acquired immunodeficiency~~**
16 **syndrome HIV and related infections, including hepatitis C virus**
17 **infections; services and prevention.**

18 ***-0420/4.3* SECTION 3130.** 252.12 (2) (a) (intro.) of the statutes is amended to
19 read:

20 252.12 (2) (a) ~~*Acquired immunodeficiency syndrome HIV and related*~~
21 ~~*infections, including hepatitis C virus infections; services.*~~ (intro.) From the
22 appropriations under s. 20.435 (1) (a) and (5) (am), the department shall distribute
23 funds for the provision of services to individuals with or at risk of contracting
24 acquired immunodeficiency syndrome HIV infection, as follows:

25 ***-0420/4.4* SECTION 3131.** 252.12 (2) (a) 1. of the statutes is amended to read:

1 252.12 (2) (a) 1. ‘Partner referral and notification.’ The department shall
2 contact an individual known to have received an HIV infection and encourage him
3 or her to refer for counseling ~~and, HIV testing, and, if appropriate, testing for~~
4 hepatitis C virus infection any person with whom the individual has had sexual
5 relations or has shared intravenous equipment.

6 *~~0420/4.5~~* SECTION 3132. 252.12 (2) (a) 2. of the statutes is amended to read:

7 252.12 (2) (a) 2. ‘Grants to local projects.’ The department shall make grants
8 to applying organizations for the provision of ~~acquired immunodeficiency syndrome~~
9 HIV and related infection prevention information, the establishment of counseling
10 support groups and the provision of direct care to persons with ~~acquired~~
11 ~~immunodeficiency syndrome~~ HIV infection, including those persons with hepatitis
12 C virus infection.

13 *~~0420/4.6~~* SECTION 3133. 252.12 (2) (a) 3. (intro.) of the statutes is amended
14 to read:

15 252.12 (2) (a) 3. ‘Statewide public education campaign.’ (intro.) The
16 department shall promote public awareness of the risk of contracting ~~acquired~~
17 ~~immunodeficiency syndrome~~ HIV and related infections and measures for ~~acquired~~
18 ~~immunodeficiency syndrome~~ HIV and related infections protection by development
19 and distribution of information through clinics providing family planning services,
20 as defined in s. 253.07 (1) (b), offices of physicians and clinics for sexually transmitted
21 diseases and by newsletters, public presentations or other releases of information to
22 newspapers, periodicals, radio and television stations and other public information
23 resources. The information ~~would~~ shall be targeted at individuals whose behavior
24 puts them at risk of contracting ~~acquired immunodeficiency syndrome~~ HIV and
25 related infections and ~~would~~ shall encompass the following topics:

1 *~~0420/4.7~~* SECTION 3134. 252.12 (2) (a) 3. a. of the statutes is amended to
2 read:

3 252.12 (2) (a) 3. a. ~~Acquired immunodeficiency syndrome and~~ HIV infection
4 and related infections.

5 *~~0420/4.8~~* SECTION 3135. 252.12 (2) (a) 3. b. of the statutes is amended to
6 read:

7 252.12 (2) (a) 3. b. Means of identifying whether or not individuals may be at
8 risk of contracting ~~acquired immunodeficiency syndrome~~ HIV and related infections.

9 *~~0420/4.9~~* SECTION 3136. 252.12 (2) (a) 3. c. of the statutes is amended to
10 read:

11 252.12 (2) (a) 3. c. Measures individuals may take to protect themselves from
12 contracting ~~acquired immunodeficiency syndrome~~ HIV and related infections.

13 *~~0420/4.10~~* SECTION 3137. 252.12 (2) (a) 4. of the statutes is amended to read:

14 252.12 (2) (a) 4. ‘Information network.’ The department shall establish a
15 network to provide information to local health officers and other public officials who
16 are responsible for ~~acquired immunodeficiency syndrome~~ HIV infection and related
17 infection prevention and training.

18 *~~0420/4.11~~* SECTION 3138. 252.12 (2) (a) 5. of the statutes is amended to read:

19 252.12 (2) (a) 5. ‘HIV seroprevalence studies.’ The department shall perform
20 tests for the presence of HIV, ~~antigen or nonantigenic products of HIV or an antibody~~
21 ~~to HIV and, if appropriate, related infections~~ and shall conduct behavioral surveys
22 among population groups determined by the department to be highly at risk of
23 becoming infected with or transmitting HIV and related infections. Information
24 obtained shall be used to develop targeted HIV infection and related infection
25 prevention efforts for these groups and to evaluate the state’s prevention strategies.

1 *~~0420/4.12~~* SECTION 3139. 252.12 (2) (a) 6. of the statutes is amended to read:

2 252.12 (2) (a) 6. ‘Grants for targeted populations and intervention services.’

3 The department shall make grants to those applying organizations ~~determined by~~
4 that the department ~~to be~~ determines are best able to contact individuals who are
5 determined to be highly at risk of contracting ~~acquired immunodeficiency syndrome~~
6 HIV for the provision of ~~acquired immunodeficiency syndrome~~ HIV and related
7 infection information and intervention services.

8 *~~0420/4.13~~* SECTION 3140. 252.12 (2) (a) 7. of the statutes is amended to read:

9 252.12 (2) (a) 7. ‘Contracts for counseling and laboratory testing services.’ The
10 department shall distribute funding in each fiscal year to contract with
11 organizations to provide, at alternate testing sites, anonymous or confidential
12 counseling services for HIV and laboratory testing services for the presence of HIV
13 and, if appropriate, related viruses.

14 *~~b2028/2.2~~* SECTION 3140c. 252.12 (2) (a) 8. of the statutes is amended to read:

15 252.12 (2) (a) 8. ‘Life care and early intervention services.’ The department
16 shall award not more than \$1,994,900 in each fiscal year 2001–02 and not more than
17 \$2,069,900 in each fiscal year thereafter in grants to ~~applying state–designated~~ HIV
18 service organizations for the provision of needs assessments; assistance in procuring
19 financial, medical, legal, social and pastoral services and housing assistance;
20 counseling and therapy; homecare services and supplies; advocacy; and case
21 management services. These services shall include early intervention services. The
22 department shall also award not more than \$74,000 in each year from the
23 appropriation under s. 20.435 (7) (md) for the services under this subdivision. The
24 state share of payment for case management services that are provided under s.

1 49.45 (25) (be) to recipients of medical assistance shall be paid from the
2 appropriation under s. 20.435 (5) (am).

3 *b2029/1.2* SECTION 3140m. 252.12 (2) (a) 9. of the statutes is created to read:

4 252.12 (2) (a) 9. ‘Grant for family resource center.’ The department shall award
5 a grant in each fiscal year to develop and implement an African–American family
6 resource center in the city of Milwaukee that targets activities toward the prevention
7 and treatment of HIV infection and related infections, including hepatitis C virus
8 infection, of minority group members, as defined in s. 560.036 (1) (f).

9 *b0957/1.17* SECTION 3141d. 252.12 (2) (c) 2. of the statutes is amended to
10 read:

11 252.12 (2) (c) 2. From the appropriation under s. 20.435 (5) (am), the
12 department shall award \$75,000 in each fiscal year as grants for services to prevent
13 HIV infection and related infections, including hepatitis C virus infection. Criteria
14 for award of the grants shall include the criteria specified under subd. 1. The
15 department shall award 60% of the funding to applying organizations that receive
16 funding under par. (a) 8. and 40% of the funding to applying community–based
17 organizations that are operated by minority group members, as defined in s. 560.036
18 (1) (f) minority businesses certified by the department of commerce under s. 560.036
19 (2).

20 *-0420/4.15* SECTION 3142. 252.12 (2) (c) 3. of the statutes is amended to read:

21 252.12 (2) (c) 3. From the appropriation under s. 20.435 (5) (am), the
22 department shall award to the African American AIDS task force of the Black Health
23 Coalition of Wisconsin, Inc., \$25,000 in each fiscal year as grants for services to
24 prevent HIV infection and related infections, including hepatitis C infection.

25 *b0617/2.2* SECTION 3142m. 253.065 of the statutes is created to read:

1 **253.065 Grants for childhood asthma.** From the appropriation under s.
2 20.435 (5) (ca), annually, the department shall award grants to local health
3 departments established under s. 251.02 (2) for case management services for
4 children who have asthma and who are enrolled in the medical assistance program
5 under subch. IV of ch. 49 or the badger care health care program under s. 49.665.

6 ***-0295/2.2*** SECTION 3143. 253.13 (2) of the statutes is amended to read:

7 253.13 (2) TESTS; DIAGNOSTIC, DIETARY AND FOLLOW-UP COUNSELING PROGRAM;
8 FEES. The department shall contract with the state laboratory of hygiene to perform
9 the tests specified under this section and to furnish materials for use in the tests.
10 The department shall provide necessary diagnostic services, special dietary
11 treatment as prescribed by a physician for a patient with a congenital disorder as
12 identified by tests under sub. (1) or (1m) and follow-up counseling for the patient and
13 his or her family. The state laboratory of hygiene board, on behalf of the department,
14 shall impose a fee for tests performed under this section sufficient to pay for services
15 provided under the contract ~~and. The state laboratory of hygiene board shall include~~
16 ~~as part of this fee and pay to the department an amount~~ amounts the department
17 determines is are sufficient to fund the provision of diagnostic and counseling
18 services, special dietary treatment, and periodic evaluation of infant screening
19 programs, the costs of consulting with experts under sub. (5), and the costs of
20 administering the congenital disorder program under this section and shall credit
21 these amounts to the appropriations under s. 20.435 (1) (jb) and (5) (ja).

22 ***b0624/1.4*** SECTION 3143m. 254.11 (13) of the statutes is amended to read:

23 254.11 (13) "Third-party payer" means a disability insurance policy that is
24 required to provide coverage for a blood lead test under s. 632.895 (10) (a); a health
25 maintenance organization or preferred provider plan under ch. 609; a health care

1 coverage plan offered by the state under s. 40.51 (6); a self-insured health plan
2 offered by a city or village under s. 66.0137 (4), a political subdivision under s.
3 66.0137 (4m), a town under s. 60.23 (25), a county under s. 59.52 (11) (c), or a school
4 district under s. 120.13 (2) (b); or a sickness care plan operated by a cooperative
5 association under s. 185.981.

6 ***-0191/1.1* SECTION 3144.** 254.31 (10) of the statutes is amended to read:

7 254.31 (10) “Source material” means ~~any material except special nuclear~~
8 ~~material, which contains by weight 0.05 per cent or more of uranium, thorium, or any~~
9 ~~combination thereof~~ in any physical or chemical form, or ores that contain by weight
10 0.05% or more of uranium, thorium, or any combination thereof. “Source material”
11 does not include special nuclear material.

12 ***-0191/1.2* SECTION 3145.** 254.34 (1) (a) of the statutes is amended to read:

13 254.34 (1) (a) Promulgate and enforce rules, including registration and
14 licensing of sources of ionizing radiation, as may be necessary to prohibit and prevent
15 unnecessary radiation exposure. The rules may incorporate by reference the
16 recommended standards of nationally recognized bodies in the field of radiation
17 protection and other fields of atomic energy, under the procedure established by s.
18 227.21 (2). The rules for by-product material, source material and special nuclear
19 material may be no less stringent than shall be in accordance with the requirements
20 of 42 USC 2021 (o) and shall otherwise be compatible with the requirements under
21 42 USC 2011 to 2114 and regulations adopted under 42 USC 2011 to 2114.

22 ***-0191/1.3* SECTION 3146.** 254.34 (2) (c) of the statutes is created to read:

23 254.34 (2) (c) Develop requirements for qualification, certification, training,
24 and experience of an individual who does any of the following:

- 25 1. Operates radiation generating equipment.

1 2. Utilizes, stores, transfers, transports, or possesses radioactive materials.

2 3. Acts as a radiation safety consultant to any person who possesses a license
3 or registration issued by the department under this subchapter.

4 ***-0191/1.4*** SECTION 3147. 254.34 (2) (d) of the statutes is created to read:

5 254.34 (2) (d) Recognize certification by another state or by a nationally
6 recognized certifying organization of an individual to perform acts under par. (c) 1.
7 to 3. if the standards for the other state's certification or the organization's
8 certification are substantially equivalent to the standards of the department for
9 certification of individuals under par. (c).

10 ***b1433/2.1*** SECTION 3147w. 254.47 (1) of the statutes is amended to read:

11 254.47 (1) Except as provided in sub. (1g) and ss. 250.041 and 254.115, the
12 department or a local health department granted agent status under s. 254.69 (2)
13 shall issue permits to and regulate campgrounds and camping resorts, recreational
14 and educational camps and public swimming pools. No person or state or local
15 government who has not been issued a permit under this section may conduct,
16 maintain, manage or operate a campground and camping resort, recreational camp
17 and educational camp or public swimming pool, as defined by departmental rule.

18 ***b1433/2.1*** SECTION 3147x. 254.47 (1g) of the statutes is created to read:

19 254.47 (1g) A campground permit is not required for camping at county or
20 district fairs at which 4-H Club members exhibit, for the 4 days preceding the county
21 or district fair, the duration of the county or district fair, and the 4 days following the
22 county or district fair.

23 ***-0421/2.1*** SECTION 3148. 254.47 (1m) of the statutes is created to read:

24 254.47 (1m) The department or a local health department granted agent status
25 under s. 254.69 (2) may not, without a preinspection, grant a permit to a person

1 intending to operate a new public swimming pool, campground, or recreational or
2 educational camp or to a person intending to be the new operator of an existing public
3 swimming pool, campground, or recreational or educational camp.

4 ***-0421/2.2* SECTION 3149.** 254.47 (2) of the statutes is amended to read:

5 254.47 (2) A separate permit is required for each campground, camping resort,
6 recreational ~~and or~~ educational camp and public swimming pool. No permit issued
7 under this section is transferable from one premises to another or from one person,
8 state or local government to another, except that the permit may be transferred from
9 an individual to an immediate family member, as defined in s. 254.64 (4) (a), if the
10 individual is transferring operation of the campground, camping resort, recreational
11 ~~and or~~ educational camp or public swimming pool to the immediate family member.

12 ***-0421/2.3* SECTION 3150.** 254.47 (4) of the statutes is amended to read:

13 254.47 (4) Permits issued under this section expire on June 30, except that
14 permits initially issued during the period beginning on April 1 and ending on June
15 30 expire on June 30 of the following year. Except as provided in s. 254.69 (2) (d) and
16 (e), the department shall promulgate rules that establish, for permits issued under
17 this section, amounts of permit fees, preinspection fees, reinspection fees, fees for
18 operating without a license, and late fees for untimely permit renewal.

19 ***-0421/2.4* SECTION 3151.** 254.64 (1) (b) of the statutes is amended to read:

20 254.64 (1) (b) No person may maintain, manage or operate a bed and breakfast
21 establishment for more than 10 nights in a year without having first obtained a
22 ~~biennial~~ an annual permit from the department.

23 ***-0421/2.5* SECTION 3152.** 254.64 (4) (b) of the statutes is amended to read:

24 254.64 (4) (b) Except as provided in ~~pars. (c) and~~ par. (d), no permit is
25 transferable from one premises to another or from one person to another.

1 *–0421/2.6* SECTION 3153. 254.64 (4) (c) of the statutes is repealed.

2 *–0421/2.7* SECTION 3154. 254.68 of the statutes is amended to read:

3 **254.68 Fees.** Except as provided in s. 254.69 (2) (d) and (e), the department
4 shall promulgate rules that establish, for permits issued under s. 254.64, permit fees,
5 preinspection fees and, reinspection fees, fees for operating without a permit, late
6 fees for untimely permit renewal, fees for comparable compliance or variance
7 requests, and fees for pre-permit review of restaurant plans.

8 *–0421/2.8* SECTION 3155. 254.69 (2) (am) of the statutes is amended to read:

9 254.69 (2) (am) In the administration of this subchapter or s. 254.47, the
10 department may enter into a written agreement with a local health department with
11 a jurisdictional area that has a population greater than 5,000, which designates the
12 local health department as the department's agent in issuing permits to and making
13 investigations or inspections of hotels, restaurants, temporary restaurants, tourist
14 rooming houses, bed and breakfast establishments, campgrounds and camping
15 resorts, recreational and educational camps and public swimming pools. In a
16 jurisdictional area of a local health department without agent status, the
17 department of health and family services may issue permits, collect ~~permit~~ fees
18 established by rule under s. 254.68 and make investigations or inspections of hotels,
19 restaurants, temporary restaurants, tourist rooming houses, bed and breakfast
20 establishments, campgrounds and camping resorts, recreational and educational
21 camps and public swimming pools. If the department designates a local health
22 department as its agent, the department or local health department may require no
23 permit for the same operations other than the permit issued by the local health
24 department under this subsection. The department shall coordinate the designation
25 of agents under this subsection with the department of agriculture, trade and

1 consumer protection to ensure that, to the extent feasible, the same local health
2 department is granted agent status under this subsection and under s. 97.41. Except
3 as otherwise provided by the department, a local health department granted agent
4 status shall regulate all types of establishments for which this subchapter permits
5 the department of health and family services to delegate regulatory authority.

6 *b0479/2.2* SECTION 3155z. 255.06 of the statutes is repealed and recreated
7 to read:

8 **255.06 Well-woman program.** (1) DEFINITIONS. In this section:

9 (a) “Hospital” has the meaning given in s. 50.33 (2).

10 (b) “Mammography” means the making of a record of a breast by passing X rays
11 through a body to act on specially sensitized film.

12 (c) “Medicare” has the meaning given in s. 49.498 (1) (f).

13 (d) “Nurse practitioner” means a registered nurse licensed under ch. 441 or in
14 a party state, as defined in s. 441.50 (2) (j), whose practice of professional nursing
15 under s. 441.11 (4) includes performance of delegated medical services under the
16 supervision of a physician, dentist, or podiatrist.

17 (e) “Poverty line” means the nonfarm federal poverty line for the continental
18 United States, as defined by the federal department of labor under 42 USC 9902 (2).

19 (2) WELL-WOMAN PROGRAM. From the appropriation under s. 20.435 (5) (cb), the
20 department shall administer a well-woman program to provide reimbursement for
21 health care screenings, referrals, follow-ups, and patient education provided to
22 low-income, underinsured, and uninsured women. Reimbursement to service
23 providers under this section shall be at the rate of reimbursement for identical
24 services provided under medicare, except that, if projected costs under this section
25 exceed the amounts appropriated under s. 20.435 (5) (cb), the department shall

1 modify services or reimbursement accordingly. Within this limitation, the
2 department shall implement the well–woman program to do all of the following:

3 (a) *Breast cancer screening services.* Provide not more than \$422,600 in each
4 fiscal year as reimbursement for the provision of breast cancer screening services to
5 women who are aged 40 years or older, by a hospital or organization that has a
6 mammography unit available for use and that is selected by the department under
7 procedures established by the department. Recipients of services under this
8 paragraph are subject to a copayment, payable to the service provider, for which the
9 department shall reduce reimbursement to the service provider, as follows:

10 1. For a woman for whom 3rd–party coverage for services is obtainable,
11 payment by the source of the 3rd–party coverage at full reasonable charge.

12 2. For a woman for whom 3rd–party coverage for services is not obtainable and
13 whose income is above 150% of the poverty line, a copayment for the provided service
14 that is based on a sliding scale, as developed by the department, according to the
15 woman's income.

16 3. For a woman for whom 3rd–party coverage is not obtainable and whose
17 income is at or below 150% of the poverty line, no copayment.

18 (b) *Media announcements and educational materials.* Allocate and expend at
19 least \$20,000 in each fiscal year to develop and provide media announcements and
20 educational materials to promote breast cancer screening services that are available
21 under pars. (a) and (c) and to promote health care screening services for women that
22 are available under par. (e).

23 (c) *Breast cancer screenings using mobile mammography van.* Reimburse the
24 city of Milwaukee public health department for up to \$115,200 in each fiscal year for

1 the performance of breast cancer screening activities with the use of a mobile
2 mammography van.

3 (d) *Specialized training to for rural colposcopic examinations and activities.*
4 Provide not more than \$25,000 in each fiscal year as reimbursement for the provision
5 of specialized training of nurse practitioners to perform, in rural areas, colposcopic
6 examinations and follow-up activities for the treatment of cervical cancer.

7 (e) *Health care screening, referral, follow-up, and patient education.*
8 Reimburse service providers for the provision of health care screening, referral,
9 follow-up, and patient education to low-income, underinsured, and uninsured
10 women.

11 (f) *Women's health campaign.* Conduct a women's health campaign to do all of
12 the following:

- 13 1. Increase women's awareness of issues that affect their health.
- 14 2. Reduce the prevalence of chronic and debilitating health conditions that
15 affect women.

16 (g) *Osteoporosis prevention and education.* Conduct an osteoporosis prevention
17 and education program to raise public awareness concerning the causes and nature
18 of osteoporosis, the risk factors for developing osteoporosis, the value of prevention
19 and early detection of osteoporosis, and options for diagnosing and treating
20 osteoporosis.

21 (3) SERVICE COORDINATION. The department shall coordinate the services
22 provided under this section with the services provided under the minority health
23 program under s. 146.185, to ensure that disparities in the health of women who are
24 minority group members are adequately addressed.

25 *b0479/2.2* SECTION 3156m. 255.07 of the statutes is repealed.

1 ***b0479/2.2* SECTION 3157b.** 255.075 of the statutes is repealed.

2 ***-1205/4.4* SECTION 3159.** 255.10 (intro.) of the statutes is amended to read:

3 **255.10 Thomas T. Melvin youth tobacco prevention and education**
4 **program.** (intro.) From the appropriation under s. 20.435 (5) (dg) moneys
5 distributed under s. 255.15 (3) (a) 2., the department shall administer the Thomas
6 T. Melvin youth tobacco prevention and education program, with the primary
7 purpose of reducing the use of cigarettes and tobacco products by minors. The
8 department shall award grants for the following purposes:

9 ***-1205/4.5* SECTION 3160.** 255.15 (3) (a) 2. of the statutes is amended to read:

10 255.15 (3) (a) 2. The Thomas T. Melvin youth tobacco prevention and education
11 program under s. 255.10, ~~\$1,000,000~~ \$2,000,000 in fiscal year ~~1999-2000~~ and not
12 less than ~~\$1,000,000~~ in fiscal year ~~2000-01~~ 2001-02 and in each fiscal year
13 thereafter.

14 ***b0275/2.16* SECTION 3160c.** 255.15 (4) of the statutes is amended to read:

15 255.15 (4) REPORTS. Not later than ~~July 1, 2001~~ April 15, 2002, and annually
16 thereafter, the board shall submit to the governor and to the chief clerk of each house
17 of the legislature for distribution under s. 13.172 (2) a report that evaluates the
18 success of the grant program under sub. (3). The report shall specify the number of
19 grants awarded during the immediately preceding fiscal year and the purpose for
20 which each grant was made. The report shall also specify donations and grants
21 accepted by the board under sub. (5).

22 ***b2069/1.1* SECTION 3160q.** 280.25 of the statutes is created to read:

23 **280.25 Air filtration for residential wells.** The owner of a residential well,
24 other than a driven well, that has a casing shall filter air that enters the well to

1 prevent airborne bacteria from contaminating the well water if any of the following
2 applies:

3 (1) The construction of the well begins after the effective date of this subsection
4 [revisor inserts date].

5 (2) The water from the well tests positive for bacteria.

6 *b0278/1.1* SECTION 3160t. 281.17 (1) of the statutes is renumbered 281.17
7 (1) (a) and amended to read:

8 281.17 (1) (a) ~~No wells shall~~ A well may not be constructed, installed, or
9 operated to withdraw water from underground sources for any purpose groundwater
10 where the capacity and rate of withdrawal of all wells on one property is in excess
11 of 100,000 gallons a day without first obtaining the approval of the department. If
12 s. 281.35 applies to the proposed construction well, the application shall comply with
13 s. 281.35 (5) (a). ~~If the department finds that the proposed withdrawal will adversely~~
14 ~~affect or reduce the availability of water to any public utility in furnishing water to~~
15 ~~or for the public or does not meet the grounds for approval specified under s. 281.35~~
16 ~~(5) (d), if applicable, it shall either~~

17 (b) The department shall withhold its approval or grant a limited approval
18 under which it imposes such conditions as to location, depth, pumping capacity, rate
19 of flow, and ultimate use so that will ensure all of the following:

20 1. That the water supply of any public utility engaged in furnishing water to
21 or for the public will not be impaired and the withdrawal will conform to the
22 requirements of,

23 2. That the well meets the grounds for approval under s. 281.35, if applicable.

24 (d) The department shall require each person issued an approval under this
25 subsection to report that person's volume and rate of withdrawal, as defined under

1 s. 281.35 (1) (m), and that person's volume and rate of water loss, as defined under
2 s. 281.35 (1) (L), if any, in the form and at the times specified by the department. The
3 department may issue general or special orders it considers necessary to ensure
4 prompt and effective administration of this subsection.

5 *b0278/1.1* SECTION 3160v. 281.17 (1) (c) of the statutes is created to read:

6 281.17 (1) (c) 1. Except as provided in subd. 3., the department shall impose
7 as a condition in each approval under this subsection that the person issued the
8 approval may not use, or permit another person to use, any water withdrawn from
9 the well to produce bottled drinking water, as defined in s. 97.34 (1) (a), unless the
10 department approves use of the well for that purpose.

11 2. The department shall withhold its approval, grant a limited approval, or
12 modify an approval in order to minimize adverse effects to the quality or quantity of
13 waters of the state caused by any well used to produce bottled drinking water, as
14 defined in s. 97.34 (1) (a). The department shall prepare an environmental impact
15 statement under s. 1.11 (2) for a decision by the department under this paragraph
16 to approve the use of a well to produce bottled drinking water.

17 3. This paragraph does not apply to a withdrawal of water by a public utility
18 engaged in furnishing water to or for the public.

19 *0313/2.21* SECTION 3161. 281.17 (2) of the statutes is amended to read:

20 281.17 (2) The department shall supervise chemical treatment of waters for the
21 suppression of algae, ~~aquatic weeds, swimmers' itch and other nuisance-producing~~
22 ~~plants and organisms~~ that are not regulated by the program established under s.
23 23.24 (2). It may purchase equipment and may make a charge for the use of the same
24 and for materials furnished, together with a per diem charge for any services
25 performed in such work. The charge shall be sufficient to reimburse the department

1 for the use of the equipment, the actual cost of materials furnished, and the actual
2 cost of the services rendered.

3 ***b1639/2.2* SECTION 3161u.** 281.57 (10e) of the statutes is created to read:

4 281.57 (10e) LOAN FOR WATER TOWER IN THE VILLAGE OF ATHENS.

5 Notwithstanding subs. (2), (4) to (10), and (12), during the 2001–03 fiscal biennium,
6 the department shall provide a loan of \$320,000 to the village of Athens for
7 construction of a water tower and related costs, if the village applies for a loan. The
8 department may not charge any interest on the loan.

9 ***b1639/2.2* SECTION 3161uc.** 281.57 (10f) of the statutes is created to read:

10 281.57 (10f) LOAN FOR WATER TOWER IN THE VILLAGE OF WESTON.

11 Notwithstanding subs. (2), (4) to (10), and (12), during the 2001–03 fiscal biennium,
12 the department shall provide a loan of \$400,000 to the village of Weston for
13 construction of a water tower and related costs, if the village applies for a loan. The
14 department may not charge any interest on the loan.

15 ***-0321/5.3* SECTION 3163.** 281.58 (9) (e) of the statutes is amended to read:

16 281.58 (9) (e) If the department of natural resources and the department of
17 administration determine that the governor's recommendation, as set forth in the
18 executive budget bill, for the amount under s. 281.59 (3e) (b), the amount available
19 under s. 20.866 (2) (tc), or the amount available under s. 281.59 (4) (f) for a biennium
20 is 85% or less of the amount of present value subsidy, general obligation bonding
21 authority or revenue bonding authority, respectively, requested for that biennium in
22 the biennial finance plan submitted under s. 281.59 (3) (bm) 1. insufficient to provide
23 funding for all projects for which applications will be approved during that biennium,
24 the department shall inform municipalities that, if the governor's recommendations
25 are approved, clean water fund program assistance during a fiscal year of that

1 biennium will only be available to municipalities that submit financial assistance
2 applications by the June 30 preceding that fiscal year.

3 ***-0321/5.4* SECTION 3164.** 281.58 (9m) (f) (intro.) of the statutes is amended
4 to read:

5 281.58 (9m) (f) (intro.) If the department of natural resources and the
6 department of administration determine that the amount approved under s. 281.59
7 (3e) (b), the amount available under s. 20.866 (2) (tc), or the amount available under
8 s. 281.59 (4) (f) for a biennium is ~~85% or less of the amount of present value subsidy,~~
9 ~~general obligation bonding authority or revenue bonding authority, respectively,~~
10 ~~requested for that biennium in the biennial finance plan submitted under s. 281.59~~
11 ~~(3) (bm) 1. insufficient to provide funding for all projects for which applications will~~
12 be approved during that biennium, all of the following apply:

13 ***b0279/1.1* SECTION 3164j.** 281.58 (13) (be) 5. of the statutes is repealed.

14 ***b0279/1.1* SECTION 3164L.** 281.58 (13) (em) 3. of the statutes is created to
15 read:

16 281.58 (13) (em) 3. In a fiscal year, if federal financial hardship assistance has
17 been allocated to all eligible projects on the funding list and federal financial
18 hardship assistance remains to be allocated, the department may allocate federal
19 financial hardship assistance to a project of an eligible municipality that submits its
20 financial assistance application after June 30.

21 ***-0321/5.5* SECTION 3165.** 281.59 (3e) (b) 1. and 3. of the statutes are amended
22 to read:

23 281.59 (3e) (b) 1. Equal to ~~\$85,200,000~~ \$90,000,000 during the ~~1999-01~~
24 2001-03 biennium.

25 3. Equal to \$1,000 for any biennium after the ~~1999-01~~ 2001-03 biennium.

1 ***-0321/5.6*** SECTION 3166. 281.59 (3m) (b) 1. and 2. of the statutes are
2 amended to read:

3 281.59 (3m) (b) 1. Equal to ~~\$9,400,000~~ \$9,110,000 during the ~~1999–01~~ 2001–03
4 biennium.

5 2. Equal to \$1,000 for any biennium after the ~~1999–01~~ 2001–03 biennium.

6 ***-0321/5.7*** SECTION 3167. 281.59 (3s) (b) 1. and 2. of the statutes are amended
7 to read:

8 281.59 (3s) (b) 1. Equal to ~~\$12,600,000~~ \$10,900,000 during the ~~1999–01~~
9 2001–03 biennium.

10 2. Equal to \$1,000 for any biennium after the ~~1999–01~~ 2001–03 biennium.

11 ***-0321/5.8*** SECTION 3168. 281.59 (4) (f) of the statutes is amended to read:

12 281.59 (4) (f) Revenue obligations may be contracted by the building
13 commission when it reasonably appears to the building commission that all
14 obligations incurred under this subsection can be fully paid on a timely basis from
15 moneys received or anticipated to be received. Revenue obligations issued under this
16 subsection for the clean water fund program shall not exceed ~~\$1,297,755,000~~
17 \$1,398,355,000 in principal amount, excluding obligations issued to refund
18 outstanding revenue obligation notes.

19 ***b0415/1.1*** SECTION 3168n. 281.60 (2) of the statutes is amended to read:

20 281.60 (2) GENERAL. The department and the department of administration
21 may administer a program to provide financial assistance to eligible applicants for
22 projects to remedy environmental contamination of sites or facilities at which
23 environmental contamination has affected groundwater or surface water or
24 threatens to affect groundwater or surface water. Eligible costs for a project include
25 costs of site assessment and site investigation, to the extent allowed under federal

1 law, if the eligible applicant demonstrates in its application that remediation will be
2 necessary and include costs of demolition that is a necessary part of the remediation.

3 The department and the department of administration may provide financial
4 assistance under this section to an eligible applicant only if the eligible applicant
5 owns the contaminated site or facility or, if the applicant is a political subdivision,
6 if a redevelopment authority or a housing authority owns the contaminated site or
7 facility. The department and the department of administration may not provide
8 financial assistance under this section to remedy environmental contamination at
9 a site or facility that is not a landfill if the eligible applicant caused the
10 environmental contamination.

11 ***b0415/1.1* SECTION 3168p.** 281.60 (3) of the statutes is repealed.

12 ***b0415/1.1* SECTION 3168r.** 281.60 (5) of the statutes is amended to read:

13 281.60 (5) APPLICATION. ~~After submitting a notice of intent to apply under sub.~~
14 ~~(3) (a) or obtaining a waiver under sub. (3) (b), an~~ An eligible applicant shall submit
15 an application for land recycling loan program financial assistance to the
16 department. The eligible applicant shall submit the application before the date
17 established by the department ~~by rule.~~ The department shall establish at least 2
18 application deadlines each year. The application shall be in the form and include the
19 information required by the department and the department of administration. An
20 eligible applicant may not submit more than one application per project per year.

21 ***b0415/1.1* SECTION 3168t.** 281.60 (8) (a) 1. of the statutes is amended to read:

22 281.60 (8) (a) 1. The department of administration may not allocate more than
23 40% of the ~~available~~ funds allocated in each fiscal year to projects to remedy
24 contamination at landfills.

25 ***b0415/1.1* SECTION 3168v.** 281.60 (8p) of the statutes is created to read:

1 281.60 **(8p)** SECURITY. Notwithstanding s. 281.59 (9) (b) 1., the department and
2 the department of administration may not require an applicant to use general
3 obligation bonds as security for financial assistance under this section but shall
4 accept other collateral that meets typical underwriting criteria.

5 ***-0291/1.1*** SECTION 3169. 281.61 (3) (b) of the statutes is repealed.

6 ***-0291/1.2*** SECTION 3170. 281.61 (3) (c) of the statutes is amended to read:

7 281.61 **(3)** (c) The department may waive par. (a) ~~or (b)~~ upon the written request
8 of a local governmental unit.

9 ***-0373/2.1*** SECTION 3171. 281.65 (4) (f) of the statutes is amended to read:

10 281.65 **(4)** (f) Administer the distribution of grants and aids to governmental
11 units for local administration and implementation of the program under this section.
12 A grant awarded under this section may be used for cost-sharing for management
13 practices and capital improvements, easements, or other activities determined by
14 the department to satisfy the requirements of this section. A grant under this section
15 to a lake district for a priority lake identified under sub. (3m) (b) 1. may be used for
16 plan preparation, technical assistance, educational and training assistance, and
17 ordinance development and administration. A grant may not be used for
18 promotional items, except for promotional items that are used for informational
19 purposes, such as brochures or videos.

20 ***-0390/2.1*** SECTION 3172. 281.65 (4c) (am) 1. a. of the statutes is amended to
21 read:

22 281.65 **(4c)** (am) 1. a. The need for compliance with performance standards
23 established by the department under s. 281.16 (2) and (3).

24 ***-0390/2.2*** SECTION 3173. 281.65 (4c) (am) 2. of the statutes is amended to
25 read:

1 281.65 (4c) (am) 2. The project cannot be conducted with department, in
2 consultation with the department of agriculture, trade and consumer protection,
3 determines that funding provided under s. 92.14 is insufficient to fund the project.

4 ***b1635/2.1* SECTION 3173j.** 281.65 (4e) of the statutes is created to read:

5 281.65 (4e) If the department issues a notice of discharge under ch. 283 to an
6 animal feeding operation, the department shall provide a cost-sharing grant for the
7 costs of measures needed to correct the unacceptable practices identified in the notice
8 of discharge. Notwithstanding sub. (8) (f), the department may provide a
9 cost-sharing grant under this subsection that exceeds 70% of the cost of the
10 corrective measures in cases of economic hardship, as defined by the department by
11 rule. If the department provides funds for a cost-sharing grant under this subsection
12 from the appropriation account under s. 20.866 (2) (te), the department shall pay the
13 grant to another governmental unit. If the department provides funds for a
14 cost-sharing grant under this subsection from the appropriation account under s.
15 20.370 (6) (aa), (ag), or (aq), the department may pay the funds to the landowner or
16 operator or to another governmental unit.

17 ***b0297/5.10* SECTION 3176b.** 281.65 (5q) of the statutes is created to read:

18 281.65 (5q) (a) Notwithstanding sub. (5s), neither the department nor the land
19 and water conservation board may extend funding under this section for a priority
20 watershed or priority lake project beyond the funding termination date that was in
21 effect for the priority watershed or priority lake project on January 1, 2001, except
22 as provided in par. (b).

23 (b) The department may authorize funding to be provided to a landowner under
24 a priority watershed or priority lake project for up to one year after the funding
25 termination date under par. (a) for that project if the department determines that a

1 delay in implementation of best management practices by the landowner was caused
2 by conditions beyond the control of the landowner.

3 ***b0298/1.1* SECTION 3176m.** 281.65 (11) of the statutes is amended to read:

4 281.65 (11) Notwithstanding subs. (3) (am) and (3m), the South Fork of the Hay
5 River is a priority watershed for the period ending on June 30, 2004 2005.
6 Notwithstanding subs. (2) (a), (4) (dm), (e), (em) and (g) 4., (4m) (b) 3. and (8) (b) and
7 (e), the department, in consultation with the local units of government involved with
8 the priority watershed project, shall establish guidelines for the types of nonpoint
9 source water pollution abatement practices to be eligible for cost-sharing grants in
10 the watershed. Notwithstanding sub. (8) (f), the amount of a cost-sharing grant in
11 the watershed may be based on the amount of pollution reduction achieved rather
12 than on the cost of the practices installed, using guidelines developed by the
13 department, in consultation with the local units of government involved with the
14 priority watershed project. In providing funding under s. 92.14 (3), the department
15 of agriculture, trade and consumer protection shall determine the amount of
16 matching funds required for staff for the priority watershed project as though the
17 funding termination date of June 30, 2005, had been in effect on October 6, 1998. The
18 department and the local governmental staff involved with the priority watershed
19 project shall evaluate the cost effectiveness of the project and the reduction in
20 nonpoint source water pollution associated with the project.

21 ***-0353/3.16* SECTION 3180.** 281.68 (1) (b) (intro.) of the statutes is
22 renumbered 281.68 (1) (b) and amended to read:

23 281.68 (1) (b) “Qualified lake association” means ~~a group incorporated under~~
24 ~~ch. 181 that meets all of the following conditions:~~ an association that meets the
25 qualifications under sub. (3m) (a).

1 *–0353/3.17* SECTION 3181. 281.68 (1) (b) 1. of the statutes is renumbered
2 281.68 (3m) (a) 2. and amended to read:

3 281.68 (3m) (a) 2. Specifies Specify in its articles of incorporation or bylaws
4 that a substantial purpose of its being incorporated is to support the protection or
5 improvement of one or more inland lakes for the benefit of the general public.

6 *–0353/3.18* SECTION 3182. 281.68 (1) (b) 2. of the statutes is renumbered
7 281.68 (3m) (a) 3. and amended to read:

8 281.68 (3m) (a) 3. ~~Demonstrates~~ Demonstrate that the substantial purpose of
9 its past actions was to support the protection or improvement of one or more inland
10 lakes for the benefit of the general public.

11 *–0353/3.19* SECTION 3183. 281.68 (1) (b) 3. of the statutes is renumbered
12 281.68 (3m) (a) 4. and amended to read:

13 281.68 (3m) (a) 4. ~~Allows~~ Allow to be a member any individual who for at least
14 one month each year resides on or within one mile of an inland lake for which the
15 association was incorporated.

16 *–0353/3.20* SECTION 3184. 281.68 (1) (b) 4. of the statutes is renumbered
17 281.68 (3m) (a) 5. and amended to read:

18 281.68 (3m) (a) 5. ~~Allows~~ Allow to be a member any individual who owns real
19 estate on or within one mile of an inland lake for which the association was
20 incorporated.

21 *–0353/3.21* SECTION 3185. 281.68 (1) (b) 5. of the statutes is renumbered
22 281.68 (3m) (a) 6. and amended to read:

23 281.68 (3m) (a) 6. ~~Does not~~ Not have articles of incorporation or bylaws which
24 limit or deny the right of any member or any class of members to vote as permitted
25 under s. 181.0721 (1).

1 ***-0353/3.22*** SECTION 3186. 281.68 (1) (b) 6. of the statutes is renumbered
2 281.68 (3m) (a) 7. and amended to read:

3 281.68 (3m) (a) 7. ~~Has been~~ Demonstrate that it has been in existence for at
4 least one year.

5 ***-0353/3.23*** SECTION 3187. 281.68 (1) (b) 7. of the statutes is renumbered
6 281.68 (3m) (a) 8. and amended to read:

7 281.68 (3m) (a) 8. ~~Has~~ Demonstrate that it has at least 25 members.

8 ***-0353/3.24*** SECTION 3188. 281.68 (1) (b) 8. of the statutes is renumbered
9 281.68 (3m) (a) 9. and amended to read:

10 281.68 (3m) (a) 9. ~~Requires~~ Require payment of an annual membership fee of
11 ~~not less than \$10 nor more than \$25 as set by the department by rule under par. (b).~~

12 ***-0353/3.25*** SECTION 3189. 281.68 (1) (c) of the statutes is created to read:

13 281.68 (1) (c) “Qualified school district” is a school district that meets the
14 qualifications under sub. (3m) (c).

15 ***-0353/3.28*** SECTION 3192. 281.68 (3) (a) of the statutes is amended to read:

16 281.68 (3) (a) Eligible recipients to consist of nonprofit conservation
17 organizations, as defined in s. 23.0955 (1), counties, cities, towns, villages, qualified
18 lake associations, town sanitary districts, qualified school districts, public inland
19 lake protection and rehabilitation districts, and other local governmental units, as
20 defined in s. 66.0131 (1) (a), that are established for the purpose of lake management.

21 ***-0353/3.29*** SECTION 3193. 281.68 (3) (b) 6. of the statutes is created to read:

22 281.68 (3) (b) 6. Providing programs and materials that promote the
23 monitoring of private sewage systems, the reduction in the use of environmentally
24 harmful chemicals, water safety, and the protection of natural lake ecosystems.

1 ***-0353/3.30* SECTION 3194.** 281.68 (3m) (title) and (a) (intro.) of the statutes
2 are created to read:

3 281.68 (3m) (title) QUALIFIED ENTITIES. (a) (intro.) To be a qualified lake
4 association, an association shall do all of the following:

5 ***-0353/3.31* SECTION 3195.** 281.68 (3m) (a) 1. of the statutes is created to read:

6 281.68 (3m) (a) 1. Demonstrate that it is incorporated under ch. 181.

7 ***-0353/3.32* SECTION 3196.** 281.68 (3m) (b) of the statutes is created to read:

8 281.68 (3m) (b) For purposes of par. (a) 9., the department shall set by rule the
9 maximum amount and the minimum amount that may be charged as an annual
10 membership fee.

11 ***-0353/3.33* SECTION 3197.** 281.68 (3m) (c) of the statutes is created to read:

12 281.68 (3m) (c) To be a qualified school district, the board of the school district
13 shall adopt a resolution to conduct a lake management planning project that will do
14 all of the following:

15 1. Provide information or education on the use of lakes or natural lake
16 ecosystems, on the quality of water in lakes, or on the quality of natural lake
17 ecosystems.

18 2. Allow another eligible recipient of grants under this section to cooperate with
19 the school district in the project.

20 ***-0353/3.35* SECTION 3199.** 281.69 (1b) of the statutes is renumbered 281.69

21 (1b) (intro.) and amended to read:

22 281.69 (1b) ~~DEFINITION~~ DEFINITIONS. (intro.) In this section, ~~“lake”~~;

23 (ag) “Lake” includes a flowage.

24 ***b2075/1.1* SECTION 3200m.** 281.69 (1b) (bn) of the statutes is created to read:

1 281.69 (1b) (bn) “Nonprofit conservation organization” has the meaning given
2 in s. 23.0955 (1).

3 ***-0353/3.37*** SECTION 3201. 281.69 (1b) (c) of the statutes is created to read:
4 281.69 (1b) (c) “Qualified lake association” is an association that meets the
5 qualifications under s. 281.68 (3m) (a).

6 ***-0353/3.38*** SECTION 3202. 281.69 (1b) (d) of the statutes is created to read:
7 281.69 (1b) (d). “Wetland” has the meaning given in s. 23.32 (1).

8 ***-0353/3.39*** SECTION 3203. 281.69 (3) (a) of the statutes is amended to read:
9 281.69 (3) (a) A designation of eligible recipients, which shall include nonprofit
10 conservation organizations, ~~as defined in s. 23.0955 (1)~~, counties, cities, towns,
11 villages, qualified lake associations, ~~as defined in s. 281.68 (1) (b)~~, town sanitary
12 districts, public inland lake protection and rehabilitation districts, and other local
13 governmental units, as defined in s. 66.0131 (1) (a), that are established for the
14 purpose of lake management.

15 ***-0353/3.41*** SECTION 3205. 281.69 (3) (b) 2. of the statutes is amended to read:
16 281.69 (3) (b) 2. The restoration of a wetland, ~~as defined in s. 23.32 (1)~~, if the
17 restoration will protect or improve a lake’s water quality or its natural ecosystem.

18 ***-0353/3.42*** SECTION 3206. 281.69 (3) (b) 2m. of the statutes is created to read:
19 281.69 (3) (b) 2m. The restoration of habitat in a littoral area of a lake or along
20 its shoreline if the restoration will protect or improve the lake’s water quality or its
21 natural ecosystem.

22 ***b2075/1.3*** SECTION 3206m. 281.69 (3) (b) 5. of the statutes is created to read:
23 281.69 (3) (b) 5. A wetland enhancement or restoration project under sub. (3m).

24 ***b2075/1.3*** SECTION 3206r. 281.69 (3m) of the statutes is created to read:

1 281.69 **(3m)** GRANTS FOR WETLANDS. (a) The department shall provide grants
2 of \$10,000 each from the appropriation under s. 20.370 (6) (ar) for lake management
3 projects to eligible recipients, other than nonprofit conservation organizations, that
4 have completed a comprehensive land use plan that includes a wetland
5 enhancement or restoration project. The grant shall be used for the implementation
6 of the wetland enhancement or restoration project. The 75% limitation under sub.
7 (2) (a) does not apply to these grants.

8 (b) The department shall provide up to 25 grants per fiscal year during fiscal
9 years 2001–02 and 2002–03. The department shall award the grants to eligible
10 recipients who qualify for the grants in the order in which the grant applications are
11 received by the department.

12 ***b1060/1.3* SECTION 3207p.** 281.73 of the statutes is created to read:

13 **281.73 Wastewater and drinking water grant.** The department of natural
14 resources shall provide a grant from the appropriation under s. 20.370 (6) (bk) to the
15 Town of Swiss, Burnett County, and the St. Croix Band of Chippewa for design,
16 engineering, and construction of wastewater and drinking water treatment
17 facilities.

18 ***b0855/1.3* SECTION 3207v.** 281.74 of the statutes is created to read:

19 **281.74 Land spreading reduction pilot program.** If the Elcho Sanitary
20 District charges not more than \$30 per thousand gallons to accept septic tank waste
21 for treatment and not more than \$6 per thousand gallons to accept holding tank
22 waste for treatment, the department shall provide the funds available under s.
23 20.370 (6) (dc) to the Elcho Sanitary District.

24 ***-1335/7.63* SECTION 3208.** 281.75 (4) (b) 3. of the statutes is amended to read:

25 281.75 (4) (b) 3. An authority created under ch. 231, 233 ~~or~~ 234, or 237.

1 ***-0367/3.2*** SECTION 3211. 283.33 (1) (b) of the statutes is amended to read:

2 283.33 (1) (b) A discharge of storm water from a municipal separate storm
3 sewer system serving an incorporated area with a population of 100,000 or more, as
4 determined by the 1990 federal census.

5 ***-0367/3.3*** SECTION 3212. 283.33 (1) (c) of the statutes is created to read:

6 283.33 (1) (c) A discharge of storm water from a municipal separate storm
7 sewer system serving an area located in an urbanized area, as determined by the U.S.
8 bureau of the census based on the latest decennial federal census.

9 ***-0367/3.4*** SECTION 3213. 283.33 (1) (cg) of the statutes is created to read:

10 283.33 (1) (cg) A discharge of storm water from a municipal separate storm
11 sewer system serving an area with a population of 10,000 or more and a population
12 density of 1,000 or more per square mile, if the system is designated by the
13 department to be regulated under this section based on an evaluation of whether the
14 storm water discharge results in, or has the potential to result in, water quality
15 standards being exceeded, including impairment of designated uses, or in other
16 significant water quality impacts, including habitat and biological impacts.

17 ***-0367/3.5*** SECTION 3214. 283.33 (1) (cr) of the statutes is created to read:

18 283.33 (1) (cr) A discharge of storm water from a municipal separate storm
19 sewer system that is designated by the department to be regulated under this section
20 because the system contributes substantially to the pollutant loadings of a physically
21 interconnected municipal separate storm sewer system that is regulated under this
22 section.

23 ***-0367/3.6*** SECTION 3215. 283.33 (1) (d) of the statutes is amended to read:

24 283.33 (1) (d) A discharge of storm water from a facility or activity, other than
25 a facility or activity under ~~par. pars. (a) or (b)~~ to (cr), if the department determines

1 that the discharge either contributes to a violation of a water quality standard or is
2 a significant contributor of pollutants to the waters of the state.

3 ***-0367/3.7* SECTION 3216.** 283.33 (4) (a) (intro.) of the statutes is amended to
4 read:

5 283.33 (4) (a) (intro.) In addition to obtaining a permit under this section, the
6 owner or operator of an industrial activity described in sub. (1) (a) that discharges
7 storm water through a municipal separate storm sewer system described in sub. (1)
8 (b) to (cr) shall submit the following information to the owner or operator of the
9 municipal separate storm sewer system:

10 ***-0367/3.8* SECTION 3217.** 283.33 (8) of the statutes is amended to read:

11 283.33 (8) RULE MAKING. The department shall promulgate rules ~~containing~~
12 ~~criteria for identifying storm water discharges for which permits are required under~~
13 ~~sub. (1) for the administration of this section.~~ The department may not require a
14 permit under this section for diffused surface drainage or agricultural storm water
15 discharges.

16 ***-1857/5.119* SECTION 3218.** 283.84 (1) (c) of the statutes is amended to read:

17 283.84 (1) (c) Reaches an agreement with the department or a local
18 governmental unit, as defined in s. 16.97 22.01 (7), under which the person pays
19 money to the department or local governmental unit and the department or local
20 governmental unit uses the money to reduce water pollution in the project area.

21 ***-0367/3.9* SECTION 3219.** 283.89 (2m) of the statutes is amended to read:

22 283.89 (2m) If the department finds a violation of s. 283.33 (1) to (8) for which
23 a person is subject to a forfeiture under s. 283.91 (2), the department ~~shall~~ may issue
24 a citation and, if the department does issue a citation, the procedures in ss. 23.50 to
25 23.99 apply.

1 ***b1281/1.4* SECTION 3219L.** 285.30 (5) (c) of the statutes is amended to read:

2 285.30 (5) (c) A motor vehicle exempt from registration under s. 341.05, except
3 that a motor vehicle owned by the United States is not exempt unless it comes under
4 par. (a), (b), (d), (e), (f), (g) ~~or~~, (h), or (j).

5 ***b1281/1.4* SECTION 3219v.** 285.30 (5) (j) of the statutes is created to read:

6 285.30 (5) (j) A low-speed vehicle, as defined in s. 340.01 (27m).

7 ***-1335/7.64* SECTION 3220.** 285.59 (1) (b) of the statutes is amended to read:

8 285.59 (1) (b) “State agency” means any office, department, agency, institution
9 of higher education, association, society or other body in state government created
10 or authorized to be created by the constitution or any law which is entitled to expend
11 moneys appropriated by law, including the legislature and the courts, the Wisconsin
12 Housing and Economic Development Authority, the Bradley Center Sports and
13 Entertainment Corporation, the University of Wisconsin Hospitals and Clinics
14 Authority, the Fox River Navigational System Authority, and the Wisconsin Health
15 and Educational Facilities Authority.

16 ***b1632/1.1* SECTION 3221.** 285.60 (2m) of the statutes is created to read:

17 285.60 (2m) GENERAL CONSTRUCTION PERMITS. The department may, by rule,
18 specify types of stationary sources that may obtain general construction permits. A
19 general construction permit may cover numerous similar stationary sources. A
20 general construction permit shall require any stationary source that is covered by
21 the general construction permit to comply with ss. 285.61 to 285.69. The department
22 shall issue a general construction permit using the procedures and criteria in ss.
23 285.61, 285.63, 285.65, 285.66, and 285.69.

24 ***-1838/1.1* SECTION 3222.** 285.69 (2) (a) 8. of the statutes is amended to read:

1 285.69 (2) (a) 8. That the fee billed for each stationary source in each year after
2 2001 is based on the actual emissions of all regulated pollutants, and any other air
3 contaminant specified by the department in the rules, in the preceding 5 years, using
4 a 5-year rolling average year.

5 ***b2179/2.11* SECTION 3222e.** 287.03 (1) (e) and (f) of the statutes are created
6 to read:

7 287.03 (1) (e) Promulgate rules to implement s. 287.07 (7) (a) and (10) (a).

8 (f) Promulgate rules, for the purposes of s. 287.235 (1) (b), that specify the
9 minimum elements of coordinated program delivery, including all of the following:

10 1. The joint provision of, a single program operated by the responsible unit for,
11 or a single contract for, the collection from single-family residences of materials that
12 are separated for recycling under an effective recycling program.

13 2. The joint provision of, a single program operated by the responsible unit for,
14 or a single contract for, the processing and marketing of recyclable materials
15 collected under an effective recycling program.

16 3. The joint or coordinated planning of solid waste management services within
17 the responsible unit.

18 ***b2179/2.11* SECTION 3222f.** 287.07 (7) (a) of the statutes is amended to read:

19 287.07 (7) (a) The prohibitions in subs. (3) and (4) do not apply with respect to
20 solid waste, except medical waste, as defined in par. (c) 1. cg., ~~that is generated in a~~
21 ~~region that has an effective recycling program, as determined under s. 287.11 if the~~
22 solid waste contains no more than an incidental amount of materials specified in
23 subs. (3) and (4), as provided by the department by rule. This paragraph does not
24 apply to solid waste that is separated for recycling as part of an effective recycling
25 program under s. 287.11.

1 ***b2179/2.11* SECTION 3222g.** 287.07 (9) of the statutes is created to read:

2 **287.07 (9) ACCEPTANCE BY SOLID WASTE FACILITY.** (a) Except as provided under
3 pars. (b) and (c), no person operating a solid waste facility may accept solid waste
4 from a building containing 5 or more dwelling units or a commercial, retail,
5 industrial, or governmental facility that does not provide for the collection of
6 materials that are subject to subs. (3) and (4) and that are separated from other solid
7 waste by users or occupants of the building or facility.

8 (b) The department may grant exceptions to par. (a) on a case-by-case basis
9 as necessary to protect public health.

10 (c) 1. Paragraph (a) does not apply to a person operating a solid waste facility
11 if the person has implemented a program to minimize the acceptance of recyclable
12 materials at the solid waste facility, and the program complies with the rules
13 promulgated under subd. 2.

14 2. The department shall promulgate rules that specify minimum standards for
15 a program that minimizes the acceptance of recyclable materials at a solid waste
16 facility for the purposes of subd. 1.

17 ***b2179/2.11* SECTION 3222h.** 287.07 (10) of the statutes is created to read:

18 **287.07 (10) TRANSPORTATION TO FACILITY.** (a) Except as provided in par. (b), no
19 person operating a solid waste facility that provides a collection and transportation
20 service may transport solid waste for delivery to a solid waste disposal facility or a
21 solid waste treatment facility that converts solid waste into fuel or that burns solid
22 waste if the solid waste contains more than incidental amounts of materials specified
23 in subs. (3) and (4), as provided by the department by rule.