

Drainage District is exempt from this permitting requirement. This bill eliminates the permitting requirement for all drainage districts operated by drainage boards.

***** ANALYSIS FROM -1411/2 *****

Current law grants the state bonding authority to acquire and develop land for various conservation purposes under two stewardship programs, one that began in 1990 and one that began on July 1, 2000. These programs are administered by DNR.

Under the program that began in 1990, the state is prohibited from using stewardship bonding to provide money to counties, local units of government, or political subdivisions so that they may acquire land by condemnation or may develop land that has been acquired by condemnation. Under current law, the program that began on July 1, 2000, does not include this prohibition. This bill applies the prohibition to this program.

Under current law, with certain exceptions, DNR may not use stewardship bonding under the program that began on July 1, 2000, for a project or activity that exceeds \$250,000 in cost unless it first notifies JCF of the proposal. This bill provides that DNR need not give notice to JCF unless the amount for the project or activity exceeds \$500,000.

***** ANALYSIS FROM -0341/1 *****

Under current law, DNR awards grants to cities and villages for up to 50% of the cost of various tree projects, including tree disease evaluations and public education concerning trees in urban areas. This bill expands the grant program to authorize DNR to also award grants to counties, towns, and nonprofit organizations.

***** ANALYSIS FROM -0342/1 *****

Under current law, DNR may award grants for up to 50% of the cost of acquiring certain clothing, supplies, equipment, and vehicles used for fire suppression purposes. This bill provides that the grants may also include awards for 50% of the cost of acquiring fire prevention materials and of the cost of training fire fighters in forest fire suppression techniques.

***** ANALYSIS FROM -1432/5 *****

OCCUPATIONAL REGULATION

In its biennial budget request, DORL must recalculate its administrative and enforcement costs attributable to the regulation of each of the occupations and businesses that DORL regulates and, on the basis of these costs, recalculate the fees for initial credentials and for the renewal of credentials already issued. This bill changes the fees for initial and renewal credentials, except for renewal credentials

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INCREASES

for each of the occupations and
businesses that DORL regulates

for aesthetics schools, barbering or cosmetology schools and instructors, cemetery authorities, cemetery preneed sellers, cemetery salespersons, charitable organizations, electrology instructors, electrology schools, and manicuring schools.

*** ANALYSIS FROM -0903/2

*** ANALYSIS FROM -0905/2 ***

OCCUPATIONAL REGULATION

security permit

Under current law, with certain exceptions, a person may not act as a private security person unless he or she is issued a private ~~defective license~~ by DORL. A "private security person" is defined as a private police, guard, or other person who stands watch for security purposes. ~~One of the exceptions to this prohibition applies to persons who are issued private security permits by DORL.~~ To qualify for a private security permit, a person must satisfy certain requirements, including being employed by a private detective agency licensed by DORL. In addition, the private detective agency must do each of the following: 1) supply ^{ies} uniformed private security personnel that patrol exclusively on private property; and 2) provide ^s an up-to-date written record of its employees to DORL.

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from P. 153

licenseal

This bill ⁹¹⁵⁰ creates a private security agency license and allows a person to qualify for a private security permit by being employed by either a private detective agency ~~licensed under current law~~ or a private security agency ~~licensed under the bill~~ that does each of the following: 1) supplies uniformed private security personnel that patrol exclusively on private property; and 2) provides an up-to-date written record of its employees to DORL.

both

Under the bill, DORL may issue a private security agency license to an individual, partnership, limited liability company, or corporation that does ~~each~~ of the following: 1) satisfies any qualification requirements established by DORL by rule; and 2) executes and files a bond or liability policy with DORL in an amount established by DORL by rule. In addition, if the applicant is an individual, he or she must be over 18 years of age and may not have been convicted of a felony for which he or she has not been pardoned. A private security agency license is renewable every two years upon payment of a \$20 renewal fee.

both

~~In addition,~~ the bill prohibits a person from advertising, soliciting, or engaging in the business of a private security agency unless the person is issued a private security agency license under the bill. ~~Finally,~~ the bill allows DORL to revoke, suspend, or limit a private security agency license if the licensee ~~engages in certain specified conduct, including the following:~~ 1) is convicted of a misdemeanor or violates a state or local law punishable by a forfeiture ^y if the circumstances of the

(civil penalty)

conviction or violation are substantially related to acting as a private security agency; 2) is convicted of a felony and is not pardoned for that felony; 3) makes a false statement in connection with an application for the license; ~~and~~ 4) engages in conduct reflecting adversely on the person's professional qualification.

Also under current law, a person who is issued a private detective agency license must renew the license by September 1 of each even-numbered year and pay a license renewal fee. This bill requires instead that a person renew a private detective agency license by September 1 of each odd-numbered year.

***** ANALYSIS FROM -0903/2 *****

Also
P / Under current law, an individual who applies for a private security permit is eligible for a temporary private security permit that allows the person to engage in private security activities while DORL considers the application. A temporary private security permit is valid for no more than 30 days. This bill increases the duration of a temporary private security permit to no more than 60 days *(no 30)*

~~Also~~ under current law, a person who applies for a credential issued by DORL or a board in DORL must reimburse DORL for the costs incurred in investigating the application. In addition, an applicant for a temporary credential must pay a fee for the credential. This bill ^{also} clarifies that an applicant for a temporary private security permit is ^{also} subject to ^{the} these requirements.

insert to p. 152.

Under current law that an applicant for a credential issued by DORL or a board in DORL reimburse DORL for the cost of investigating the applicant and pay a fee for the temporary permit.

***** ANALYSIS FROM -0900/2 *****

Under current law, a person who has been granted a funeral director's license by the funeral directors examining board (board) must apply to renew the license ~~after the expiration of a two-year licensure period~~. The application must include proof that the applicant has completed certain continuing education requirements and is doing business at a recognized funeral establishment. However, if a person is not doing business at a recognized funeral establishment, he or she may be granted a certificate in good standing as a funeral director by the board. A person who has been granted such a certificate may renew his or her license at any time during the subsequent two-year licensure period if he or she is able to submit proof that he or she is doing business at a recognized funeral establishment.

every two years

This bill eliminates certificates in good standing as a funeral director. ~~The bill~~ ^{also} provides for a 12-month transitional period during which the board is required to restore the funeral director licenses of certain persons who hold valid certificates in good standing under current law. If a person holds a valid certificate that was granted for a license that was granted or last renewed before July 1, 1995, the board

but

must restore his or her license if he or she demonstrates competence as a funeral director by a method satisfactory to the board, including by passing a written or oral examination or providing specified documentation to the board. If the board requires an examination, it may not be more stringent than the examination ~~on Wisconsin law~~ that is required for persons with licenses granted by other jurisdictions who apply for a reciprocal license from the board. In addition, the person must submit proof that he or she has completed at least 15 hours of continuing education during the past two years.

Under this bill, if a person holds a valid certificate that was granted for a license that was granted or last renewed on or after July 1, 1995, the board must restore his or her license if he or she submits proof that he or she has completed at least 15 hours of continuing education during the past two years.

~~Finally,~~ the bill specifies that no fee may be charged ~~for~~ ^{to} a person who applies for restoration of a license under the bill or who takes an examination that is required for restoration of a license under the bill.

***** ANALYSIS FROM -0902/2 *****

Under current law, an applicant for a credential issued by DORL or a board in DORL may be required to take an examination. If an examination is required, the applicant must pay an examination fee to DORL. The fee must be an amount equal to ~~the~~ DORL's best estimate of the actual cost of preparing, administering, or grading the examination or obtaining and administering an approved examination from a test service.

~~This bill changes the requirement regarding the amount of the fee.~~ Under ^{this} the bill, if DORL prepares, administers, or grades the examination, the fee must be equal to DORL's best estimate of the actual cost of preparing, administering, or grading the examination. If DORL approves an examination prepared, administered, and graded by a test service provider, the fee must be equal to DORL's best estimate of the actual cost of approving the examination, including selecting, evaluating, and reviewing the examination.

***** ANALYSIS FROM -0901/2 *****

Under current law, DORL is required to mail a notice of credential renewal to each holder of a credential issued by DORL or a board in DORL at least 30 days prior to the renewal date for the credential. The notice must be mailed to the last address provided to DORL by the credential holder.

(w/ff) Under this bill, DORL may either mail the notice of credential renewal as required under current law or give the notice to the credential holder by electronic transmission.

*** ANALYSIS FROM -0522/2 ***
RETIREMENT AND GROUP INSURANCE

This bill creates a qualified transportation fringe benefit plan for state employees, administered by DETF. This plan is authorized under the federal Internal Revenue Code (IRC) and permits employees to set aside pre-tax income to pay eligible transportation expenses before taxes are computed. Under the IRC, three types of eligible transportation expenses are covered: parking expenses incurred at or near an employer's premises; expenses incurred to pay for an employee's use of mass transportation; and expenses incurred by an employee in paying his or her share of the cost of using a van pool.

*** ANALYSIS FROM -1941/2 ***

Under current law, the group insurance board may not enter into an agreement to modify or expand group insurance coverage in a manner that materially affects the level of insurance premiums required to be paid by the state or its employees or the level of benefits. This bill authorizes the group insurance board to enter into such an agreement if the modification or expansion would reduce the cost incurred by the state in providing group health insurance to state employees.

*** ANALYSIS FROM -0169/3 ***

in This bill authorizes the secretary of employee trust funds (secretary) to settle any dispute ~~or~~ an appeal of a determination made by DETF that is subject to review by the employee trust funds board, the group insurance board, the teachers retirement board, the Wisconsin retirement board, and the deferred compensation board. In deciding whether to resolve such a dispute, the secretary must consider the cost of litigation, the likelihood of success on the merits, the cost of delay in resolving the dispute, the actuarial impact on the public employee trust fund, and any other relevant factor the secretary considers appropriate.

STOP In addition, the bill authorizes the secretary, if the secretary determines that an otherwise eligible participant has unintentionally forfeited or otherwise involuntarily ceased to be eligible for any benefit administered by DETF because of an error in administration by DETF, to order the correction of the error to prevent inequity.

*** ANALYSIS FROM -1617/P3 ***

Under current law, the state is responsible for funding certain operational expenses of district attorney offices. Among other things, the state must reimburse Milwaukee County for the costs of clerks who work in the Milwaukee County district attorney's office and who assist in the handling of cases involving the unlawful possession or use of firearms. The amount of reimbursement is capped at a specified amount for each fiscal year of the 1999-2001 fiscal biennium.

This bill limits the reimbursement amount to the amount of money in the appropriation from which the reimbursement is made. The bill also deletes an obsolete reference in the same appropriation to the purchase of computers to be used by prosecutors and clerks in the Milwaukee County district attorney's office on cases involving the unlawful possession or use of firearms.

LOCAL GOVERNMENT

Under current law, the Milwaukee board of police and fire commissioners is required to conduct a city-wide communications media campaign to educate the public about the legal consequences of unlawful possession and use of firearms, with the goal of deterring both. Current law also requires the state to provide money to the board for that media campaign. This bill eliminates the media campaign requirement and the reimbursement for it.

*** ANALYSIS FROM -1059/4 ***

TAXATION

INCOME TAXATION

Under current law, when computing corporate income taxes and franchise taxes, a formula is used to attribute a portion of a corporation's income to this state. The formula has three factors: a sales factor, a property factor, and a payroll factor. The sales factor represents 50% of the formula and the property and payroll factors each represent 25% of the formula. When computing income taxes and franchise taxes for an insurance company, a formula with a premium factor and a payroll factor is used to attribute a portion of an insurance company's income to this state.

Under this bill, beginning on January 1, 2005, the sales factor will be the only factor used to attribute a portion of a corporation's income to this state. The property and payroll factors will be decreased, and eventually phased out, over the next four years as the sales factor is increased and becomes the only factor. Beginning on January 1, 2005, the premium factor will be the only factor used to attribute a portion of an insurance company's income to this state. The payroll factor will be decreased,

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to
p. 141

(w/p) Under this bill, DORL may either mail the notice of credential renewal as required under current law or give the notice to the credential holder by electronic transmission.

***** ANALYSIS FROM -0522/2 *****
RETIREMENT AND GROUP INSURANCE

This bill creates a qualified transportation fringe benefit plan for state employees, administered by DETF. This plan is authorized under the federal Internal Revenue Code (IRC) and permits employees to set aside pre-tax income to pay eligible transportation expenses before taxes are computed. Under the IRC, three types of eligible transportation expenses are covered: parking expenses incurred at or near an employer's premises; expenses incurred to pay for an employee's use of mass transportation; and expenses incurred by an employee in paying his or her share of the cost of using a van pool.

***** ANALYSIS FROM -1941/2 *****

Under current law, the group insurance board may not enter into an agreement to modify or expand group insurance coverage in a manner that materially affects the level of insurance premiums required to be paid by the state or its employees or the level of benefits. This bill authorizes the group insurance board to enter into such an agreement if the modification or expansion would reduce the cost incurred by the state in providing group health insurance to state employees.

***** ANALYSIS FROM -0169/3 *****

This bill authorizes the secretary of employee trust funds (secretary) to settle any dispute or an appeal of a determination made by DETF that is subject to review by the employee trust funds board, the group insurance board, the teachers retirement board, the Wisconsin retirement board, and the deferred compensation board. In deciding whether to resolve such a dispute, the secretary must consider the cost of litigation, the likelihood of success on the merits, the cost of delay in resolving the dispute, the actuarial impact on the public employee trust fund, and any other relevant factor the secretary considers appropriate.

In addition, the bill authorizes the secretary, if the secretary determines that an otherwise eligible participant has unintentionally forfeited or otherwise involuntarily ceased to be eligible for any benefit administered by DETF because of an error in administration by DETF, to order the correction of the error to prevent inequity.

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***** ANALYSIS FROM -1617/P3 *****

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***** ANALYSIS FROM -0869/1 *****

STATE GOVERNMENT ✓

DISTRICT ATTORNEYS

The bill makes several changes to appropriations and funding for district attorneys. The bill requires DOA to pay \$744,400 from appropriations for the Office of Justice Assistance to fund four assistant district attorneys to prosecute drug crimes in Dane and Milwaukee counties in the 2001-03 biennium.

Under current law, a portion of the revenue generated from the crime laboratories and drug law enforcement assessment and from the deoxyribonucleic acid (DNA) surcharge is appropriated to DOJ for enforcement of drug laws, for prosecution of drug law violations, and to fund the state crime laboratories. This bill requires that a portion of DOJ program revenue funds be transferred to a newly created appropriation in DOA for activities by district attorneys related to DNA evidence.

***** ANALYSIS FROM -0618/3 *****

Under current law, the state must reimburse Milwaukee County for the costs of clerks who work in the Milwaukee County district attorney's office and who assist in the handling of cases involving the unlawful possession or use of firearms. The amount of reimbursement is capped at a specified amount for each fiscal year of the 1999-2001 fiscal biennium. This bill limits the reimbursement amount to the amount of money in the appropriation from which the reimbursement is made.

***** ANALYSIS FROM -2156/4 *****

~~OTHER STATE GOVERNMENT~~ **JUSTICE**

subhead change

Currently, DOJ is required to provide legal services to DATCP for enforcement of the laws related to consumer protection. DOJ may commence an action to restrain by temporary or permanent injunction the violation of marketing and trade practices, including fraudulent representations, negative sales of telecommunication services, or unfair retailing of merchandise. This bill removes the authority of DOJ to enforce the laws relating to consumer protection and places that authority with DATCP or the district attorney. The bill permits DATCP to request DOJ to provide legal services to DATCP relating to consumer protection.

***** ANALYSIS FROM -0562/3 *****

This bill increases the fee from \$8 to \$12 that DOJ charges a firearms dealer for each firearms restrictions record search requested by the dealer.

***** ANALYSIS FROM -1772/1 *****

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***** ANALYSIS FROM -0565/4 *****

Current law appropriates money to DOJ for providing law enforcement assistance regarding anti-drug abuse programs and drug investigations and analysis to state agencies. This bill extends the applicability of that appropriation to all law enforcement assistance provided by DOJ to state agencies.

Current law also appropriates money to DOJ for providing services to state agencies relating to victims and witnesses and for reimbursing counties for services relating to victims and witnesses. This bill authorizes DOJ to use that appropriation for providing services relating to victims and witnesses to anyone.

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***** ANALYSIS FROM -0825/1 *****

STATE EMPLOYMENT

Under current law, appointments and promotions to positions in the state classified civil service must be made according to merit and fitness. When vacancies occur in such positions, the administrator of the division of merit recruitment and selection in DER must certify names that may be considered for appointment to the position. This bill authorizes the administrator, with the approval of the secretary of employment relations, to establish pilot programs for the recruitment of individuals to fill vacant positions in the classified service. Under the bill, the pilot programs, which may not be in effect for more than one year, are exempt from all recruitment and certification requirements under current law, except that appointments and promotions to positions must be made according to the applicant's merit and fitness for the position.

***** ANALYSIS FROM -2050/1 *****

Currently,
Any legislator who establishes a temporary residence at the state capital for the period of any regular or special legislative session may receive an allowance for expenses incurred for food and lodging for each day that he or she is in Madison on legislative business. The amount of the allowance is recommended by the secretary of employment relations and incorporated in the state compensation plan, and must be approved by the joint committee on employment relations.

This bill provides that the allowance is 90% of the per diem rate for travel for federal government business within the city of Madison, as established by the federal general services administration. Under the bill, the amount is established before the start of the biennial session and remains in effect the entire biennial session.

***** ANALYSIS FROM -0823/1 *****

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STATE FINANCES ← Subhead

Under current law, appointing authorities in state agencies are prohibited from appointing nonresidents to limited term appointments and to project positions in the state civil service. This bill eliminates this prohibition.

*** ANALYSIS FROM -1063/6 ***

This bill limits the aggregate amount of general purpose revenue (GPR) that may be appropriated in any fiscal biennium. Under the bill, the limit is calculated in the following way: First, a base year amount is established that equals the amount of GPR appropriated in the second year of the prior fiscal biennium. For the new fiscal biennium, the base year amount is multiplied by the sum of 1.0 and the annual percentage change in state aggregate personal income for the calendar year that begins on the January 1 which precedes the first year of the fiscal biennium. Then this amount is multiplied by the sum of 1.0 and the annual percentage change in state aggregate personal income for the calendar year that begins on the January 1 which precedes the second year of the fiscal biennium. The sum of these two amounts is the aggregate amount of GPR that may be appropriated during the fiscal biennium. Under the bill, DOA is required to make the determination of the amount of GPR that may be appropriated for each fiscal biennium.

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Under the bill, however, certain GPR appropriations are excluded from the limit. These are appropriations for debt service or operating notes; appropriations to honor a moral obligation pledge that the state has taken with respect to certain revenue bonds; appropriations to refund certain earnings to the federal government relating to state bond issues; an appropriation for legal expenses and the costs of judgments, orders, and settlements of actions and appeals incurred by the state; an appropriation to make a payment for tax relief; an appropriation to make a transfer from the general fund to the budget stabilization fund; an appropriation to make a transfer from the general fund to the tax relief fund; and any appropriation contained in a bill that is enacted with approval of at least two-thirds of the members of each house of the legislature.

excludes

*** ANALYSIS FROM -1256/5 ***

This bill requires that certain transfers be made between the general fund, the budget stabilization fund, and the tax relief fund, which is created in this bill.

Under the bill, the secretary of administration (secretary) must annually calculate the difference between the amount of tax revenues projected to be deposited in the general fund (projected tax receipts) and the amount of tax revenues actually deposited in the general fund during the preceding fiscal year (actual tax receipts).

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the secretary must ^{reduce} reduce the amount of the transfer

If the projected tax receipts are less than the actual tax receipts, the secretary must transfer from the general fund to the budget stabilization fund an amount equal to 50% of the difference between the projected tax receipts and the actual tax receipts.

This transfer, however, may not take place once the balance of the budget stabilization fund is at least equal to 5% of the estimated expenditures from the general fund during the fiscal year, as projected in the biennial budget act or acts. Also, if the transferred amount would cause the general fund balance to be less than the required general fund statutory balance, ~~the secretary must reduce the amount of the transfer by an amount that would not cause the general fund balance to be less than the required statutory balance.~~ (The required statutory balance refers to a statement in current law that the estimated general fund balance in any fiscal year may not be an amount less than the following percentage of the total general purpose revenue appropriations for that fiscal year plus any amount from general purpose revenue designated as "Compensation Reserves": for fiscal year 2002–03, 1.4%; for fiscal year 2003–04, 1.6%; for fiscal year 2004–05, 1.8%; and, for fiscal year 2005–06 and each fiscal year thereafter, 2%.)

~~In addition,~~ the bill creates a tax relief fund that consists of the difference between the projected tax receipts and the actual tax receipts in each fiscal year and the amount transferred from the general fund to the budget stabilization fund in each fiscal year. *In addition, the*

~~This bill also~~ creates an individual income tax relief fund tax credit, which may be claimed by an individual taxpayer or by a taxpayer and his or her spouse. A claimant may also claim a credit for each of his or her dependents, although a dependent may not claim a credit. The credit is nonrefundable, meaning that if the amount of the credit exceeds the taxpayer's tax liability, no check is issued in the amount of the difference.

W/P The credit is available only in taxable years in which the amount in the tax relief fund exceeds \$25,000,000. If the secretary certifies that the amount in the fund exceeds that amount, DOR determines the amount of the credit that may be claimed in that taxable year. The credit amount is determined by dividing the amount certified by the sum of all claimants, all spouses of claimants, and all dependents, and then modified so that the amount in the fund is expended as fully as possible ~~and by ensuring that the credit amount is rounded down to the nearest whole number.~~

On November 23, 1998, Wisconsin and other states agreed to a settlement of lawsuits brought against the major U.S. tobacco product manufacturers (the tobacco settlement agreement). Under the tobacco settlement agreement, the state is to receive annual payments from the U.S. tobacco product manufacturers in perpetuity. This bill authorizes the secretary of administration ^{Secretary} to sell the state's right to receive payments under the tobacco settlement agreement and provides that the proceeds from this sale are to be deposited in the permanent endowment fund, a trust fund created in the bill.

Under the bill, annually ^g the secretary of administration ^{must} must transfer a certain amount of moneys in the permanent endowment fund to the general fund. For 2002 and 2003, the amount that is ~~required~~ to be transferred from the permanent endowment fund to the general fund is the amount that the state would have received as payments under the tobacco settlement agreement had the state's right to receive the payments not been sold. The amount available for transfer in each subsequent year, as calculated by the investment board, must equal the sum of the following:

1. An amount that equals 8.5% of the market value of the investments in the permanent endowment fund on June 1.
2. All proceeds of, and investment earnings on, investments of the permanent endowment fund made at the direction of the secretary of administration that are received in the fiscal year.
3. All other amounts identified by the secretary of administration as payments of residual interests to the state from the sale of the state's right to receive moneys under tobacco settlement agreement that are received in the fiscal year.

^{be} The bill also requires that, in fiscal years 2001–02 and 2002–03, the first \$12,006,400 and \$21,169,200, respectively, in payments from the tobacco settlement agreement ~~are~~ deposited in the tobacco control fund and ~~are~~ appropriated to the tobacco control board for distribution to specific smoking cessation and prevention programs and for grants for smoking cessation education, research, and enforcement programs. In the event that the state's right to receive payments under the tobacco settlement agreement is sold before the required amounts are received in fiscal years 2001–03, the bill requires that a necessary amount be transferred from the general fund to the tobacco control fund to make up any shortfall.

The bill provides that the investment board may invest the assets of the permanent endowment fund in any investment that is an authorized investment for

assets in the fixed retirement investment trust and the variable retirement trust. In addition, the bill requires the investment board to invest certain of the assets in the permanent endowment fund according to the terms and conditions specified by the secretary of administration; the bill specifically provides that the investment board is not subject to its statutory standard of responsibility when it makes such an investment.

The bill also authorizes the secretary of administration to organize one or more nonstock corporations or limited liability companies for any purpose related to the sale of the state's right to receive payments under the tobacco settlement agreement and appropriates moneys for the organization and initial capitalization of any such corporation or company.

The bill establishes the legal characteristics of any sale, assignment, or transfer of payments under the tobacco settlement agreement. In addition, the bill provides that, with certain exceptions, this state's version of Article 9 of the Uniform Commercial Code governs the granting and enforcing of security interests in those payments. Article 9 generally governs similar transactions. Under the bill, if a person obtains, evidences, and provides notice of an interest in the tobacco settlement agreement payments under the procedure specified in the bill, that interest is enforceable against the debtor, any assignee or grantee, and all third parties, including creditors under any lien obtained by judicial proceedings. In addition, the interest is superior to all other liens against the tobacco settlement agreement payments that arise after the date on which the interest attaches to those payments.

Currently, DOA is required, subject to numerous exceptions, to make purchases by solicitation of bids or competitive sealed proposals preceded by public notice. DOA must prepare written justification of contractual service procurements and must comply with rules regarding conflicts of interest between contractors and DOA employees. DOA must also attempt to ensure that a specified portion of its procurement business is awarded to minority-owned businesses. This bill exempts contracts entered into by DOA to provide financial services in relation to this state's interest in the tobacco settlement agreement payments from compliance with these requirements.

Currently, with certain exceptions, no person may commence a legal action against the state unless the person presents a claim to the claims board for a recommendation and the legislature denies the claim. This bill exempts claims

presented in relation to this state's interest in the tobacco settlement agreement payments from compliance with this requirement.

Under current law, the Wisconsin Health and Educational Facilities Authority (WHEFA) may issue bonds to finance certain projects of health or educational facilities, such as the construction or remodeling of a health or educational facility or related structure, and to refinance outstanding debt of health or educational facilities. Under this bill, WHEFA is authorized to purchase the state's right to receive payments under the tobacco settlement agreement, to make a loan that is secured by the state's right to receive those payments, and to issue bonds to finance the purchase or to make the loan. Any bonds issued to finance the purchase or to make the loan must be payable from, or secured by interests in, the payments under the tobacco settlement agreement. In addition, WHEFA is authorized to organize one or more nonstock corporations or limited liability companies for any purpose related to the purchase or sale of the state's right to receive payments under the tobacco settlement agreement.

This bill affirms the state's participation in the tobacco settlement agreement and states that the payments received under that agreement are the property of the state, to be used as the state decides by law. The bill also provides that no political subdivision of the state, or officer or agent of a political subdivision, may maintain a claim related to the tobacco settlement agreement or any claim against any party that was released from liability by the state under the tobacco settlement agreement.

***** ANALYSIS FROM -1717/5 *****

This bill requires the secretary ~~of administration~~ to prepare a statement of estimated general purpose revenue receipts and expenditures in the biennium following the succeeding biennium based on recommendations in the executive biennial budget bill or bills. This statement is to accompany the biennial budget report that is submitted by the secretary ~~of administration~~ on the day that the governor delivers the budget message to the legislature.

The bill also requires that the ~~AVB~~ prepare the same statement but based on the recommendations in the executive biennial budget bill or bills, as modified by an amendment offered by JCF, as engrossed by the first house, as concurred in and amended by the second house or as nonconcurrent in by the second house, or as reported by any committee on conference.

Finally, the bill requires the secretary ~~of administration~~ to prepare, as part of the biennial budget report, a comparison of the state's budgetary surplus or deficit

legislative fiscal bureau

according to generally accepted accounting principles, as reported in the most recent audited financial report prepared by DOA, and the estimated change in the surplus or deficit based on recommendations in the biennial budget bill or bills.

***** ANALYSIS FROM -2308/1 *****

Current statutes ~~contain a statement that states~~ that “[n]o bill directly or indirectly affecting general purpose revenues ... may be enacted by the legislature if the bill would cause the estimated general fund balance on June 30 of any fiscal year ... to be an amount equal to less than the following percentage of the total general purpose revenue appropriations for that fiscal year plus any amount from general purpose revenue designated as “Compensation Reserves” for that fiscal year ...” For fiscal year 2002–03, the amount is 1.4%. This bill reduces this amount to 1.2%.

***** ANALYSIS FROM -2007/2 *****

COMMERCE AND ECONOMIC DEVELOPMENT

BUILDINGS AND SAFETY

This bill transfers authority to regulate water and sewer service provided to occupants of manufactured home parks from PSC to the department of commerce. See **STATE GOVERNMENT, PUBLIC UTILITY REGULATION.**

STATE GOVERNMENT

PUBLIC UTILITY REGULATION

move to end of para.

no 91 This bill transfers authority to regulate water and sewer service provided to occupants of manufactured home parks from PSC to the department of commerce.

the *The* Under current law, PSC is required to promulgate rules that establish standards for water or sewer service that is provided to occupants of a mobile home park by the park operator or a contractor. A *the* mobile home park is defined as any tract of land containing two or more individual plots of land that are rented for the accommodation of a mobile home. A *the* mobile home is defined as a manufactured home. PSC’s rules must include requirements for metering, billing, depositing, arranging deferred payment, installing service, refusing or discontinuing service, and resolving disputes about service. The rules must also ensure that charges are reasonable and not unjustly discriminatory, that service is reasonably adequate, and that any related practice is just and reasonable. PSC may, on its own motion or upon a complaint by a mobile home park occupant, issue an order or commence a civil action against an operator or contractor to enforce the rules. In addition, DOJ, after consulting with PSC, or any district attorney may commence an action to enforce the

insert and the material that precedes it

rules. ~~Annually, PSC bills operators of mobile home parks, in proportion to the number of parks owned or managed by an operator, for the costs incurred by the PSC in regulating water or sewer service. Current law includes requirements for paying bills and resolving objections to the amount of a bill.~~

This bill requires the department of commerce, instead of PSC, to promulgate the rules. In addition, the bill changes current law to refer to manufactured home parks, rather than to mobile home parks. Under current law, which the bill does not change, a "manufactured home park" is defined as any plot or plots of ground upon which are located three or more manufactured homes that are occupied for dwelling or sleeping purposes but does not include a farm where the occupants of the manufactured homes are the father, mother, son, daughter, brother, or sister of the farm owner or operator or where the occupants of the manufactured homes work on the farm. The bill allows the department of commerce to take the enforcement action that PSC is allowed to take under current law. Also, the bill requires the department of commerce to bill operators of manufactured home parks for its regulatory costs in the same manner that PSC bills mobile home park operators under current law.

LPS: make sure there is a space between this

Insert 1695/4 from pp 145+46

INS. FROM P. 179

*** ANALYSIS FROM -1696/2 ***

STATE GOVERNMENT

Under current law, telecommunications utilities and providers are subject to certain requirements regarding the protection of consumers, including other telecommunications utilities and providers that use their services. ~~There are several provisions for enforcing these requirements, including the following three. First, the public service commission (PSC), on its own motion or upon a complaint filed by a consumer, may take administrative action or commence civil actions against telecommunications utilities and providers to enforce these requirements. This bill provides that the PSC has jurisdiction in its own name or on behalf of consumers to take such actions. The bill also clarifies that the PSC's authority to take administrative action includes initiating a contested case.~~

~~Second,~~ under current law, the PSC may bring an action in court for injunctive relief for compelling compliance with the requirements, for compelling refunds of any moneys collected in violation of the requirements, or for any other relief under the public utility statutes. This bill also allows the PSC to take administrative action, in addition to bringing an action in court, for compelling compliance with the requirements or for compelling refunds. ~~In addition,~~ the bill allows the PSC to take administrative action or bring an action in court for any other appropriate relief,

also

instead of just any other relief under the public utility statutes. Also, the bill allows the PSC to directly impose forfeitures for violations of the requirements.

~~Thirdly~~ under current law, the PSC may request the attorney general to bring an action in court to require a telecommunications utility or provider to compensate any person for any pecuniary loss caused by failure to comply with the requirements. Under this bill, in addition to requesting the attorney general to bring such an action, the PSC may take administrative action, including initiating a contested case, or bring its own action in court to require such compensation.

~~Finally, the bill makes other changes to the enforcement authority of the PSC, including the following:~~

~~1~~ Under current law, the PSC may investigate whether rates, tolls, charges, schedules, or joint rates are unjust, unreasonable, insufficient, unjustly discriminatory or preferential, or unlawful and order that reasonable rates, tolls, charges, schedules, or joint rates be imposed, observed, or followed in the future. With respect to telecommunications providers, this bill also allows the PSC to order reasonable compensation for persons injured by reason of rates, tolls, charges, schedules, or joint rates of telecommunications providers that are investigated.

~~2~~ Under current law, public utilities and certain other entities, such as telecommunications providers, that violate laws enforced by the PSC, PSC orders, and certain other requirements are subject to a forfeiture of between \$25 and \$5,000, for each day of violation, which is imposed by a court. Under this bill, the PSC may also impose such a forfeiture against a telecommunications provider by administrative action.

~~3~~ Under current law, the PSC is required to inquire into neglect or violation of laws by public utilities and telecommunications carriers, enforce such laws, and report all violations to the attorney general. This bill also allows the PSC to take administrative action and institute and prosecute all necessary actions and proceedings for enforcing all laws relating to telecommunications providers or telecommunications carriers, and for the punishment of all violations.

*** ANALYSIS FROM -1695/4 ***

This bill requires DOA to award grants to operators of dairy, beef, or swine farms for eliminating stray voltage concerns and sources or replacing electrical wiring. The bill creates a farm rewiring fund from which the grants are made. ~~In fiscal year 2001-02, \$1,500,000 is deposited into the farm rewiring fund from contributions that certain gas and electric utilities make under current law to the~~

constituting of (to the PSC)

PSC. In fiscal year 2002-03, \$2,500,000 is deposited into the farm rewiring fund from the contributions. In both fiscal years, the remaining amount that is contributed is deposited into the utility public benefits fund. Under current law, all of the contributions are deposited into the utility public benefits fund.

will A farm operator is not eligible for grants ~~under the bill~~ unless the public utility that provides electric service to the farm has conducted tests to determine the sources of stray voltage on the farm. The bill also requires DOA to promulgate rules establishing criteria and procedures for awarding the grants, including procedures for assuring that any work is completed according to acceptable practices.

This bill allows the PSC to conduct energy assessments of proposed state agency rules. See **STATE GOVERNMENT, OTHER STATE GOVERNMENT**

*** ANALYSIS FROM -2154/1 ***

STATE GOVERNMENT

Under current law, the PSC is allowed to assess against a public utility the expenses incurred by the PSC in taking regulatory action with respect to the public utility. The PSC is allowed to make similar assessments against other entities under its jurisdiction, including a person seeking approval to construct a wholesale merchant plant. A ^{wholesale} merchant plant ~~is defined as~~ electric generating equipment that does not serve retail customers and that is owned and operated by either: 1) a person that is not a public utility; or 2) subject to PSC approval, an affiliate of a public utility. *of them*

Current law imposes a limit on the amount that the PSC may assess against a public utility or other entity under the PSC's jurisdiction. The total amount that the PSC may assess in a calendar year may not exceed four-fifths of one percent of the public utility's or entity's gross operating revenues derived from intrastate operations in the last preceding calendar year.

on assessments ~~This bill creates an exception from the limit on assessments.~~ Under this bill, the limit does not apply to assessments for the expenses incurred by the PSC in taking regulatory action with respect to approving construction of wholesale merchant plants.

*** ANALYSIS FROM -1857/5 ***

OTHER STATE GOVERNMENT

Creation of department of electronic government

This bill creates a department of electronic government (DEG). The bill transfers most existing functions of DOA relating to information technology and

telecommunications to DEG and creates a number of new functions for DEG. The bill grants DEG broad powers to manage the state's information technology and telecommunications systems. Under the bill, the secretary of information services, who serves as department head, is titled the "chief information officer." The officer's position is assigned to executive salary group 8 (\$82,979 to \$128,618 per year in 2000-01). The officer is appointed by the governor to serve at his or her pleasure. The officer appoints the staff of DEG ~~or the staff~~, which includes a deputy, executive assistant, and three division administrators ~~appointed~~ outside the classified service.

The bill also creates an information technology management board which is attached to DEG. The board consists of the governor, chief information officer, secretary of administration, and two heads of state executive branch agencies and two other members appointed by the governor without senate confirmation. ~~The two other members serve for staggered four-year terms.~~ The board advises DEG, monitors progress in attaining the state's information technology goals, and hears appeals of actions of the officer by executive branch agencies. ~~The board may affirm, modify, or set aside any such action.~~

The bill directs DEG, with the assistance of executive branch agencies and the advice of the board, to manage the information technology portfolio of state government to meet specified criteria. The portfolio includes information technology systems, applications, infrastructure and information resources, and human resources devoted to developing and maintaining information technology systems.

Currently, each executive branch agency is required to prepare, revise, and submit annually to DOA, for its approval, an information technology strategic plan that details how the agency plans to use information technology to serve its needs and those of its clients. This bill makes proposed strategic plans of executive branch agencies subject to approval of the chief information officer, with the advice of the board. The bill precludes the secretary of administration from including in the biennial budget compilation for presentation to the governor provision for development or implementation of any information technology project that is not consistent with the approved strategic plan of the agency.

The bill permits DEG to acquire, operate, or maintain any information technology equipment or systems required by DEG to carry out its functions and to provide information technology development and management services related to those systems. Under the bill, DEG may assess executive branch agencies for the costs of equipment or systems acquired, operated, maintained, or provided or

services provided and may also charge legislative and judicial agencies for these costs as a component of any services provided by DEG to these agencies. The bill also permits DEG to assume direct responsibility for the planning and development of any information technology system in the executive branch of state government that the chief information officer determines to be necessary to effectively develop or manage the system, with or without the consent of any affected agency. The bill permits DEG to charge any executive branch agency for its reasonable costs incurred on behalf of the agency in carrying out this function.

Currently, DOA must provide computer services to state agencies in the executive, legislative, and judicial branches. DOA may also provide telecommunications services to those agencies and computer or telecommunications services to local governments and private schools, postsecondary institutions, museums, and zoos. DOA may also provide supercomputer services to state agencies, local governments, and entities in the private sector. Under this bill, DEG may enter into an agreement to provide any services that DEG is authorized to provide to any state agency or authority, any unit of the federal government, any local governmental unit, or any entity in the private sector. DEG may also develop and operate or maintain any system or device facilitating Internet or telephone access to information about programs of state agencies or authorities, local governmental units, or entities in the private sector by means of electronic communication and may assess or charge agencies, authorities, units, and entities in the private sector for its costs of development, operation, or maintenance on the same basis that DEG assesses or charges for information technology equipment or systems.

The bill appropriates to DEG all revenues received from assessments or charges, without limitation, for the purpose of carrying out its functions. The bill also appropriates general purpose revenue to DEG equivalent to the depreciated value of its equipment.

Currently, the number of full-time equivalent (FTE) positions for each state agency within each revenue source is fixed by law or by the governor, JCF, or the legislature in budget determinations. Program-revenue funded positions may be adjusted by the governor with the concurrence of JCF and federally funded positions may be adjusted by the governor alone. This bill permits the chief information officer to transfer any number of FTE positions having responsibilities related to information technology or telecommunications from any executive branch agency to DEG or any other executive branch agency and to transfer the funding source for any

position from one source to another for the purpose of carrying out the functions of DEG. Upon transfer of any position, the incumbent in that position is also transferred without loss of pay, fringe benefits, or seniority privileges. ~~Under the bill, the secretary of administration provides to JCF a quarterly report of the position changes made by the chief information officer.~~ The bill also permits the officer to transfer moneys from the appropriation account for any appropriation made to an executive branch agency, except a sum sufficient appropriation, without the consent of the agency, for the purpose of facilitating more efficient and effective funding of information technology or electronic communications resources within the executive branch of state government. Under the bill, any transfer of positions or funding may not be made if it would be inconsistent with state or federal law or any requirement imposed by the federal government as a condition to receipt of aids by this state.

Currently, every executive branch agency, other than the board of regents of the UW system, is required to purchase computer services from DOA, unless DOA grants permission to the agency to procure the services from a private source or from another agency, or to provide the services to itself. This bill provides that every executive branch agency, including the board of regents of the UW system, must purchase all materials, equipment, supplies, and services relating to information technology or telecommunications from DEG, unless DEG requires the agency to purchase the materials, supplies, equipment, or contractual services under a master contract established by DEG or unless DEG grants permission to the agency to procure the materials, supplies, equipment, or services from a private source or from another agency, or to provide the materials, supplies, equipment, or services to itself. The bill also makes all contracts by any executive branch agency for the purchase of materials, supplies, equipment, or contractual services relating to information technology or telecommunications subject to review and approval of the chief information officer.

Currently, subject to numerous exceptions, state agencies are generally required to make purchases through solicitation of bids or competitive sealed proposals preceded by public notice, and to allow DOC the opportunity to provide the materials, supplies, equipment, or services under certain conditions if DOC is able to do so. These requirements do not apply to purchases by the division of information technology services of DOA relating to the functions of the division. This bill provides that these requirements do not apply to purchases of any materials, supplies, equipment, or services by DEG. The bill requires DEG to submit an annual report

to DOA concerning any purchases by DEG that are not made in accordance with these requirements. The bill also permits DEG to establish master contracts for the purchase of materials, supplies, equipment, or contractual services relating to information technology or telecommunications for use by state agencies and authorities, local governmental units, and entities in the private sector and to require any executive branch agency to make purchases of materials, supplies, equipment, or contractual services included under the master contract pursuant to that contract.

Currently, executive branch agencies must make purchases through DOA unless DOA delegates direct purchasing authority to the agencies. DOA prescribes standard specifications for state purchases which agencies are generally required to incorporate into purchasing orders and contracts when appropriate. Under this bill, DOA must delegate authority to DEG to make all of its purchases independently of DOA, and any standard specifications prescribed by DOA for the purchase of materials, supplies, equipment, or services for information technology or telecommunications purposes are subject to approval of the chief information officer.

~~Currently, the secretary of administration must notify JCF of the proposed acquisition of any information technology resource that DOA considers to be major or that is likely to result in a substantive change of service and that was not considered in the regular budget process. If the proposed acquisition is to be financed from general purpose revenue, or segregated revenue other than revenue derived from program receipts, the acquisition is subject to concurrence by JCF. This bill deletes this provision.~~

~~Currently, the technology for educational achievement in Wisconsin (TEACH) board is attached to DOA. The TEACH board provides grants, loans, and other assistance to schools and other educational institutions in this state to aid in the installation of educational technology equipment and for the training of educators to use the technology. This bill retains the attachment of the TEACH board to DOA but makes all purchases of materials, supplies, equipment, or services by the TEACH board subject to the approval of DEG.~~

*which?
All these
requirements?*

*** ANALYSIS FROM -1301/5 ***

*** ANALYSIS FROM -1822/1 ***

Space note

Elections administration

Under current law, voter registration is required in every municipality with a population ~~of~~ greater than 5,000. The information required on voter registration

forms is specified by law. This bill requires voter registration in every municipality. The bill also establishes a centralized, statewide voter registration list that is maintained by the state elections board. Under the bill, the list must be electronically accessible by any person, but no person other than an authorized election official may change the list. The bill permits the board to change the list only for the purpose of deleting the registration of individuals who register to vote outside this state or whose registrations are required to be cancelled as the result of a municipal canvass. Under the bill, each municipal clerk or board of election commissioners must electronically enter registrations or changes of registration on the list, except that the bill permits the town clerk of any town having a population of not more than 5,000 to designate the county clerk of the county where the town is located as the town clerk's agent for entry of this data. The bill also directs the board to provide grants to counties and municipalities to finance the cost of maintenance of the list.

do so,
 Currently, with certain exceptions, the deadline for voter registration is 5 p.m. on the second Wednesday before an election. However, electors may also register in person at the office of the municipal clerk or board of election commissioners up to 5 p.m. on the day before the election or, in most cases, may register at the proper polling place on election day. Currently, an individual who registers after the deadline must provide a specified form of proof of residence. If ~~an~~ ^{to} individual is unable to ~~provide this proof of residence, current law permits~~ another qualified elector of the same municipality ^{may} ~~to~~ corroborate the information contained in the individual's registration form. The corroborating elector then must provide this proof of residence. Currently, there is no limit on the number of times a person may act as a corroborating elector.

This bill requires any elector who registers to vote after the deadline, if possible, to present a valid Wisconsin driver's license or valid Wisconsin identification card containing the elector's photograph and current street address. The bill permits any other elector to present an identification card that contains the elector's photograph and current street address or any other identification card that contains the elector's name and photograph and an identifying number. An elector who is unable to present any identification may have his or her identity and registration information corroborated by another elector as currently provided. However, under the bill, a corroborating elector may not corroborate more than two registrations in one day. The bill also permits the board, by rule, to specify additional information that must

be provided on registration forms. In addition, the bill provides that any election official who fails to exercise due care to lawfully register an elector to vote is subject to a forfeiture (civil penalty) of not more than \$1,000.

With certain limited exceptions, before being permitted to vote at any polling place, an elector currently must provide his or her name and address. If registration is required to vote and the elector is not registered, the elector must provide a specified form of proof of residence to register. If registration is not required, the elector may be required to provide this proof.

iv q With certain limited exceptions, this bill requires each elector attempting to vote at any polling place in a municipality to follow the same identification or corroboration procedure that is required under the bill for late voter registration. The bill requires election officials to verify that the name and address on any identification are the same as the elector's name and address on the list of registered electors. Under the bill, election officials must also verify that the photograph contained in any identification reasonably resembles the elector. The identification procedure does not affect absentee voting or voting by military electors.

Currently, following each general election, a municipality where registration is required must complete a canvass to identify each registered elector who has failed to vote within the previous four years, attempt to notify each such elector, and revise and correct its list of registered electors accordingly. This bill ~~requires each municipality to complete this canvass within 90 days following the general election.~~ *Provides that if* If a municipality fails to complete the canvass within ~~90 days of this deadline,~~ ³⁰ ~~the bill permits the board to~~ ^{may} conduct the canvass at the expense of the municipality. *the general election*

Currently, each municipality appoints and supervises election inspectors (poll workers). Under this bill, if the board finds that an inspector has repeatedly and materially failed to substantially comply with the election laws or rules of the board, the board may remove the inspector and appoint a replacement to serve the remainder of the inspector's unexpired term. The replacement must be compensated by the municipality ~~on the same basis as other inspectors and, like other inspectors,~~ is subject to the supervision of the municipal clerk or board of election commissioners. However, unlike most other inspectors, the replacement may be appointed without regard to party affiliation. The bill also permits the board to appoint a special master to assume all functions of the municipal clerk or board of election commissioners if the board finds that a municipality has repeatedly and materially failed to substantially comply with the election laws or rules of the board

in administering elections. The bill requires the municipality to pay all costs incurred relating to the special master.

Under current law, the board may promulgate rules to interpret or implement the laws relating to the conduct and administration of elections and election campaigns. This bill expands the board's rule-making authority, permitting the board to promulgate rules to promote the efficient and fair conduct of elections.

(w/ff) This bill also directs the board to conduct training programs so that individuals exercising the right of access to polling places may inform themselves of the election laws, the procedures for conducting elections, and the rights of individuals who observe election proceedings.

*** ANALYSIS FROM -1634/P6 ***

Land information and land use

Currently, the land information board is attached to DOA. The board serves as a state clearing house for access to land information and provides technical assistance to state agencies and local governmental units with land information responsibilities, reviews and approves county plans for land records modernization, and provides aids to counties, derived from recording fee revenues collected by counties, for land records modernization projects. Under current law, the board and its functions are abolished effective on September 1, 2003.

(w/ff) This bill abolishes the land information board on the day the bill becomes law and permanently transfers its functions, together with its assets and liabilities, to DOA.

Under the land information program, a number of state agencies, including DOA, DATCP, DHFS, DNR, and DOR, are required to submit biennially to the land information board a plan to integrate land information so that the information is readily translatable, retrievable, and geographically referenced for use by any state, local governmental unit, or public utility. Beginning with the plan that is due ~~on~~ ~~March 21,~~ ⁱⁿ 2002, this bill ~~removes~~ the requirement that DOR submit such a plan.

eliminates
Currently, counties collect a land record fee for recording and filing most instruments that are recorded or filed with the register of deeds. The fee is \$10 for the first page of an instrument and \$2 for each additional page. Until September 1, 2003, counties must remit \$2 of each \$10 collected for recording or filing the first page of each instrument to the land information board, which the board uses to fund its general program operations and to make grants to counties for land records modernization projects. Currently, if a county does not have a land information office

or does not use \$4 of the fee for recording or filing the first page of an instrument for land records modernization, the county must remit \$6 of the fee for recording or filing the first page of an instrument to the land information board. On September 1, 2003, the fee for recording or filing the first page of an instrument is reduced from \$10 to \$8 and no portion is remitted to the state.

This bill permanently increases the fee for recording or filing the first page of an instrument with a register of deeds from \$10 to \$11, and requires a county to remit either \$2 or \$7 of this fee to ~~the department of administration~~ ^{DOA}, depending on whether the county has a land information office and uses the fee for land records modernization.

Currently, DOA may provide grants to local governments to be used to finance a portion of the cost of certain comprehensive planning activities from general purpose revenue. This bill provides, in addition, for a portion of the land record fee received by DOA to be used for that purpose.

Under ~~the~~ current law, the Wisconsin land council ~~exists~~ ^{ing} in DOA ^{ing} ~~for~~ ^{ing} the purposes ^{ing} of the council include the following: ~~1) to~~ ^{ing} identify and recommend to the governor land use goals and priorities; ~~2) to~~ ^{ing} identify and study ^{ing} areas of conflict in the state's land use statutes, and conflicts between state and local land use laws and recommend to the governor legislation to resolve the conflicts; and ~~3) to~~ ^{ing} study the development of a computer-based land information system ^{ing} and make recommendations to the governor in this area. The council is required to submit to both houses of the legislature, and the governor, not later than September 1, 2002, a report that evaluates its functions and activities.

This bill discontinues the council's function of studying the development of a computer-based land information system, and adds several new functions to the council's duties. ^{ing} Under the bill, the council ~~must~~ ^{ing} establish a land information working group ^{ing} that ~~must~~ ^{ing} study and make recommendations to the council and DOA ^{ing} in the areas of land information standards and systems and ~~must~~ ^{ing} review county land records modernization plans. ^{also}

^{ing} The bill adds three members to the 16-member council, ~~a representative from a public utility, a representative from a professional land information organization, and the nominee of a statewide association whose purposes include support of a network of statewide land information systems.~~ ^{and}

^{ing} The bill also ~~repeals the current law~~ ^{ing} August 31, 2003, sunset date for the council.

of September 1, 2003

eliminates the council

including

must perform duties including

***** ANALYSIS FROM -1832/3 *****

Under current law, DOA awards transportation planning grants to local governmental units (cities, villages, towns, counties, and regional planning commissions) to pay for planning activities related to the transportation element of a comprehensive land use and development plan.

wf Under this bill, DOA may also award transportation planning grants to assist local governmental units in the integrated transportation and land-use planning for highway corridors (areas expected to need additional capacity for vehicular traffic or to have possible safety or operational problems resulting from pressure for development).

wf The bill requires DOA to award transportation planning grants in the following order of priority: 1) grants that pay for planning activities related to a transportation element and which also assist in highway corridor planning; 2) grants that only pay for planning activities related to a transportation element; and 3) grants that only assist in highway corridor planning. The bill also expands the definition of "local governmental unit" to include a metropolitan planning organization (an organization that develops transportation plans and programs). ~~Finally, the bill requires DOA, in consultation with DOT, to promulgate rules for the awarding of transportation planning grants.~~

***** ANALYSIS FROM -1823/3 ********State procurement services***

were Currently, DOA provides procurement services to state agencies and some local governments. These procurement functions are financed with general purpose revenue. This bill permits DOA to assess any state agency or local government to which it provides procurement services for the cost of the services provided to the agency or local government. The bill also permits DOA to identify savings that DOA determines ~~to have been~~ realized by any state agency to which it provides procurement services, and to assess the agency for not more than the amount of the savings so identified. The bill does not define "savings" and does not specify any methodology for determination of these assessments. The bill appropriates to DOA all moneys collected from these assessments, ~~without limitation~~, to be used to finance procurement services. The change potentially decreases the moneys available to agencies and local governments for other purposes. The bill also appropriates moneys from the revenue sources that finance the programs of state agencies to

supplement the unbudgeted costs of procurement service charges, except charges for identified procurement savings.

Currently, subject to numerous exceptions, DOA, or any state agency in the executive branch to which DOA delegates purchasing authority, must make purchases by bid or competitive sealed proposal that must be preceded by at least two notices published in the official state newspaper, the latest of which must be inserted at least seven days prior to opening of the bids or competitive sealed proposals.

with This bill permits DOA or any state agency to which DOA delegates purchasing authority to make purchases by soliciting sealed bids to be opened at a specified date and time or by solicitation of bids at an auction to be conducted electronically at a specified date and time, or by competitive sealed proposal. If bids are to be solicited at an electronic auction, the bill requires notice of the auction to be posted on an Internet site determined or authorized by DOA at least seven days prior to the date of the auction. The bill also permits notice of any proposed purchase by DOA or an agency to which DOA delegates purchasing authority to be posted electronically on an Internet site determined or authorized by DOA at least seven days prior to the date that bids or competitive sealed proposals are to be opened or bids are to be received by auction in lieu of the publication required under current law.

Currently, DOA maintains a subscription service that provides current information of interest to prospective vendors concerning state procurement opportunities. This bill permits DOA to permit prospective vendors to provide product or service information through this service and also permits DOA to prescribe fees or establish fees through a competitive process for the use of the service. Any revenue collected from the fees is deposited in the state VendorNet fund, which is used to pay the costs of the subscription service.

delete?

with In addition, the bill directs DOA to report to the governor and the cochairpersons of JCF concerning the status of the electronic procurement and commerce activities of DOA. The report must include an assessment of the costs and benefits of these activities for the 2002-03 fiscal year and an assessment of the success of state executive branch agencies in increasing the volume of these activities.

LRB
-1394

With certain exceptions, current law requires that a person pay a penalty assessment if ordered by a court to pay a fine or forfeiture for violating a state law or local ordinance. The penalty assessment amount is 23% of the amount of the fine or forfeiture.

more to P-157

(court penalty)



wf

The revenue from the penalty assessment is appropriated in two parts. Twenty-seven fifty-fifths of the revenue collected under the assessment is appropriated to DOJ to fund training of law enforcement, jail, and secure detention officers, and to fund the purchase of equipment for the state crime laboratories.

The remaining twenty-eight fifty-fifths of the revenue collected under the penalty assessment is appropriated to the office of justice assistance (OJA) to fund an assortment of criminal justice and law enforcement programs.

This bill creates a law enforcement training fund assessment that is separate from the penalty assessment. The law enforcement training fund assessment is an 11% surcharge on fines and forfeitures ordered for a violation of most state laws or local ordinances.

The bill appropriates the revenue collected under the law enforcement training fund assessment to DOJ to fund the law enforcement, jail, and secure detention officer training, and the purchase of equipment for the crime laboratories that is currently funded by the twenty-seven fifty-fifths portion of the penalty assessment revenue appropriated to DOJ.

~~County tribal law enforcement~~

This

The bill decreases the penalty assessment to 13% of the amount of a fine or forfeiture. The revenue collected under the penalty assessment is appropriated to OJA to fund the ~~programs~~ that OJA currently funds with the twenty-eight fifty-fifths portion of the 23% penalty assessment.

Under current law, DOJ administers a grant program to fund cooperative county-tribal law enforcement programs in counties that have Indian reservations within their boundaries. The office of justice assistance (OJA) administers a similar grant program to fund county law enforcement programs that are not supported by the DOJ grant program in counties that border Indian reservations. OJA also administers a grant program for tribal law enforcement operations. Each of the ~~three~~ programs is funded from a separate Indian gaming receipts appropriation.

This bill eliminates the appropriation that funds the DOJ cooperative county-tribal law enforcement grant program and consolidates ~~the grant program~~ with the OJA grant program for counties bordering Indian reservations. The consolidated grant program provides funding for law enforcement services to counties that have an Indian reservation within their boundaries or that border an Indian reservation. The bill ~~also~~ eliminates the separate appropriation for the OJA tribal law enforcement grant program and funds the tribal grant program out of the same appropriation that funds the consolidated grant program for counties.

Move
programs
moves administration of to DOA

*** ANALYSIS FROM -1839/1 ***

Municipal boundary review

Currently, DOA is required to review proposed municipal incorporations and certain municipal annexations in counties having a population of 50,000 or more, and to make findings with respect to certain matters specified by law. Currently, the cost of conducting this review is financed with general purpose revenue.

This bill permits DOA to prescribe and collect a fee for conducting this review. The fee must be paid by the person or persons filing a petition for incorporation or by the person or persons filing a notice of proposed annexation. The bill appropriates to DOA all moneys collected from these fees, ~~without limitation to be used~~ to finance reviews of proposed municipal incorporations and annexations.

*** ANALYSIS FROM -1554/1 ***

Federal-state relations *directs*

~~Under~~ current law, ~~DOA is directed~~ *DOA is directed* to operate a federal aid management service. The service is directed to process applications by state agencies for grants from the federal government upon request of the agencies. DOA may assess any state agency to which DOA provides services a fee for its expenses incurred in providing those services.

This bill directs DOA to initiate contacts with the federal government for the purpose of facilitating participation by state agencies in federal aid programs, to assist those agencies in applying for such aid, and to facilitate influencing the federal government to make policy changes that will be beneficial to this state. The bill also permits DOA to assess agencies to which DOA provides those services a fee for its expenses incurred in providing those services.

*** ANALYSIS FROM -0408/1 ***

State fair park security *delete?*

This bill transfers the positions of the state fair park police, and incumbents in those positions, from the state fair park board to DOA.

Current law prohibits any *** ANALYSIS FROM -1127/1 ***

Dual state employment or retention

~~Currently, no~~ *from holding* elective state official ~~may hold~~ *being* any other position or ~~be~~ retained in any other capacity with a state agency or authority, except an unsalaried position or unpaid service with a state agency or authority that is compatible with the official's duties, the emoluments of which are limited to reimbursement for actual and necessary expenses incurred in the performance of those duties. ~~No~~ other individual who is employed in a full-time position or capacity with a state agency or authority ~~may hold~~ another position or ~~be~~ retained in another capacity with a state agency or authority from which the individual receives, directly or indirectly, more than \$12,000 from the agency or authority as compensation for the individual's services during the same year. ~~The~~ prohibition *do* does not apply to an individual other

from holding

These

being

Current law also prohibits any

than an elective state official who has a full-time appointment for less than 12 months during any period of time that is not included in the appointment.

W9 This bill repeals ~~this prohibition~~. *both of these prohibitions*

***** ANALYSIS FROM -1900/1 *****

Health care construction review

Under current law, DHFS must conduct plan reviews of all capital construction and remodeling of nursing homes and hospitals to ensure that they comply with building code requirements that are otherwise regulated by the department of commerce and may conduct plan reviews of all capital construction and remodeling of community-based residential facilities. The department of commerce regulates the construction, repair, and maintenance of public buildings, ~~which are defined to include buildings used by the public.~~ In addition, by rule, the department of commerce regulates the design, construction ~~and~~ alteration of medical facilities so as to ensure that they are accessible and usable by persons with disabilities.

This bill requires DOA to conduct and present to the secretary of administration, by June 30, 2002, a study that reviews the separate responsibilities of DHFS and the department of commerce to review capital construction and remodeling plans of nursing homes, community-based residential facilities, hospitals, and other medical facilities. The study must address the feasibility of ~~centralizing the construction plan reviews in one of the departments.~~

authorizes
***** ANALYSIS FROM -2155/1 *****

Energy impact statements and assessments

This The bill ~~also gives~~ *authorizes* the PSC ~~the authority~~ *to* conduct an energy assessment of any proposed state agency rule that may ~~potentially impact~~ *affect* state energy policies and, if the rule has a significant impact on the state's energy policies, ~~the PSC may~~ prepare an energy impact statement. The bill requires the state agency that is proposing the rule to consider the PSC energy impact statement before final adoption of the rule and to include the energy impact statement and the agency's response in the notice when the agency submits its proposed rule in final form to the legislature.

***** ANALYSIS FROM -1553/2 *****

Energy efficiency fund elimination

Currently, state agencies may apply for loans from the energy efficiency fund to finance energy efficiency projects. The loans are repaid from utility expense appropriations made to the agencies in an annual amount equal to the utility expense savings realized by the agencies as a result of the energy efficiency projects.

more to P. 164

In addition, for six years after each loan is repaid, DOA may transfer an amount equal to one-third of the savings realized to the general fund, and an amount equal to one-third of the savings realized to the energy efficiency fund for maintenance of projects with an energy efficiency benefit and for energy efficiency monitoring. An amount equal to the final one-third of the savings realized may be utilized by an agency for its general program operations, subject to approval of JCF.

This bill abolishes the energy efficiency fund. Under the bill, DOA may transfer an amount equal to all repayments of loans made from the fund for energy efficiency projects from the appropriate utility expense appropriations to the general fund. Any unencumbered balance in the energy efficiency fund on the day the bill becomes law is also transferred to the general fund.

***** ANALYSIS FROM -1895/2 *****

Review of human services and justice services

delete ? *under this* *the* *requested to*
~~This bill requests that the Joint Committee on Legislative Organization review the report issued by Commission on State-Local Partnerships for the 21st Century (Kettl Commission) as it relates to the state aid to counties for human services and justice services and make recommendations to the legislature regarding the provision and funding of human services and justice services based on that review.~~

***** ANALYSIS FROM -2059/2 *****

State-local partnership

This bill directs that DOA, to the extent possible, coordinate state policies governing the relationship between the state and local governments in this state and attempt to make those policies as uniform as practicable. The bill also permits DOA, to attempt to mediate disputes between local governments and state agencies to the extent feasible. ~~Currently, DOA has no such responsibility.~~ To carry out these functions, the bill directs DOA to appoint a state-local government coordinator outside the classified service.

***** ANALYSIS FROM -0869/1 *****

STATE GOVERNMENT

DISTRICT ATTORNEYS

Currently, DOA receives various appropriations for the office of justice assistance (OJA). This bill requires DOA to pay \$744,400 from federal and program revenue moneys for OJA in the 2001-03 biennium to fund four assistant district attorneys to prosecute drug crimes in Dane and Milwaukee counties.

~~*** ANALYSIS FROM -0618/3 ***~~

Under current law, the state is responsible for funding certain operational expenses of district attorney offices. Among other things, the state must reimburse Milwaukee County for the costs of clerks who work in the Milwaukee County district attorney's office and who assist in the handling of cases involving the unlawful possession or use of firearms. The amount of reimbursement is capped at a specified amount for each fiscal year of the 1999-2001 fiscal biennium.

This bill limits the reimbursement amount to the amount of money in the appropriation from which the reimbursement is made. The bill also deletes an obsolete reference in the same appropriation to the purchase of computers to be used by prosecutors and clerks in the Milwaukee County district attorney's office on cases involving the unlawful possession or use of firearms.

LOCAL GOVERNMENT

Mark to P. 141
 Under current law, the Milwaukee board of police and fire commissioners is required to conduct a city-wide communications media campaign to educate the public about the legal consequences of unlawful possession and use of firearms, with the goal of deterring both. Current law also requires the state to provide money to the board for that media campaign. This bill eliminates the media campaign requirement and the reimbursement for it.

*** ANALYSIS FROM -1059/4 ***

TAXATION

INCOME TAXATION

Under current law, when computing corporate income taxes and franchise taxes, a formula is used to attribute a portion of a corporation's income to this state. The formula has three factors: a sales factor, a property factor, and a payroll factor. The sales factor represents 50% of the formula and the property and payroll factors each represent 25% of the formula. When computing income taxes and franchise taxes for an insurance company, a formula with a premium factor and a payroll factor is used to attribute a portion of an insurance company's income to this state.

Under this bill, beginning on January 1, 2005, the sales factor will be the only factor used to attribute a portion of a corporation's income to this state. The property and payroll factors will be decreased, and eventually phased out, over the next four years as the sales factor is increased and becomes the only factor. Beginning on January 1, 2005, the premium factor will be the only factor used to attribute a portion of an insurance company's income to this state. The payroll factor will be decreased,

and eventually phased out, over the next four years as the premium factor is increased and becomes the only factor.

Under current law, the income of an electric or gas utility is apportioned by rules established by DOR. Under the bill, for taxable years beginning after December 31, 2002, and before January 1, 2005, the income of an electric or gas utility is apportioned in the same manner as the income of a corporation under the bill. Beginning on January 1, 2005, the sales factor will be the only factor used to attribute a portion of the income of an electric or gas utility to this state.

Under current law, the income of a financial organization is apportioned, for corporate income tax and franchise tax purposes, by rules established by DOR. Under the bill, for taxable years beginning after December 31, 2002, and before January 1, 2005, the income of a financial organization is apportioned by multiplying that income by a fraction that includes a sales factor representing more than 50% of the fraction, as determined by rule by DOR. For taxable years beginning after December 31, 2004, the income of a financial organization is apportioned by using a sales factor, as determined by DOR.

~~Under current law and under the bill, the income of air carriers and pipeline companies is apportioned by rules established by DOR.~~

***** ANALYSIS FROM -1726/1 *****

Under current law, an inter vivos trust (a trust that is created during the life of the grantor) that is made irrevocable before October 29, 1999, is considered resident at the place where the trust is being administered ~~and~~ this state taxes a trust that is resident within this state. Also under current law, in general, an inter vivos trust is taxable by this state if the grantor was a resident of this state.

Under this bill, an inter vivos trust that is made irrevocable before October 29, 1999, is considered resident, and is thus taxable by this state, only if the trust was administered in this state before October 29, 1999, or, if administered in this state on or after October 29, 1999, if the grantor is a resident of this state.

change ^(not) This ~~bill~~ first applies, ~~retroactively,~~ to taxable years beginning on January 1, 1999.

***** ANALYSIS FROM -1460/2 *****

Under current law, the individual income tax brackets are indexed for inflation. Generally, for taxable years beginning after December 31, 1999, the brackets are increased each year based on the annual percentage change between the consumer price index (CPI) for August of the previous year and August 1997. An exception to

the general rule is that for taxable years beginning after December 31, 2000, the top bracket is increased each year by the same percentage as the percentage change between the CPI for August of the previous year and August 1999.

^{WA} This bill limits the applicability of the exception to the general rule that governs indexing of the individual income tax brackets to taxable year 2001.

*** ANALYSIS FROM -0659/1 ***

Under ~~WA~~ current law, ~~Other state tax credit?~~ resident shareholders of subchapter S corporations and members of limited liability corporations (LLCs) treated as partnerships may claim a tax credit for taxes that those S corporations and LLCs pay to another state.

^{WA} This bill expands the ~~other state tax credit~~ ^{application of this} so that it may be claimed by otherwise qualified resident partners of a partnership that pays taxes to another state.

*** ANALYSIS FROM -0832/5 ***

^A PROPERTY TAXATION ¹⁵

This bill creates a property tax exemption for a hub facility operated by an air carrier. ~~The bill defines "hub facility" as a facility at an airport from which an air carrier company operated at least 45 common carrier departing flights each weekday in the prior year and from which it transported passengers to at least 15 nonstop destinations; or an airport or any combination of airports in this state from which an air carrier company cumulatively operated at least 20 common carrier departing flights each weekday in the prior year, if the air carrier company's headquarters are in this state. The bill defines "air carrier" as any person engaged in the business of transportation in aircraft of persons or property for hire on regularly scheduled flights.~~

~~Beginning on July 1, 2004, this bill directs all revenues derived from aeronautics activities that are currently deposited in the transportation fund to a new appropriation. Aeronautics activities are funded from these receipts, instead of from a sum certain appropriation. However, if the amounts received for aeronautics activities under the new appropriation are less than \$11,800,000, the aeronautics activities may be funded with equal amounts from the general fund and the transportation fund not exceeding \$650,000 from each fund.~~

~~Finally, the bill creates an airport financing committee consisting of members appointed by the governor. The bill requires the committee to review and evaluate this state's airport system needs and the current system of funding those needs and~~

to recommend changes, if any, to better meet those needs. The bill requires the committee to submit a report not later than December 31, 2002, to the legislature and to the governor containing the committee's evaluation, findings, and recommendations.

5)
*** ANALYSIS FROM -1754/2 ***

Under current law, regional planning commissions (RPCs) may be created by the governor, or by a state agency or official that the governor designates, upon the submission of a petition in the form of a resolution by the governing body of a city, village, town, or county (local governmental unit (LGU)). Currently, there are eight multicounty RPCs in the state; one RPC that consists only of Dane County, and five counties that are adjacent to Dane County and are not in a RPC. An RPC may conduct research studies; collect and analyze data; prepare maps; make plans for the physical, social, and economic development of the region; provide advisory services to LGUs and other public and private agencies on regional planning problems; and coordinate local programs that relate to the RPC's objectives. Projects developed or assisted by RPCs include air, rail, and highway transportation; waste disposal and recycling; and outdoor recreation.

local governmental units

This bill authorizes RPCs to acquire and hold real property for public use. The bill also authorizes RPCs to convey and dispose of such property.

Under current law, property owned by municipalities or by certain districts, such as school districts, technical college districts, and metropolitan sewerage districts, is exempt from the property tax. Under this bill, property owned by a regional planning commission is also exempt from the property tax.

can RPC

*** ANALYSIS FROM -2389/1 ***

Under current law, in lieu of paying local property taxes, a light, heat, and power company pays a license fee to the state based on a percentage of the company's gross revenue that is attributable to this state. However, if a light, heat, and power company structure is used in part for the company's business operation and in part for purposes that are not related to the company's business operation, the part of the structure that is used for purposes that are not related to the company's business operation is subject to local property taxes.

Under this bill, property, excluding land, that is owned or leased by a public utilities holding company that provides services to a light, heat, and power company affiliated with the holding company is assessed for local property taxes on the portion

of the fair market value of the property that is not used for providing services to the light, heat, and power company.

***** ANALYSIS FROM -0543/3 *****

Under current law, DOR assesses manufacturing property, and determines what property is classified as manufacturing property, for property tax purposes. If a reviewing authority for property tax assessments reduces a manufacturing property's assessed value or determines that manufacturing property is exempt from property tax, the property owner may file a claim for a property tax refund with the municipality in which the property is located. The municipality pays the refund in one sum that includes interest on the refund amount, paid at the rate of 0.8% a month.

Under current law, a property owner may file an objection to a property tax assessment of the owner's manufacturing property with the state board of assessors within 60 days of receiving notice from DOR of the property's assessment.

Under this bill, a municipality may pay a property tax refund to an owner of manufacturing property in five annual installments rather than all at once, if the refund is more than \$10,000, the refund amount represents at least 0.0025% of the municipality's tax levy, and the municipality's tax levy is less than \$100,000,000. The interest on the refund amount is paid either at a rate of 10% a year or at a rate determined by the last auction of six-month U.S. treasury bills, whichever is less. In addition, the state compensates the municipality for the interest on any such refund that is paid by the municipality.

Under the bill, a property owner who files an objection to a property tax assessment of the owner's manufacturing property must include in the objection the reasons for the objection, an estimate of the correct assessment, and the basis for that estimate. In addition, the property owner may file supplemental information to support the objection within 60 days from the date that the objection is filed.

Under current law, an owner of manufacturing property must submit annually by March 1 a report to DOR that contains certain information about the property that DOR considers necessary for property tax assessment purposes. An owner of manufacturing property who fails to submit the report by the date that it is due must pay a penalty equal to the greater of \$10 or 0.05% of the property's assessment for the previous year, but not more than \$1,000. If the property owner does not submit the report within 30 days from the date that it is due, the property owner must pay a second penalty that is equal to the first.

Under ^{this} the bill, an owner of manufacturing property who fails to submit the report by the date that it is due is subject to the following penalties: if the report is one to ten days late, \$25; if the report is 11 to 30 days late, the greater of \$50 or 0.05% of the previous year's assessment, but not more than \$250; and if the report is more than 30 days late, the greater of \$100 or 0.1% of the previous year's assessment, but not more than \$750.

*** ANALYSIS FROM -1321/2 ***

TAXATION

OTHER TAXATION

Under current law, in lieu of paying local property taxes, a private light, heat, and power company and an electric cooperative pay a license fee to the state based on a percentage of the company's or cooperative's gross revenues that are attributable to this state. A private light, heat, and power company pays a license fee based, in part, on multiplying its gross revenues from the sale of gas services by 0.97% and multiplying its other gross revenues by 3.19%. An electric cooperative pays a license fee based, in part, on multiplying its gross revenues by 3.19%.

Under the bill, a private light, heat, and power company and an electric cooperative pay a license fee to the state based, in part, on multiplying the company's or cooperative's gross revenues from the sale of wholesale electricity by 1.59%. The license fee applies to gross revenues from the sale of wholesale electricity that are earned during tax periods beginning on January 1, 2003, and ending on December 31, 2008. A private light, heat, and power company will continue to pay a license fee under current law based on multiplying its gross revenues from the sale of gas services by 0.97% and multiplying its other gross revenues, except revenues from the sale of wholesale electricity, by 3.19%. An electric cooperative will continue to pay a license fee under current law based on multiplying its gross revenues, except revenues from the sale of wholesale electricity, by 3.19%.

*** ANALYSIS FROM -1446/1 ***

Under current law, a farm that is not a corporation, except a farm that has no more than \$1,000,000 in gross receipts, pays a recycling surcharge of \$25.

Under this bill, a farm that is not a corporation, except a farm that has less than \$4,000,000 in gross receipts, pays a recycling surcharge in an amount that is equal to 2% of its net income, up to a maximum of \$9,800, or \$25, whichever is greater.

*** ANALYSIS FROM -1841/1 ***

Under current law, tax stamps must be affixed to each cigarette package that is sold in this state. This bill prohibits affixing tax stamps to cigarette packages that are not intended to be sold, distributed, or used in the United States; that are not labeled as provided under federal law; that are modified by a person who is not the cigarette manufacturer; that are altered so as to remove, conceal, or obscure certain labels; and that are imported into the United States after December 31, 1999, in violation of federal law. Under the bill, a person who possesses over 400 of such cigarettes, or who sells or distributes such cigarettes, is subject to the same penalties that are applicable to the possession of cigarettes without tax stamps.

***** ANALYSIS FROM -0937/1 *****

Under current law, DOR may offset tax refunds against debts owed by a taxpayer to another state agency or to a municipality or county. Current law also authorizes DOR to enter into agreements with the Internal Revenue Service to offset state tax refunds against federal tax obligations and federal tax refunds against state tax obligations.

w ~~R~~ This bill authorizes DOR to enter into agreements with other states to offset tax refunds against another state's tax obligations if the other state agrees to implement an offset program for Wisconsin residents' tax refunds from that other state against tax obligations of this state.

***** ANALYSIS FROM -1798/2 *****

TRANSPORTATION

HIGHWAYS

Under current law, the building commission may issue revenue bonds for major highway projects and transportation administrative facilities in a principal amount that may not exceed \$1,447,085,500. A major highway project is a project having a total cost of more than \$5,000,000 and involving construction of a new highway 2.5 miles or more in length; reconstruction or reconditioning of an existing highway that relocates at least 2.5 miles of the highway or adds one or more lanes at least five miles in length to the highway; or improvement of an existing multilane divided highway to freeway standards.

This bill increases the revenue bond limit from \$1,447,085,500 to \$1,743,570,900. The bill also provides that revenue bond proceeds may not exceed 53% of the total funds expended in any fiscal year for major highway projects, beginning with fiscal year 2002-03. Additionally, the bill provides that revenue bond proceeds may be expended for reconstruction of the Marquette interchange, lying at

or near the junction of I 94, I 43, and I 794, in Milwaukee County. In addition to the revenue bond limit of \$1,743,570,900 specified above, the building commission may issue revenue bonds for the Marquette interchange reconstruction project in a principal amount that may not exceed \$6,996,600.

***** ANALYSIS FROM -1685/1 *****

Current law requires that any major highway project, unlike other construction projects undertaken by DOT, receive the approval of the transportation projects commission (TPC) and the legislature before the project may be constructed. There are currently 77 enumerated major highway projects approved for construction. This bill adds three major highway projects recommended by TPC to the current list of enumerated projects already approved for construction. ~~This bill also eliminates approval to construct 47 major highway projects that have already been constructed or have been subsumed by other major highway project authorizations.~~

The bill also provides for a grant from DOT

***** ANALYSIS FROM -0081/1 *****

***** ANALYSIS FROM -2228/4 *****

appropriate federal

***** ANALYSIS FROM -1965/7 *****

~~This bill creates an appropriation of moneys received from the federal government that may be used to fund reconstruction of the Marquette interchange in Milwaukee County and to provide a grant to the city of Milwaukee to fund a local roads project to reconstruct West Canal Street in the city of Milwaukee to serve as a traffic mitigation corridor in connection with the Marquette interchange reconstruction.~~

of up to \$5,000,000

~~The bill requires DOT to award to the city of Milwaukee a grant of up to \$5,000,000 from the state's federal interstate cost estimate (ICE) funds to reconstruct West Canal Street. DOT may not award the grant unless the city makes a matching contribution from its federal ICE funds equal to the amount of the grant from DOT; the city contributes an additional \$10,000,000 toward the West Canal Street reconstruction project; and, the federal department of transportation approves the use of the federal ICE funds for the project.~~

(m 11)

of state funds

~~The bill also requires DOT to award grants totaling \$5,000,000 to the city of Milwaukee to reconstruct West Canal Street if the city contributes \$10,000,000 toward the West Canal Street reconstruction project. This contribution may also be used to qualify for the grant of \$5,000,000 from federal ICE funds described above.~~

***** ANALYSIS FROM -2387/3 *****

This bill provides that the maximum state share of costs for the project involving demolition of the abandoned Park East Freeway corridor in Milwaukee County is \$8,000,000, as provided in an agreement between the city of Milwaukee, Milwaukee County, and the state, of which \$6,800,000 ~~are~~ ^{is} required to be from the state's federal ICE funds. The local share of costs for the project may not be less than \$17,000,000, the amount specified in the agreement between the parties, of which \$14,500,000 ~~are~~ ^{is} required to be federal ICE funds received by the city or county.

*** ANALYSIS FROM -2058/2 ***

Under the nonentitlement component of the local roads improvement program, DOT currently allocates \$500,000 in each fiscal year to fund eligible town road improvements and \$750,000 in each fiscal year to fund eligible municipal street improvements. This bill requires DOT to make additional allocations of \$529,000 in fiscal year 2001-02 and \$1,954,200 in fiscal year 2002-03. These funds may be used for either of these purposes.

*** ANALYSIS FROM -2056/1 ***

DRIVERS AND MOTOR VEHICLES

Currently,
A person may not operate a motor vehicle while under the influence of an intoxicant, controlled substance, or other drug (OWI), or improperly refuse to submit to a test to determine his or her blood alcohol concentration. Under current law, if a person commits either of these OWI-related offenses, the person's motor vehicle operating privilege is suspended or revoked for a certain period of time, depending on the number of the person's prior OWI-related convictions, suspensions, or revocations. A person whose operating privilege is suspended or revoked is eligible to apply for an occupational driver's license after a waiting period of ~~not less than 30 days nor more than~~ ^{between} 120 days, depending on the number of the person's prior OWI-related convictions, suspensions, or revocations. However, a person who has no prior OWI-related convictions, suspensions, or revocations is eligible to apply immediately.

and
Under current law, if a person is convicted of an OWI-related offense and the person has two or more prior OWI-related convictions, suspensions, or revocations, a court may, ~~but is not required to,~~ order that the vehicle owned by the person and involved in the violation or refusal be seized and subject to forfeiture. If the court does not order that the vehicle be seized and subject to forfeiture, the court is required to order that the vehicle be immobilized or equipped with an ignition interlock device.

Beginning on January 1, 2002, a court will not be required to order that the vehicle owned by the person and involved in the violation or refusal be immobilized or equipped with an ignition interlock device even if the court does not order that the vehicle be seized and subject to forfeiture, and even if the person has two or more prior OWI-related convictions, suspensions, or revocations. Rather, the court may, but is not required to, order any of those options.

Also beginning on January 1, 2002, if a person is convicted of an OWI-related offense and the person has one or more prior OWI-related convictions, suspensions, or revocations, the court may, but is not required to, order that the vehicle owned by the person and involved in the violation or refusal be immobilized or equipped with an ignition interlock device.

This bill makes the following changes, beginning on January 1, 2002: 1) if a person is convicted of an OWI-related offense and the person has one or more prior OWI-related convictions, suspensions, or revocations, the court must order that each vehicle owned by the person be immobilized or equipped with an ignition interlock device for a period of not less than one year, and the person is not eligible to apply for an occupational driver's license for one year; and 2) if a person is convicted of an OWI-related offense and the person has two or more prior OWI-related convictions, suspensions, or revocations, the court may order that the vehicle owned by the person and involved in the violation or refusal be seized and subject to forfeiture in lieu of the ignition interlock or immobilization options.

*** ANALYSIS FROM -2018/2 ***

*** ANALYSIS FROM -1778/2 ***

Under current law, a person who is ordered to pay a fine or a forfeiture for an OWI violation is required to pay a driver improvement surcharge of \$345. Funds collected from the driver improvement surcharge are used to provide alcohol and other drug abuse services to drivers, to provide chemical-testing training to law enforcement officers, and to fund various state agencies for services related to OWI offenses.

(29) This bill increases the driver improvement surcharge from \$345 to \$355.

*** ANALYSIS FROM -0833/3 ***

Under current law, circuit courts and municipal courts may suspend a person's operating privilege for a variety of reasons, including failure to pay an amount ordered by the court. However, circuit courts and municipal courts are not permitted to suspend a person's operating privilege solely because of the person's failure to pay

*monetary
(civil penalty)*

a forfeiture imposed for an ordinance violation unrelated to the operation of a motor vehicle.

(wA) This bill permits circuit courts and municipal courts to suspend the operating privilege of a juvenile solely because the juvenile has not paid a forfeiture imposed for an ordinance violation unrelated to the operation of a motor vehicle.

***** ANALYSIS FROM -0019/3 *****

Current law imposes a six-year redesign cycle for most motor vehicle registration plates, by the end of which DOT must redesign the plates. DOT must issue redesigned plates upon every initial vehicle registration and upon every registration renewal if the vehicle's plate is more than six years old. The first six-year cycle will be completed by July 1, 2005, and DOT will have provided redesigned plates to every vehicle by that date, with one exception. Current law prohibits DOT from redesigning or reissuing the "Celebrate Children" plates until January 1, 2005. After that date, DOT may redesign and issue the redesigned "Celebrate Children" plates upon initial registration or renewal.

This bill creates a seven-year redesign cycle and extends the reissue deadline for each category of registration by one year. The bill requires DOT to wait until July 1, 2007, to redesign plates for three recently designed plates: "Celebrate Children," "Ducks Unlimited," and "professional football team."

***** ANALYSIS FROM -0017/2 *****

Under current law, DOT charges a special license plates fee in addition to the regular registration fee to issue or reissue license plates for certain vehicles that are owned or leased by members of authorized special groups.

(wA) The fee is \$5, \$10, or \$15, depending on the type of plate, except that there are no fees for special plates for disabled veterans and other persons entitled to use disabled parking spaces, Congressional Medal of Honor awardees, certain former prisoners of war, Somalia War veterans, and registrants interested in endangered resources.

wA This bill directs DOT to charge \$15 for all special plates, except that there continues to be no charge for special plates for disabled veterans and other disabled, Congressional Medal of Honor awardees, and certain former prisoners of war.

***** ANALYSIS FROM -0128/2 *****

Under current law, no person may operate upon a highway any vehicle or combination of vehicles that exceeds certain ~~statutory~~ limits on size, weight, or load unless that person possesses a permit issued by DOT. The fees for certain single trip,

persons

annual, consecutive month, and multiple trip permits issued by DOT are 10% higher than the usual rates for the period beginning on January 1, 2000, and ending on June 30, 2003, after which time the fees revert to their previous amounts.

(w/ 9) This bill delays the sunset date of the permit fee increases from June 30, 2003, to December 31, 2007.

***** ANALYSIS FROM -0272/2 *****

Under current law, DOT charges \$3 for any of the following: a single file search or computerized search of vehicle operating records, a single vehicle operating record contained on computer tape or other electronic media, or a single record of uniform traffic citations or motor vehicle accidents contained on computer tape or other electronic media. DOT charges \$4 to search a single operating record requested by telephone.

In addition, under current law an employer of any person who operates a commercial motor vehicle (a commercial driver) may register any commercial driver employed by the employer on a list maintained by DOT. DOT notifies the employer of any conviction, suspension, revocation, cancellation, disqualification, or out-of-service order against that driver. DOT charges \$3 for each notification that it provides to the employer.

w/ 9 This bill increases each of the specified fees by \$2.

***** ANALYSIS FROM -0015/1 *****

Current law requires any motor vehicle that is subject to an emissions test to undergo the test within 90 days before the vehicle's registration is renewed in the second year after the vehicle's model year and every two years thereafter. This bill removes the 90-day requirement and allows DOT to determine ~~by rule~~ when those vehicles will be presented for testing.

***** ANALYSIS FROM -2162/1 *****

TRANSPORTATION AIDS

Under current law, DOT makes general transportation aids payments to a county based on a share-of-costs formula, and to a ~~village, city, or town~~ (municipality) based on the greater of a share-of-costs formula for municipalities or an aid rate per mile, which is \$1,704 for calendar year 2000 and thereafter. This bill increases the aid rate per mile to \$1,747 for calendar year 2001 and \$1,790 for calendar year 2002 and thereafter.

This bill increases the maximum amount of general transportation aids that may be paid to counties from the current limit of \$84,059,500 to \$88,598,700 in

calendar year 2002 and \$89,239,300 in calendar year 2003 and thereafter. The bill also increases the maximum amount of aid that may be paid to municipalities under the program from the current limit of \$264,461,500 to \$277,684,500 in calendar year 2002 and \$277,907,200 in calendar year 2003 and thereafter.

that have annual operating expenses of less than \$20,000,000

paid

***** ANALYSIS FROM -0559/1 *****

Under current law, DOT administers an urban mass transit operating assistance program that provides state aid ~~payments~~ to local public bodies in urban areas served by mass transit systems to assist ~~the local public bodies~~ with the expenses of operating those systems. ~~Aid paid for mass transit systems having annual operating expenses of \$20,000,000 or more (Tier A systems) is paid in a sum certain, while aid payable for smaller mass transit systems is determined under a formula.~~ Under the formula, DOT makes state aid payments in amounts sufficient to ensure that the combination of state and federal aids contributed toward the operating expenses of an urban mass transit system equals the uniform percentage established by DOT for each of the two smaller classes of mass transit system. The two smaller classes are: 1) mass transit systems serving urban areas having a population of 50,000 or more but having annual operating expenses of less than \$20,000,000 (Tier B systems); and 2) mass transit systems serving urban areas having a population of less than 50,000 (Tier C systems). "Operating expenses" used in this aid formula are based on actual operating costs from the second preceding year, with adjustments for the projected expenses of new services, for which historical cost data is not available.

This bill deletes the requirement that annual transit aid payments for Tier B and Tier C systems be made based on actual operating costs from the second preceding year. The bill requires that annual state transit aid payments for Tier B and Tier C systems be based on estimated operating costs for that year, effective with calendar year 2001 payments.

also

***** ANALYSIS FROM -2161/1 *****

The bill ~~increases~~ the total amount of state aid payments to each class of mass transit system, as follows:

mass transit

1. For a ~~Tier A~~ system having annual operating expenses in excess of \$80,000,000, from \$53,555,600 in calendar year 2000 to \$54,894,500 in calendar year 2001 and thereafter.

(Tier A-1 system)

- (Tier A-2 system)*
2. For a ~~Tier A~~ ^{mass transit} system having annual operating expenses of at least \$20,000,000 but less than \$80,000,000, from \$14,297,600 in calendar year 2000 to \$14,655,000 in calendar year 2001 and thereafter.
3. For Tier B systems, from \$19,804,200 in calendar year 2000 to \$20,299,300 in calendar year 2001 and thereafter.
4. For Tier C systems, from \$5,349,100 in calendar year 2000 to \$5,482,800 in calendar year 2001 and thereafter.

***** ANALYSIS FROM -1863/3 *****

~~FWANA~~ ^{must} the bill requires DOT to make supplemental mass transit aid payments in any calendar year for any eligible urban mass transit system for whom the percentage increase in the average cost per passenger trip in the preceding calendar year did not exceed the percentage increase in the consumer price index for that calendar year. DOT ~~shall~~ distribute supplemental mass transit aid payments for similar urban mass transit systems on a proportionate basis according to annual ridership on each urban mass transit system during the preceding calendar year. ~~These supplemental mass transit aid payments are in addition to any other funding under the program.~~

***** ANALYSIS FROM -1814/2 *****

Under current law, DOT administers a transportation facilities economic assistance and development program. Under the program, DOT may improve a highway, airport, or harbor, or provide other assistance for the improvement of those transportation facilities or certain rail property or railroad tracks, as part of a major economic development project. DOT may also make loans for the improvement of any of these transportation facilities.

^(WA) This bill renames the program the Tommy G. Thompson transportation economic assistance program. ^{Re}

***** ANALYSIS FROM -1637/1 *****

RAIL AND AIR TRANSPORTATION

This bill increases the authorized general obligation bonding limit for the acquisition and improvement by DOT of rail property from \$23,500,000 to \$28,000,000.

***** ANALYSIS FROM -0528/1 *****

Under current law, with certain exceptions, a property owner is immune from liability for damages occurring on the property while a person is engaged in a recreational activity on the property.

This bill creates an immunity from civil liability for any property owner upon which a rails-with-trails trail is located and for any railroad that operates within an active rail corridor upon which a rails-with-trails trail is located for the death, injury, or property damage resulting from an individual's use of a rails-with-trails trail, regardless of whether the death, injury, or property damage occurred in connection with a recreational activity or occurred on public or private property. The bill ~~defines~~ a rails-with-trails trail as a strip of land that is located partly or fully within an active rail corridor and is identified in an agreement entered into by a railroad that operates within that rail corridor and a person that is sponsoring and maintaining the strip of land for the use of individuals for purposes specified in the agreement. The immunity does not apply to deaths, injuries, or property damage caused by the property owner's or railroad's willful or wanton acts or omissions.

***** ANALYSIS FROM -1636/1 *****

OTHER TRANSPORTATION

This bill increases the authorized general obligation bonding limit for grants awarded by DOT for harbor improvements from \$22,000,000 to \$25,000,000.

***** ANALYSIS FROM -0856/1 *****

This bill authorizes DOT to award grants to a local professional football stadium district, which is a special purpose district, in each county with a population of more than 150,000 that includes the principal site of an existing, or to be constructed, league-approved home stadium for a professional football team. Under the bill, no grant may be awarded after June 30, 2002.

***** ANALYSIS FROM -2021/2 *****

Under current law, DOT administers a program that distributes federal funds for congestion mitigation and air quality improvement projects. Currently, federal law requires a local matching contribution equal to 20% of the cost of a project. ~~with~~ This bill requires DOT to award a grant of \$420,700 to the city of Kenosha to provide 50% of the local matching contribution required for a congestion mitigation and air quality improvement project for a parking facility in the city of Kenosha. As a condition of receiving the grant, the city of Kenosha must provide matching funds for the project.

***** ANALYSIS FROM -1710/1 *****

Under current law, DOT administers the safe-ride grant program, under which DOT provides grants to municipalities and nonprofit corporations to cover the costs of transporting persons who have a prohibited alcohol concentration from premises

that are licensed to sell alcohol beverages to their places of residence. The ~~safe ride grant~~ program is funded with moneys from the driver improvement surcharge. ^{which} The ~~driver improvement surcharge~~ is collected from each person who is ordered to pay a fine or forfeiture for operating a motor vehicle while under the influence of an intoxicant, controlled substance, or other drug. A portion of the surcharge is forwarded to the state and ~~credited to an appropriation to DHFS for services related to drivers. Current law requires the secretary of administration to transfer 3.76%~~ ^{and} of the state's portion of the surcharge from the DHFS appropriation to an ~~appropriation~~ ^{be used} to DOT for the safe-ride grant program.

^{is appropriated} This bill eliminates the requirement that ~~the secretary of administration transfer 3.76% of the state's portion of the driver improvement surcharge to fund the safe-ride grant program.~~ ^{use} Under the bill, the secretary of administration may transfer unencumbered driver improvement surcharge moneys to fund the ~~safe-ride grant~~ program after consulting with the secretaries of health and family services and transportation, the superintendent of public instruction, the attorney general, and the president of the UW System.

***** ANALYSIS FROM -0284/2 *****

Under current law, DOT administers a program to reduce the number of automobile trips, especially during peak hours of traffic, and to encourage the shared use of motor vehicles by two or more individuals to or from their places of work or postsecondary school. Under the program, DOT awards grants for the development and implementation of demand management or ride-sharing programs.

This bill makes job access and employment transportation assistance eligible under the program and adds to the program a stated purpose of enhancing the success of welfare-to-work programs. The bill also renames the demand management and ride-sharing program to the transportation employment and mobility program.

***** ANALYSIS FROM -2095/1 *****

***** ANALYSIS FROM -0578/2 *****

This bill permits DOT to ~~negotiate and~~ enter into agreements to accept telecommunications services or any plant or equipment used for telecommunications services as payment for the accommodation of a utility facility within a highway right-of-way.

***** ANALYSIS FROM -0758/2 *****

~~Under current law, the state traffic patrol enforces and assists in the administration of traffic and parking laws.~~ DOT may impose a fee for security and traffic enforcement services provided by the state traffic patrol at any public event that charges spectators an admission fee and that is organized by a private organization.

This bill allows DOT to charge a fee for such services at any such event that is publicly or privately organized. The bill also allows DOT to charge a fee for security and traffic enforcement services requested by a person who is installing, inspecting, removing, relocating, or repairing a utility facility that lies within a highway right-of-way.

***** ANALYSIS FROM -0579/1 *****

Current federal law requires DOT to pay specified percentages of expenditures for highway construction projects to disadvantaged business enterprises. A “disadvantaged business enterprise” is a business that is at least 51% owned, controlled, and actively managed by minority group members, women, or other individuals found to be socially and economically disadvantaged, or by a combination of such individuals. Current federal law also prohibits DOT from discriminating on the basis of race, color, national origin, or sex in the award of any construction contract that is paid for in part using federal funds.

To determine compliance with these requirements and prohibitions, federal law requires DOT to collect and submit to the federal department of transportation data concerning the ownership of businesses that bid for construction contracts let by DOT, and other financial information pertaining to such businesses and their owners. Federal law generally requires DOT to keep confidential such information submitted to it by a disadvantaged business enterprise.

This bill requires DOT to keep confidential certain information requested by DOT for purposes of determining or demonstrating compliance with the federal requirements and prohibitions described above. The information required to be kept confidential consists of information relating to an individual’s statement of net worth, a statement of experience, and a company’s financial statement, including the gross receipts of a bidder. The bill contains exceptions to allow DOT to disclose the information to the federal department of transportation, to the person to whom the information relates, and to persons having the written consent of that person.

***** ANALYSIS FROM -0082/2 *****

Under current law, DOT administers a minority civil engineer scholarship and loan repayment incentive program to foster minority training and employment in civil engineering. DOT may award scholarships to minorities enrolled full time in a bachelor of science degree program in civil engineering, and may award loan repayment grants to minority civil engineers who are employed by DOT and have education loans outstanding.

This bill authorizes DOT to award scholarships to other ^{is} targeted group members^{is} enrolled full time in any accredited bachelor degree program, or in any associate degree program or vocational diploma program at a technical college. ^{Under} The bill ~~defines~~ a targeted group member ~~as~~ a person with a disability or any member of a class whose race, color, or sex is employed less in any job classification in DOT than is available in the statewide labor market. The bill also allows DOT to award loan repayment grants to targeted group members who are employed by DOT and have education loans outstanding.

*** ANALYSIS FROM -0726/5 ***

VETERANS AND MILITARY AFFAIRS

VETERANS

Currently, under the ^{is} veteran's housing loan program, ^a ~~veteran~~^s who meet certain requirements ~~are~~ eligible for a primary mortgage loan. Current law requires a veteran to apply for a primary mortgage loan through a DVA-approved financial institution (authorized lender). The authorized lender evaluates the veteran's creditworthiness ^a ~~and makes other financial determinations~~. DVA also reviews the loan application to ensure that the veteran meets other requirements of the loan program. If the application is approved by both the authorized lender and DVA, the authorized lender makes the loan and then performs loan-servicing activities, such as collecting the veteran's monthly mortgage payment, forwarding these payments to DVA, and collecting delinquent payments. Before forwarding a monthly mortgage payment to DVA, an authorized lender may deduct ^a from the veteran's monthly mortgage payment ^a a monthly fee for performing loan-servicing activities.

Also ^{is} under current law, as a condition of receiving a loan, a veteran must pay to the authorized lender a monthly escrow payment for the payment of real estate taxes and casualty insurance premiums. Current law requires the authorized lender to hold these payments in escrow and then pay to the ^{city} insurance company ~~and the city~~ the amounts due or the amount escrowed, whichever is less.

city and the city and the

Finally, under the loan program, a veteran must have adequate fire and extended coverage insurance. Current law requires that these insurance policies name the authorized lender as an insured.

This bill permits DVA to perform loan-servicing activities for any loans made under the veteran's housing loan program and to purchase from authorized lenders the rights to service loans that are made under the program.

The bill funds both the loan-servicing activities and the purchase of servicing rights with moneys from the veterans mortgage loan repayment fund but restricts the expenditure or encumbrance of these moneys until after DVA and DOA develop a plan for the most cost-effective method of servicing the loans.

The bill also permits DVA to hold in escrow monthly payments paid by a veteran for real estate taxes and casualty insurance premiums. The bill requires an authorized lender or, if DVA holds the payments in escrow, DVA to pay the amounts due for real estate taxes and insurance premiums regardless of whether the amount held in escrow is sufficient to cover the amounts due. If the amount held in escrow is insufficient to pay the amounts due, the lender or DVA, after paying the amounts due, must recover the balance from the veteran. If the amount held in escrow is more than the amounts due, the lender or DVA, after paying the amounts due, is required to pay the balance to the veteran.

no *Q* Under the bill, DVA may not begin holding monthly escrow payments until the plan for the most cost-effective method of servicing the loans is completed by DVA and DOA.

***** ANALYSIS FROM -0737/1 *****

under the veteran's Housing Loan Program

Currently, veterans who receive a primary mortgage loan must pay the authorized lender an origination fee at the time of closing. This bill requires DVA to pay to authorized lenders, on behalf of disabled veterans who have received from the federal department of veterans affairs at least a 30% connected service disability rating, any origination fees. ~~Under the bill, the origination fees are paid from the veterans mortgage loan repayment fund.~~

INS. FROM P-201 →

***** ANALYSIS FROM -0734/1 *****

Under current federal law, veterans and war orphans may receive federal benefits to cover the costs of training and education at certain approved schools or certain approved courses of instruction. Federal law delegates the authority to approve these schools and courses of instruction to state agencies. Under current

through

state law, the educational approval board (EAB), which is attached to DVA, approves these schools and courses of instruction.

w/ This bill eliminates the authority of EAB to approve the schools and courses of instruction for the training and education of veterans and war orphans and authorizes DVA to approve these schools and courses.

***** ANALYSIS FROM -0724/1 *****

Currently, under the veterans' tuition and fee reimbursement program, DVA reimburses eligible veterans up to 65%, or, in the case of certain disabled veterans, 100%, of the tuition and fees incurred by the veteran while a full-time student at a state institution of higher education or at any institution for which the veteran received a tuition waiver under the Minnesota-Wisconsin student reciprocity agreement. For purposes of calculating the amount of a reimbursement, any grants or scholarships received by the veteran are subtracted from the total tuition and fees incurred by the veteran. ~~The reimbursement may not exceed 65%, or, in the case of certain disabled veterans, 100%, of the standard cost for a state resident at the University of Wisconsin-Madison.~~

~~Also, under ^{current} current law,~~ under the (part-time study grant program, DVA reimburses eligible veterans up to 65%, or, in the case of certain disabled veterans, 100%, of the cost of tuition and fees incurred by the veteran for a correspondence course or part-time classroom study at a state institution of higher education, at any public or private high school, or at an institution of higher education that is located outside the state, if the course is not offered in the state, is not offered within 50 miles of the veteran's home, and is not located more than 50 miles from the state boundary line. The reimbursement may not exceed 65%, and, in the case of certain disabled veterans, 100%, of the standard cost for a state resident at the University of Wisconsin-Madison.

include either of the above programs
This bill increases the amount an eligible veteran may be reimbursed under ~~the~~ ^{either} ~~veteran's tuition and fee reimbursement program and the part-time study grant~~ program to 100% of the tuition and fees incurred by the veteran minus any grants or scholarships received by the veteran. The bill also increases the maximum amount of a grant for all eligible veterans under both programs to 100% of the standard cost for a state resident at the University of Wisconsin-Madison.

The ~~This~~ ^{w/} bill also permits a veteran to receive reimbursement under both ~~reimbursement~~ programs for tuition and fees incurred by the veteran while a student at a proprietary school that has been approved by EAB or at a school

approved by DVA under its authority to approve schools and courses for veterans and war orphans.

Finally, the bill corrects an incorrect citation to federal law in the definition of "institution of higher education," under the part-time study grant program.

***** ANALYSIS FROM -0725/2 *****

Under current law, as a condition of eligibility for most veterans benefit programs, a veteran must have been a resident of this state upon entering or reentering military service or have been a resident of this state for any period of five consecutive years. The same residency requirement applies to veterans who are applying for admission to the Wisconsin Veterans Home at King (WVHK) or the Southern Wisconsin Veterans Retirement Center (SWVRC). In addition, the spouse of a veteran or a parent of a veteran is eligible for admission to WVHK or SWVRC if he or she has been a resident of this state for the five years preceding the date of his or her application for admission. WVHK and SWVRC provide residential treatment and nursing home care to veterans and the spouses and parents of veterans.

Under this bill, a veteran is eligible for those veterans benefit programs that currently have a residency requirement and for admission to WVHK or SWVRC if the veteran was a resident of this state upon entering or reentering military service or has been a resident of this state for any period of 12 consecutive months. Also, under the bill, a spouse or parent of a veteran is eligible for admission to WVHK or SWVRC, if he or she has been a resident of this state for the 12 months preceding the date of his or her application for admission.

***** ANALYSIS FROM -0736/1 *****

Currently, ~~DVA administers the veterans housing loan program, under which~~ eligible veterans may receive home improvement loans of up to \$25,000 or ~~primary mortgage loans.~~

(w/ \$) This bill specifies that a veteran may use a home improvement loan to remove or otherwise alter existing home improvements that were made to improve the accessibility of the home for a disabled individual.

***** ANALYSIS FROM -0722/1 *****

Under current law, DVA administers a ~~grant~~ program to provide grants to state veterans organizations or national veterans organizations that have maintained a full-time regional service office for at least five of the ten years preceding the date of application for a grant. Currently, the amount of a grant is equal to 25% of the

under the Veteran's Housing Loan Program

move
to
p. 199

salaries and travel expenses paid by the organization to its employees, or \$20,000, whichever is less.

(KAF) This bill increases the maximum amount of a grant to \$30,000.

***** ANALYSIS FROM -0906/1 *****

Currently, under the veterans retraining grant program, DVA awards employment retraining grants of up to \$3,000 to eligible veterans who are unemployed, underemployed, or who have received a notice of termination of employment. As a condition of eligibility for a retraining grant, a veteran must be enrolled in a proprietary school that is approved by ~~the educational approval board,~~ other than a proprietary school that offers four-year degrees or four-year programs, be enrolled in a technical college training course, or be engaged in a structured on-the-job training program. EAB

nr 9 This bill permits DVA to pay a retraining grant to a veteran's employer, on behalf of the veteran, if the veteran is engaged in a structured on-the-job training program and is otherwise eligible for the retraining grant program.

***** ANALYSIS FROM -0860/5 *****

delete? Currently, Milwaukee County has the authority to establish and maintain a memorial to Wisconsin residents who have lost their lives in the military service. This bill authorizes DVA to provide, in the 2001-03 fiscal biennium, one grant of \$100,000 to the Wisconsin Veterans War Memorial/Milwaukee, Inc., for a veterans education center.

***** ANALYSIS FROM -0859/1 *****

This bill ~~Am~~ requires DVA to pay \$100,000 annually to the Wisconsin department of the Disabled American Veterans to provide transportation services to veterans.

***** ANALYSIS FROM -0727/1 *****

Under current law, DVA may grant subsistence aid to an incapacitated individual who is a veteran or the dependent of a veteran if DVA determines that the aid is advisable to prevent want or distress.

(nr 9) This bill specifies that DVA may grant subsistence aid to an individual if the individual's incapacitation is the result of the individual's abuse of alcohol or other drugs.

***** ANALYSIS FROM -2411/2 *****

MILITARY AFFAIRS

Under current law, the Wisconsin national guard is composed of the army and air national guard. Current law also allows the adjutant general to establish and organize a state defense force if the national guard is called into the service of the United States. This bill creates a Wisconsin naval militia, which will be under the control of the adjutant general and will be subject to the same policies and procedures as the other military components.

***** ANALYSIS FROM -0549/1 *****

Under current law, regional emergency response teams have been established to respond to a "Level A" release, which is a release of a hazardous substance that necessitates the highest level of protective equipment for the skin and respiratory systems of emergency response personnel. Local emergency response teams are required to respond to a "Level B" release, which is a release of a hazardous substance that necessitates the highest level of protective equipment for the respiratory systems of emergency response personnel but less skin protection than a "Level A" release.

The division of emergency management in DMA (division) currently promulgates rules regarding the duties of the local and regional emergency response teams and the governmental units that employ those teams. The division also provides grants for duties related to emergency response teams and reimburses them for unreimbursed costs that are incurred in responding to a release. Emergency response teams are required to make a good faith effort to identify the person who is responsible for the hazardous substance release and to determine if that person is financially able to reimburse the team for its expenses. Currently, a person who is financially able to reimburse the team for expenses incurred in responding to the release is required to reimburse those expenses.

Under this bill, the division must promulgate rules requiring the emergency response teams to establish procedures to determine if an emergency that requires a team's response exists as the result of a release or potential release of a hazardous substance. Under the bill, the division must reimburse regional and local emergency response teams for costs incurred in responding to an emergency that results from a potential release if procedures have been developed to determine if an emergency exists. Under the bill, a person may be required to reimburse a team for expenses incurred in responding to an emergency that results from a potential release if the team has developed the procedures to determine if an emergency exists.

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mark

***** ANALYSIS FROM -0550/3 *****

DMA

~~Under current law, beginning on July 1, 2001, the division must contract with nine regional emergency response teams, one of which must be located in La Crosse County.~~ This bill requires that regional emergency response teams have members that meet the highest standards required under federal law and the National Fire Protection Association and that are trained in each of the appropriate specialty areas under the National Fire Protection Association standard. The bill also requires regional emergency response teams to file annual financial reports with the adjutant general.

***** ANALYSIS FROM -2146/1 *****

***** ANALYSIS FROM -0552/1 *****

UW -
Under current law, ~~upon completion of a course in a qualifying school,~~ DMA reimburses an eligible national guard member for his or her tuition. A school is qualified if the school is the extension or any campus of the UW System, a technical college, or any accredited institution of higher education, as defined by rule by the ~~higher educational aids board (HEAB).~~ This bill changes the definition of "institution of higher education" ~~for the tuition reimbursement~~ to the definition used under federal law to determine eligibility for federal student financial assistance.

once the member completes a course in a qualifying school

effect?

This bill will be referred to the joint survey committee on tax exemptions for a detailed analysis, which will be printed as an appendix to this bill.

This bill will be referred to the joint survey committee on retirement systems for a detailed analysis, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

(END)