

SENATE BILL 55

1 30.12 (4m) (a) (intro.) Subsection (1) does not apply to a qualifying structure
2 or deposit ~~that the drainage board for the Duck Creek Drainage District places in a~~
3 ~~drain that the board operates in the Duck Creek Drainage District~~ if either of the
4 following applies:

5 *~~0605/5.5~~* **SECTION 1250.** 30.12 (4m) (a) of the statutes is renumbered 30.12
6 (4m) (a) 1. and amended to read:

7 30.12 (4m) (a) 1. The department of agriculture, trade and consumer
8 protection, after consulting with the department of natural resources, specifically
9 approves the qualifying structure or deposit.

10 *~~0605/5.6~~* **SECTION 1251.** 30.12 (4m) (b) of the statutes is renumbered 30.12
11 (4m) (a) 2. and amended to read:

12 30.12 (4m) (a) 2. The qualifying structure or deposit is required, under rules
13 promulgated by the department of agriculture, trade and consumer protection, in
14 order to conform the drain to specifications approved by the department of
15 agriculture, trade and consumer protection after consulting with the department of
16 natural resources.

17 *~~0605/5.7~~* **SECTION 1252.** 30.12 (4m) (c) of the statutes is created to read:

18 30.12 (4m) (c) For purposes of this subsection, a “qualifying structure or
19 deposit” is either of the following:

20 1. Any structure or deposit that is placed in a drain that is operated in the Duck
21 Creek Drainage District by the board for the Duck Creek Drainage District.

22 2. Any structure or deposit that is placed in a drain that is not described in subd.

23 1. if the structure or deposit is used primarily for agricultural purposes, as defined
24 in s. 29.181 (1b) (a).

SENATE BILL 55**SECTION 1253**

1 ***-0313/2.5*** **SECTION 1253.** 30.124 (1) (intro.) of the statutes is amended to
2 read:

3 30.124 (1) (intro.) Notwithstanding ss. 30.12, ~~30.125~~, 30.20, 30.44, and 30.45,
4 and if the department finds that the activity will not adversely affect public or private
5 rights or interests in fish and wildlife populations, navigation, or waterway flood
6 flow capacity and will not result in environmental pollution, as defined in s. 299.01
7 (4), the department may do all of the following on public lands or waters:

8 ***-0313/2.6*** **SECTION 1254.** 30.124 (1) (a) of the statutes is amended to read:

9 30.124 (1) (a) Cut aquatic ~~vegetation~~ plants, as defined in s. 30.715 (1) (a),
10 without removing the vegetation them from the water, for the purpose of improving
11 waterfowl nesting, brood, and migration habitat.

12 ***-0313/2.7*** **SECTION 1255.** 30.125 of the statutes is repealed.

13 ***-1544/2.2*** **SECTION 1256.** 30.18 (1b) of the statutes is created to read:

14 30.18 (1b) DEFINITION. In this section, “agricultural purpose” has the meaning
15 given in s. 29.181 (1b) (a).

16 ***-1544/2.3*** **SECTION 1257.** 30.18 (2) (a) 2. of the statutes is amended to read:

17 30.18 (2) (a) 2. The diversion is for the purpose of agriculture ~~or irrigation~~ or
18 for an agricultural purpose.

19 ***-1544/2.4*** **SECTION 1258.** 30.18 (6) (b) of the statutes is amended to read:

20 30.18 (6) (b) *Use of water.* A person issued a permit for the purpose of irrigation
21 ~~or agriculture~~ for an agricultural purpose may use the water on any land contiguous
22 to the permittee’s riparian land, but may not withdraw more water than it did before
23 August 1, 1957, without applying to the department for a modification of the permit.

24 ***-1544/2.5*** **SECTION 1259.** 30.19 (1m) (b) of the statutes is amended to read:

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1 30.19 (1m) (b) ~~Any agricultural uses~~ The use of land for agricultural purposes,
2 as defined in s. 29.181 (1b) (a).

3 *~~0605/5.8~~* **SECTION 1260.** 30.20 (1) (d) of the statutes is amended to read:

4 30.20 (1) (d) ~~The A drainage board for the Duck Creek Drainage District~~ may,
5 without a permit under sub. (2) (c), remove qualifying material from a drain ~~that the~~
6 ~~board operates in the Duck Creek Drainage District~~ if the removal is required, under
7 rules promulgated by the department of agriculture, trade and consumer protection,
8 in order to conform the drain to specifications imposed by the department of
9 agriculture, trade and consumer protection after consulting with the department of
10 natural resources.

11 *~~0605/5.9~~* **SECTION 1261.** 30.20 (1) (dm) of the statutes is created to read:

12 30.20 (1) (dm) For purposes of this paragraph, “qualifying material” is either
13 of the following:

14 1. Any material that is removed from a drain that is operated in the Duck Creek
15 Drainage District by the board for the Duck Creek Drainage District.

16 2. Any material that is removed from a drain that is not described in subd. 1.
17 if the removal is necessary primarily for agricultural purposes, as defined in s. 29.181
18 (1b) (a).

19 *~~1622/2.27~~* **SECTION 1262.** 30.35 (2a) (b) of the statutes is amended to read:

20 30.35 (2a) (b) Exempt from the ~~certificate~~ of registration requirement under
21 s. 30.51 (2) (c) 3.

22 *~~1622/2.28~~* **SECTION 1263.** 30.38 (9) (b) of the statutes is amended to read:

23 30.38 (9) (b) Exempt from the ~~certificate~~ of registration requirement under s.
24 30.51 (2) (c) 3.

25 *~~1622/2.29~~* **SECTION 1264.** 30.50 (3) of the statutes is amended to read:

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SECTION 1264

1 30.50 (3) “Certificate of number” means the certificate of number certificate,
2 certificate of number card, certification ~~sticker or decal~~, and identification number
3 issued by the department under the federally approved numbering system unless
4 the context clearly indicates otherwise.

5 *~~1622/2.30~~* SECTION 1265. 30.50 (3b) of the statutes is created to read:

6 30.50 (3b) “Certification or registration documentation” means a certificate of
7 number certificate, certificate of number card, certification decal, registration
8 certificate, registration card, self-validated receipt, or registration decal.

9 *~~1622/2.31~~* SECTION 1266. 30.50 (4a) of the statutes is repealed.

10 *~~1622/2.32~~* SECTION 1267. 30.50 (10) of the statutes is amended to read:

11 30.50 (10) “Registration” means the registration certificate, registration card,
12 and registration ~~sticker or decal~~ issued by the department.

13 *~~1622/2.33~~* SECTION 1268. 30.50 (11m) of the statutes is created to read:

14 30.50 (11m) “Self-validated receipt” means a portion of an application form
15 that is retained by the applicant upon submittal of an application for a certificate of
16 of number or registration and that shows that an application and the required fee
17 for a certificate of number or registration has been submitted to the department.

18 *~~1622/2.34~~* SECTION 1269. 30.51 (1) (a) of the statutes is amended to read:

19 30.51 (1) (a) *Certificate of number*. No person may operate, and no owner may
20 give permission for the operation of, any boat on the waters of this state unless the
21 boat is covered by a certificate of number issued under this chapter or is exempt from
22 the certificate of number requirements of this chapter. ~~A boat is not covered by a~~
23 ~~certificate of number unless the owner is issued a valid certificate of number card,~~
24 ~~the certificate sticker or decal is properly attached to and displayed on the boat and~~
25 ~~the identification number is properly displayed on the boat.~~

SENATE BILL 55**SECTION 1270**

1 ***-1622/2.35*** **SECTION 1270.** 30.51 (1) (b) of the statutes is amended to read:

2 30.51 (1) (b) *Registration.* No person may operate, and no owner may give
3 permission for the operation of, any boat on the waters of this state unless the boat
4 is covered by a registration issued under this chapter or is exempt from the
5 registration requirements of this chapter. ~~A boat is not covered by a registration~~
6 ~~unless the owner is issued a valid registration card and the registration sticker or~~
7 ~~decal is properly displayed on the boat.~~

8 ***-1622/2.36*** **SECTION 1271.** 30.52 (1) (title) of the statutes is repealed and
9 recreated to read:

10 30.52 (1) (title) ISSUANCE OF CERTIFICATES AND REGISTRATIONS.

11 ***-1622/2.37*** **SECTION 1272.** 30.52 (1) (c) of the statutes is amended to read:

12 30.52 (1) (c) *Application for duplicate.* If a certificate of number card, a
13 registration card, a certification sticker or decal or a registration sticker or decal is
14 lost or destroyed the owner of a boat may apply for a duplicate. ~~The owner shall~~
15 ~~submit an application which shall be accompanied by the required fee for each~~
16 ~~duplicate certificate of number card, registration card, certification sticker or decal~~
17 ~~or registration sticker or decal applied for.~~

18 ***-1622/2.38*** **SECTION 1273.** 30.52 (1m) (title) of the statutes is repealed and
19 recreated to read:

20 30.52 (1m) (title) PROCEDURES.

21 ***-1622/2.39*** **SECTION 1274.** 30.52 (1m) (a) (intro.) of the statutes is amended
22 to read:

23 30.52 (1m) (a) *Agents Issuers.* (intro.) For the issuance of original or duplicate
24 certification or registration documentation and for the transfer or renewal of

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1 ~~certificates of number or certificates of registration~~ certification or registration
2 documentation, the department may do any of the following:

3 *~~1622/2.40~~* **SECTION 1275.** 30.52 (1m) (a) 1. of the statutes is amended to
4 read:

5 30.52 (1m) (a) 1. Directly issue, transfer, or renew the certificates certification
6 or registration documentation with or without using the expedited service under par.
7 (ag) 1.

8 *~~1622/2.41~~* **SECTION 1276.** 30.52 (1m) (a) 2. of the statutes is repealed.

9 *~~1622/2.42~~* **SECTION 1277.** 30.52 (1m) (a) 3. of the statutes is amended to
10 read:

11 30.52 (1m) (a) 3. Appoint persons who are not employees of the department as
12 agents of the department to issue, transfer, or renew the certificates as agents of the
13 department certification or registration documentation using either or both of the
14 expedited services under par. (ag) 1.

15 *~~1622/2.43~~* **SECTION 1278.** 30.52 (1m) (ag) of the statutes is created to read:

16 30.52 (1m) (ag) *Methods of issuance.* 1. For the issuance of original or duplicate
17 certification or registration documentation and for the transfer or renewal of
18 certification or registration documentation, the department may implement either
19 or both of the following expedited procedures to be provided by the department and
20 any agents appointed under par. (a) 3.:

21 a. A noncomputerized procedure under which the department or agent may
22 accept applications for certificates of number or registration and issue a
23 self-validated receipt at the time the applicant submits the application accompanied
24 by the required fees.

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1 b. A computerized procedure under which the department or agent may accept
2 applications for certification or registration documentation and issue to each
3 applicant all or some of the items of the certification or registration documentation
4 at the time the applicant submits the application accompanied by the required fees.

5 2. Under either procedure under subd. 1., the applicant shall receive any
6 remaining items of certification or registration documentation directly from the
7 department at a later date. The items of certification or registration documentation
8 issued at the time of the submittal of the application under either procedure shall be
9 sufficient to allow the boat for which the application is submitted to be operated in
10 compliance with the registration requirements under this section and ss. 30.51 and
11 30.523.

12 *~~1622/2.44~~* **SECTION 1279.** 30.52 (1m) (ar) of the statutes is created to read:

13 30.52 (1m) (ar) *Fees.* 1. In addition to the applicable fee under sub. (3), each
14 agent appointed under par. (a) 3. shall collect an expedited service fee of \$3 each time
15 the agent issues a self-validated receipt under par. (ag) 1. a. The agent shall retain
16 the entire amount of each expedited service fee the agent collects.

17 2. In addition to the applicable fee under sub. (3), the department or the agent
18 appointed under par. (a) 3. shall collect an expedited service fee of \$3 each time the
19 expedited service under par. (ag) 1. b. is provided. The agent shall remit to the
20 department \$1 of each expedited service fee the agent collects.

21 *~~1622/2.45~~* **SECTION 1280.** 30.52 (1m) (b) of the statutes is repealed.

22 *~~1622/2.46~~* **SECTION 1281.** 30.52 (1m) (c) of the statutes is repealed.

23 *~~1622/2.47~~* **SECTION 1282.** 30.52 (1m) (d) of the statutes is repealed.

24 *~~1622/2.48~~* **SECTION 1283.** 30.52 (1m) (c) of the statutes is amended to read:

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1 30.52 (1m) (e) *Remittal Receipt of fees.* ~~An agent appointed under par. (a) 2. or~~
2 ~~3. shall remit to the department \$2 of each \$3 fee collected under par. (d). Any All~~
3 fees remitted to or collected by the department under par. (d) ~~(ar)~~ shall be credited
4 to the appropriation account under s. 20.370 (9) (hu).

5 ***-1622/2.49*** SECTION 1284. 30.52 (1m) (f) of the statutes is created to read:

6 30.52 (1m) (f) *Inapplicability.* 1. A dealer in boats who assists a customer in
7 applying for a certification of number or registration without using either procedure
8 specified in par. (ag) 1., may charge the customer a reasonable fee for providing this
9 assistance.

10 2. Paragraphs (a) to (ar) do not apply to certificates of numbers issued to
11 manufacturers or dealers in boats who pay the fee under sub. (3) (im).

12 ***-1622/2.50*** SECTION 1285. 30.52 (1r) of the statutes is created to read:

13 30.52 (1r) RULES FOR ISSUERS. The department may promulgate rules to
14 establish eligibility and other criteria for the appointment of agents under sub. (1m)
15 (a) 3. and to regulate the activities of these agents.

16 ***-1622/2.51*** SECTION 1286. 30.52 (3) (j) of the statutes is amended to read:

17 30.52 (3) (j) *Fee for issuance of duplicates.* The fee for the issuance of each
18 duplicate certificate of number card, registration card, certification ~~sticker or decal,~~
19 or registration ~~sticker or decal~~ is \$2.50.

20 ***-1622/2.52*** SECTION 1287. 30.52 (5) (a) (title) of the statutes is amended to
21 read:

22 30.52 (5) (a) (title) *Certificate of number; card; ~~sticker or decal~~ decals; number.*

23 ***-1622/2.53*** SECTION 1288. 30.52 (5) (a) 1. of the statutes is amended to read:

24 30.52 (5) (a) 1. Upon receipt of a proper application for the issuance or renewal
25 of a certificate of number accompanied by the required fee, a sales tax report, the

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1 payment of any sales and use tax due under s. 77.61 (1), and any other information
2 the department determines to be necessary, the department or an agent appointed
3 under sub. (1m) (a) 3. shall issue to the applicant a certificate of number card. The
4 certificate of number card shall state the identification number awarded, the name
5 and address of the owner, and other information the department determines to be
6 necessary. The certificate of number card shall be of pocket size and of durable water
7 resistant material.

8 ***-1622/2.54* SECTION 1289.** 30.52 (5) (a) 2. of the statutes is amended to read:

9 30.52 (5) (a) 2. ~~At the time the~~ The department issues a certificate of number
10 card, it or an agent appointed under sub. (1m) (a) 3. shall issue 2 certification stickers
11 ~~or~~ decals per boat for each application that involves the issuance of certification
12 decals. The certification stickers ~~or~~ decals shall bear the year of expiration of the
13 current certification and registration period. The department shall provide the
14 applicant with instructions concerning the attachment of the certification stickers
15 ~~or~~ decals to the boat.

16 ***-1622/2.55* SECTION 1290.** 30.52 (5) (a) 3. of the statutes is amended to read:

17 30.52 (5) (a) 3. At the time the department or an agent appointed under sub.
18 (1m) (a) 3. issues a certificate of number card, ~~it~~ the department or agent shall award
19 an identification number. ~~The department~~ and shall provide the applicant with
20 instructions concerning the painting or attachment of the awarded identification
21 number to the boat. The identification number shall be awarded to a particular boat
22 unless the owner of the boat is a manufacturer of or dealer in boats, motors, or trailers
23 who has paid the fee under sub. (3) (im) and the identification number is used on that
24 boat.

25 ***-1622/2.56* SECTION 1291.** 30.52 (5) (a) 4. of the statutes is amended to read:

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SECTION 1291

1 30.52 (5) (a) 4. ~~At the time the department issues a certificate of number card,~~
2 ~~it a person receives the certification decals, the person shall furnish to the person~~
3 ~~obtaining the card be furnished with~~ a copy of the state laws pertaining to operation
4 of boats or informational material based on these laws.

5 *~~1622/2.57~~* SECTION 1292. 30.52 (5) (b) (title) of the statutes is amended to
6 read:

7 30.52 (5) (b) (title) *Registration; card; ~~sticker or decal~~ decals.*

8 *~~1622/2.58~~* SECTION 1293. 30.52 (5) (b) 1. of the statutes is amended to read:

9 30.52 (5) (b) 1. Upon receipt of a proper application for the issuance or renewal
10 of a registration accompanied by the required fee, a sales tax report, the payment of
11 any sales and use tax due under s. 77.61 (1) and any other information the
12 department determines to be necessary, the department or an agent appointed under
13 sub. (1m) (a) 3. shall issue to the applicant a registration card. The registration card
14 shall state the name and address of the owner and other information the department
15 determines to be necessary. The registration card shall be of pocket size and of
16 durable water resistant material.

17 *~~1622/2.59~~* SECTION 1294. 30.52 (5) (b) 2. of the statutes is amended to read:

18 30.52 (5) (b) 2. ~~At the time the~~ The department issues a registration card, it or
19 an agent appointed under sub. (1m) (a) 3. shall issue 2 registration ~~stickers or~~ decals
20 per boat for each application that involves the issuance of registration decals. The
21 registration ~~stickers or~~ decals shall bear the year of expiration of the current
22 certification and registration period. The department shall provide the applicant
23 with instructions concerning the attachment of the registration ~~stickers or~~ decals to
24 the boat.

25 *~~1622/2.60~~* SECTION 1295. 30.52 (5) (b) 3. of the statutes is amended to read:

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1 30.52 (5) (b) 3. At the time ~~the department issues a registration card, it a person~~
2 receives registration decals, the person shall furnish to the person obtaining the card
3 be furnished with a copy of the state laws pertaining to the operation of boats or
4 informational material based on these laws.

5 *~~1622/2.61~~* **SECTION 1296.** 30.52 (5) (c) of the statutes is repealed.

6 *~~1622/2.62~~* **SECTION 1297.** 30.523 (title) of the statutes is amended to read:

7 **30.523 (title) Certification or registration card to be on board; display**
8 **of stickers or decals and identification number.**

9 *~~1622/2.63~~* **SECTION 1298.** 30.523 (1) (a) of the statutes is amended to read:

10 30.523 (1) (a) *Certificate of number card.* ~~Any person operating~~ If a boat which
11 is required to be covered by a certificate of number issued under this chapter and if
12 the owner of the boat has received the certificate of number card for the boat, any
13 person operating the boat shall have the certificate of number card available at all
14 times for inspection on the boat, unless the department determines the boat is of the
15 use, size, or type as to make the retention of the ~~certificate of number card~~ on the boat
16 impractical.

17 *~~1622/2.64~~* **SECTION 1299.** 30.523 (1) (b) of the statutes is amended to read:

18 30.523 (1) (b) *Registration card.* ~~Any person operating~~ If a boat which is
19 required to be covered by a registration issued under this chapter and the owner of
20 the boat has received the registration card for the boat, any person operating the boat
21 shall have the ~~registration card~~ available at all times for inspection on the boat
22 unless the department determines the boat is of the use, size, or type as to make the
23 retention of the ~~registration card~~ on the boat impractical.

24 *~~1622/2.65~~* **SECTION 1300.** 30.523 (2) (title) of the statutes is amended to

25 read:

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1 30.523 (2) (title) ~~DISPLAY OF STICKERS OR DECALS.~~

2 *~~1622/2.66~~* **SECTION 1301.** 30.523 (2) (a) of the statutes is amended to read:

3 30.523 (2) (a) *Certification ~~stickers or decals.~~* Upon being issued a certificate
4 of number card and certification ~~stickers or decals,~~ the owner of the boat shall attach
5 or affix the ~~stickers or decals~~ to each side of the forward half of the boat in the manner
6 prescribed by rules promulgated by the department. The owner shall maintain the
7 ~~certification stickers or decals~~ in a legible condition at all times.

8 *~~1622/2.67~~* **SECTION 1302.** 30.523 (2) (b) of the statutes is amended to read:

9 30.523 (2) (b) *Registration ~~stickers or decals.~~* Upon being issued a registration
10 card and registration ~~stickers or decals,~~ the owner of the boat shall attach or affix the
11 ~~stickers or decals~~ in the manner prescribed by rules promulgated by the department.
12 The owner shall attach or affix the registration ~~stickers or decals~~ to the transom of
13 the boat on each side of the federally documented name of the vessel in a manner so
14 both ~~stickers or decals~~ are visible. The owner shall maintain the ~~registration stickers~~
15 ~~or decals~~ in a legible condition at all times.

16 *~~1622/2.68~~* **SECTION 1303.** 30.523 (2) (c) of the statutes is amended to read:

17 30.523 (2) (c) *~~Stickers or decals~~ Decals for boats owned by manufacturers and*
18 *dealers.* Notwithstanding par. (a), a manufacturer or dealer in boats, motors, or
19 trailers who has paid the fee under s. 30.52 (3) (im) may attach or affix the
20 certification ~~stickers or decals~~ to removable signs to be temporarily but firmly
21 mounted upon or attached to the boat while the boat is being operated.

22 *~~1622/2.69~~* **SECTION 1304.** 30.523 (2) (d) of the statutes is amended to read:

23 30.523 (2) (d) *Restriction on other stickers and decals.* No ~~sticker or decal~~
24 stickers or decals other than the certificate of number ~~stickers or decals,~~ other
25 stickers or decals that may be provided by the department, and stickers or decals

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1 authorized by reciprocity may be attached, affixed, or displayed on either side of the
2 forward half of a boat.

3 ***-1622/2.70* SECTION 1305.** 30.547 (2) of the statutes is amended to read:

4 30.547 (2) No person may intentionally falsify an application for a certificate
5 of number or registration ~~or a certificate of number or registration card~~ issued under
6 s. 30.52.

7 ***-1622/2.71* SECTION 1306.** 30.549 (2) (c) of the statutes is amended to read:

8 30.549 (2) (c) Notwithstanding s. 30.52 (5) (a) 2. or (b) 2., the department may
9 not issue new certification ~~stickers or~~ decals or new registration ~~stickers or~~ decals if
10 the fee specified under s. 30.52 (3) (h) rather than the appropriate fee specified under
11 s. 30.52 (3) (b) to (g) is paid. The department shall not award a new identification
12 number to the boat unless compliance with federal numbering regulations requires
13 otherwise.

14 ***-0313/2.8* SECTION 1307.** 30.715 (1) of the statutes is created to read:

15 30.715 (1) In this section:

16 (a) “Aquatic plant” means a submergent, emergent, or floating-leaf plant or
17 any part thereof. “Aquatic plant” does not mean wild rice.

18 (b) “Public boat access site” means a site that provides access to a navigable
19 water for boats and that is open to the general public for free or for a charge or that
20 is open only to certain groups of persons for a charge.

21 ***-0313/2.9* SECTION 1308.** 30.715 (2) of the statutes is created to read:

22 30.715 (2) No person may place or use a boat or boating equipment or place a
23 boat trailer in a navigable water if the person has reason to believe that the boat, boat
24 trailer, or boating equipment has any aquatic plants attached.

25 ***-0313/2.10* SECTION 1309.** 30.715 (4) (a) of the statutes is created to read:

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1 30.715 (4) (a) Remove aquatic plants from a boat, boat trailer, or boating
2 equipment before placing it in a navigable water

3 ***-0313/2.11*** **SECTION 1310.** 30.715 (4) (b) of the statutes is created to read:

4 30.715 (4) (b) Remove or not place a boat, boat trailer, or boating equipment
5 in a navigable water if the law enforcement officer has reason to believe that the boat,
6 boat trailer, or boating equipment has aquatic plants attached.

7 ***-0313/2.12*** **SECTION 1311.** 30.715 (5) of the statutes is created to read:

8 30.715 (5) (a) The department shall prepare a notice that contains a summary
9 of the provisions under this section and shall make copies of the notice available to
10 owners required to post the notice under par. (b).

11 (b) Each owner of a public boat access site shall post and maintain the notice
12 described in par. (a).

13 ***-0313/2.13*** **SECTION 1312.** 30.725 (title) of the statutes is renumbered 30.715
14 (title) and amended to read:

15 **30.715 (title) Placement of boats, trailers, and equipment; ~~Lower St.~~**
16 **Croix River in navigable waters.**

17 ***-0313/2.14*** **SECTION 1313.** 30.725 (1) of the statutes is renumbered 30.715
18 (3).

19 ***-0313/2.15*** **SECTION 1314.** 30.725 (2) (intro.) of the statutes is renumbered
20 30.715 (4) (intro.).

21 ***-0313/2.16*** **SECTION 1315.** 30.725 (2) (a) of the statutes is renumbered 30.715
22 (4) (c).

23 ***-0313/2.17*** **SECTION 1316.** 30.725 (2) (b) of the statutes is renumbered 30.715
24 (4) (d).

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1 *~~0313/2.18~~* **SECTION 1317.** 30.725 (3) of the statutes is renumbered 30.715
2 (6) and amended to read:

3 30.715 (6) No person may refuse to obey the order of a law enforcement officer
4 who is acting under sub. ~~(2)~~ (4).

5 *~~0353/3.2~~* **SECTION 1318.** 30.77 (3) (dm) 1. b. of the statutes is amended to
6 read:

7 30.77 (3) (dm) 1. b. “Local entity” means a city, village, town, county, qualified
8 lake association, ~~as defined in s. 281.68 (1) (b),~~ nonprofit conservation organization,
9 as defined in s. 23.0955 (1), town sanitary district, public inland lake protection and
10 rehabilitation district, or another local governmental unit, as defined in s. 66.0131
11 (1) (a), that is established for the purpose of lake management.

12 *~~0353/3.3~~* **SECTION 1319.** 30.77 (3) (dm) 1. c. of the statutes is created to read:

13 30.77 (3) (dm) 1. c. “Qualified lake association” means an association that
14 meets the qualifications under s. 281.68 (3m) (a).

15 *~~0353/3.4~~* **SECTION 1320.** 30.92 (1) (br) (intro.) of the statutes is renumbered
16 30.92 (1) (br) and amended to read:

17 30.92 (1) (br) “Qualified lake association” means ~~a group incorporated under~~
18 ~~ch. 181 that meets all of the following conditions:~~ an association that meets the
19 qualifications under s. 281.68 (3m) (a).

20 *~~0353/3.5~~* **SECTION 1321.** 30.92 (1) (br) 1. of the statutes is repealed.

21 *~~0353/3.6~~* **SECTION 1322.** 30.92 (1) (br) 2. of the statutes is repealed.

22 *~~0353/3.7~~* **SECTION 1323.** 30.92 (1) (br) 3. of the statutes is repealed.

23 *~~0353/3.8~~* **SECTION 1324.** 30.92 (1) (br) 4. of the statutes is repealed.

24 *~~0353/3.9~~* **SECTION 1325.** 30.92 (1) (br) 5. of the statutes is repealed.

25 *~~0353/3.10~~* **SECTION 1326.** 30.92 (1) (br) 6. of the statutes is repealed.

SENATE BILL 55**SECTION 1327**

1 *~~0353/3.11~~* **SECTION 1327.** 30.92 (1) (br) 7. of the statutes is repealed.

2 *~~0353/3.12~~* **SECTION 1328.** 30.92 (1) (br) 8. of the statutes is repealed.

3 *~~0293/1.1~~* **SECTION 1329.** 30.92 (4) (b) 8. a. of the statutes is amended to read:
4 30.92 (4) (b) 8. a. A project for the dredging of a channel in a waterway to the
5 degree that is necessary to accommodate recreational watercraft if ~~the project is for~~
6 an inland water.

7 *~~0313/2.19~~* **SECTION 1330.** 30.92 (4) (b) 8. b. of the statutes is amended to
8 read:

9 30.92 (4) (b) 8. b. Acquisition of capital equipment that is necessary to cut and
10 remove aquatic plants ~~that are aquatic nuisances or that are detrimental to fish~~
11 habitat if the acquisition is pursuant to a plan to cut and remove aquatic plants that
12 is approved by the department.

13 *~~0313/2.20~~* **SECTION 1331.** 30.92 (4) (b) 8. bp. of the statutes is created to
14 read:

15 30.92 (4) (b) 8. bp. Acquisition of capital equipment that is necessary to control
16 and remove invasive aquatic plants, as defined in s. 23.24 (1) (g), if the equipment
17 will be used to control and remove them as authorized by an aquatic plant
18 management permit issued under s. 23.24 (3).

19 *~~1335/7.45~~* **SECTION 1332.** 30.93 (1) (b) of the statutes is amended to read:

20 30.93 (1) (b) “Fox River navigational system” ~~has the meaning designated~~
21 ~~under s. 30.94 (1) (b) means locks, harbors, real property, structures, and facilities~~
22 related to navigation that are located on or near the Fox River, including locks,
23 harbors, real property, structures, and facilities that were under the ownership or
24 control of the federal government on April 1, 1984. “Fox River navigational system”
25 does not include dams on the Fox River.

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SECTION 1333

1 *~~1891/4.52~~* SECTION 1333. 30.93 (3) (b) of the statutes is amended to read:

2 30.93 (3) (b) *Authority to contract; Wisconsin conservation corps.* The
3 commission may contract with public agencies, public or private organizations,
4 businesses, or individuals to carry out management or operation responsibilities for
5 the Fox River navigational system. The commission may contract with the
6 department of health and family services or any other state agency to carry out
7 management or operation responsibilities for the Fox River navigational system.
8 The commission may act as a Wisconsin conservation corps project sponsor and may
9 enter into agreements with the ~~Wisconsin conservation corps board~~ department of
10 workforce development to carry out management or operation responsibilities for the
11 Fox River navigational system.

12 *~~1335/7.46~~* SECTION 1334. 30.93 (8) of the statutes is amended to read:

13 30.93 (8) APPLICABILITY. This section does not apply after the date on which the
14 ~~governor makes the certification under s. 30.94 (8)~~ state and the Fox River
15 Navigational System Authority enter into the lease agreement specified in s. 237.06.

16 *~~1335/7.47~~* SECTION 1335. 30.94 (title) of the statutes is repealed.

17 *~~1335/7.48~~* SECTION 1336. 30.94 (1) (title), (intro.) and (a) of the statutes are
18 repealed.

19 *~~1335/7.49~~* SECTION 1337. 30.94 (1) (b) of the statutes is renumbered 237.01
20 (4) and amended to read:

21 237.01 (4) "~~Fox River navigational~~ Navigational system" means locks, harbors,
22 real property, structures, and facilities related to navigation that are located on or
23 near the Fox River, including locks, harbors, real property, structures, and facilities
24 that were under the ownership or control of the federal government on April 1, 1984.

SENATE BILL 55**SECTION 1337**

1 “~~Fox River navigational~~ Navigational system” does not include dams on the Fox
2 River.

3 ***-1335/7.50* SECTION 1338.** 30.94 (1) (c) of the statutes is repealed.

4 ***-1335/7.51* SECTION 1339.** 30.94 (2) to (8) of the statutes are repealed.

****NOTE: This reconciles the repeal of s. 30.94 (2) to (8) in LRB-1335 with the amendment of s. 30.94 (5m) (c) in LRB-1891. This SECTION has been affected by drafts with the following LRB numbers: -1335 and -1891.

5 ***-0605/5.10* SECTION 1340.** 31.01 (2m) of the statutes is created to read:

6 31.01 (2m) “Duck Creek Drainage District” has the meaning given in s. 30.01
7 (1nm).

8 ***-0605/5.11* SECTION 1341.** 31.02 (7) of the statutes is amended to read:

9 31.02 (7) The department of natural resources shall confer with the
10 department of agriculture, trade and consumer protection and the drainage
11 commissioners in each drainage district on the formation of policies for the operation
12 and maintenance of the dams; ~~in districts.~~ In a district having no commissioners, the
13 department of natural resources shall confer in like manner with the department of
14 agriculture, trade and consumer protection and with ~~the~~ any committee appointed
15 by the county board, ~~if any,~~ to represent ~~either such~~ the drainage district, ~~or in.~~ In
16 the event that ~~the~~ a drainage district is dissolved, ~~to represent~~ the department of
17 natural resources shall confer with any committee appointed by the county board to
18 represent the interests of the county in all matters whatsoever pertaining to water
19 conservation and control within the area which theretofore constituted ~~such~~ the
20 drainage district. ~~This subsection does not apply to the Duck Creek Drainage~~
21 ~~District.~~

22 ***-0605/5.12* SECTION 1342.** 31.02 (7m) of the statutes is amended to read:

SENATE BILL 55**SECTION 1342**

1 31.02 (7m) The drainage board for the Duck Creek Drainage District shall
2 operate, repair and maintain dams, dikes and other structures in district drains that
3 the board operates in the Duck Creek Drainage District in compliance with ch. 88
4 and any rules promulgated by the department of agriculture, trade and consumer
5 protection under ch. 88. If a county Subsection (7) does not apply to the Duck Creek
6 Drainage District unless the drainage board for the district fails to perform its duties
7 under this subsection, the. If the drainage board fails to perform these duties, the
8 department of natural resources may exercise its authority under subs. (6), (8) and
9 (9) and shall perform its duties under subs. (7) and (8).

10 *–0605/5.13* SECTION 1343. 31.02 (8) of the statutes is amended to read:

11 31.02 (8) The department of natural resources shall give careful consideration
12 to the suggestions of made under sub. (7) by the department of agriculture, trade and
13 consumer protection, the drainage commissioners, or any committee of the county
14 board, but the final decision in all matters under consideration shall rest with the
15 department of natural resources.

16 *–0605/5.14* SECTION 1344. 31.02 (9) of the statutes is amended to read:

17 31.02 (9) So far as seems practicable, the department may designate or employ
18 the drainage commissioners of any drainage district, or the committee of the county
19 board ~~above referred to~~ appointed under sub. (7), to operate the dams in such the
20 district or in the area formerly comprising a drainage district or to perform services
21 in the repair and maintenance of the dams, ~~dykes~~ dikes and other works.

22 *–1541/3.2* SECTION 1345. 31.385 (5) of the statutes is created to read:

23 31.385 (5) Notwithstanding the limitations under sub. (2) (a) and the funding
24 allocation requirements under sub. (2) (ag) and (ar), the department shall provide
25 financial assistance to the village of Cazcnovia in the amount necessary for a dam

SENATE BILL 55**SECTION 1345**

1 safety project to repair a dam that is located in the portion of the village that is in
2 Richland County. The amount of the financial assistance may not exceed \$250,000.
3 The village need not contribute to the repair costs, and sub. (2) (c) does not apply to
4 this dam safety project. The repair of this dam need not be included as a dam safety
5 project under the inventory maintained by the department under sub. (4) for the
6 village to receive financial assistance under this section.

7 ***-1744/3.5* SECTION 1346.** 33.32 (3) (b) of the statutes is amended to read:

8 33.32 (3) (b) If a county or municipality fails to pay a special assessment levied
9 by a district, the clerk of the district may certify this fact to the department of
10 administration, and shall state the amount due. The department, at the time of
11 making the next scheduled distribution under s. 79.03 or 79.065, shall deduct the
12 amount claimed from the payment due the county or municipality, and shall forward
13 it to the district.

14 ***-1859/1.2* SECTION 1347.** 35.81 (1) of the statutes is amended to read:

15 35.81 (1) “Division” means the division for libraries, technology, and
16 community learning in the department of public instruction.

17 ***-1776/4.1* SECTION 1348.** 36.09 (1) (d) of the statutes is amended to read:

18 36.09 (1) (d) The board shall establish policies to guide program activities to
19 ensure that they will be compatible with the missions of the institutions of the
20 system. ~~To this end, the board shall make all reasonable effort to provide night~~
21 ~~courses.~~

22 ***-1634/P6.36* SECTION 1349.** 36.09 (1) (e) of the statutes, as affected by 1999
23 Wisconsin Act 42, section 18, is repealed and recreated to read:

24 36.09 (1) (e) The board shall appoint a president of the system; a chancellor for
25 each institution; a dean for each college campus; the state geologist; the director of

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1 the laboratory of hygiene; the director of the psychiatric institute; the state
2 cartographer, with the advice of the department of administration and the Wisconsin
3 land council; and the requisite number of officers, other than the vice presidents,
4 associate vice presidents and assistant vice presidents of the system; faculty;
5 academic staff and other employees and fix the salaries, subject to the limitations
6 under par. (j) and ss. 20.923 (4g) and 230.12 (3) (e), the duties and the term of office
7 for each. The board shall fix the salaries, subject to the limitations under par. (j) and
8 ss. 20.923 (4g) and 230.12 (3) (e), and the duties for each chancellor, vice president,
9 associate vice president and assistant vice president of the system. No sectarian or
10 partisan tests or any tests based upon race, religion, national origin or sex shall ever
11 be allowed or exercised in the appointment of the employees of the system.

12 ***-1776/4.2* SECTION 1350.** 36.11 (41) of the statutes is created to read:

13 36.11 (41) OFFERING OF COURSE SECTIONS. The board shall ensure that at least
14 15% of all system course sections that are offered for credit and that do not exclude
15 undergraduate students are offered during the evenings and weekends or by
16 electronic means and shall, by October 1, 2003, and annually thereafter, report to the
17 department of administration the number of such course sections offered in the
18 previous academic year and what percentage of all system course sections they
19 constituted.

20 ***-0850/1.1* SECTION 1351.** 36.11 (42) of the statutes is created to read:

21 36.11 (42) REPORT ON PRECOLLEGE PROGRAM. The board shall report annually to
22 the department of public instruction the number of students who both enrolled in a
23 University of Wisconsin System precollege program under s. 115.43 and graduated
24 from a University of Wisconsin System institution.

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****NOTE: This is reconciled s. 36.11 (41). This SECTION has been affected by drafts with the following LRB numbers: LRB-1776 and LRB-0850.

1 ***-0985/8.38* SECTION 1352.** 36.25 (5) (c) of the statutes is created to read:

2 36.25 (5) (c) At the request of the transitional board, as defined in s. 39.81 (7),
3 the board of regents shall, at no charge to the transitional board, provide staff and
4 legal, administrative, and technical assistance for the transitional board to carry out
5 the duties under s. 39.82.

6 ***-0985/8.39* SECTION 1353.** 36.25 (5) (d) of the statutes is created to read:

7 36.25 (5) (d) If the secretary of administration determines that the federal
8 communications commission has approved the transfer of all broadcasting licenses,
9 except licenses for student radio, held by the board of regents to the broadcasting
10 corporation, as defined in s. 39.81 (2), this subsection does not apply on and after the
11 effective date of the last license transferred as determined by the secretary of
12 administration under s. 39.87 (2) (b).

13 ***-0985/8.40* SECTION 1354.** 36.25 (5m) of the statutes is created to read:

14 36.25 (5m) PROVISION OF CERTAIN SERVICE FOR PUBLIC BROADCASTING. (a) In this
15 subsection, “broadcasting corporation” has the meaning given in s. 39.81 (2).

16 (b) If the secretary of administration determines that the federal
17 communications commission has approved the transfer of all broadcasting licenses,
18 except licenses for student radio, held by the board of regents to the broadcasting
19 corporation, on and after the effective date of the last license transferred, as
20 determined by the secretary under s. 39.87 (2), all of the following shall occur:

21 1. The board of regents shall contract with the broadcasting corporation to
22 provide to the broadcasting corporation the services of all of the employees of the
23 board who provided public broadcasting services before the date determined by the

SENATE BILL 55**SECTION 1354**

1 secretary under s. 39.87 (2) (b). The board may not contract under this subdivision
2 for the services of any employee who did not provide public broadcasting services
3 before the date determined by the secretary under s. 39.87 (2) (b). Any contract
4 entered into under this subdivision shall provide that the broadcasting corporation
5 shall have supervision authority over the employees.

6 2. If any employee of the board of regents who provided public broadcasting
7 services before the date determined by the secretary under s. 39.87 (2) (b) terminates
8 employment with the board on or after that date, the board may not fill any position
9 occupied by the employee and may not expend any money that would otherwise have
10 been paid to, or on behalf of, the employee as salary or fringe benefits had the
11 employee not terminated employment with the board.

12 ***-1634/P6.37* SECTION 1355.** 36.25 (12m) (intro.) of the statutes, as affected
13 by 1997 Wisconsin Act 27, is repealed and recreated to read:

14 36.25 (12m) STATE CARTOGRAPHER. (intro.) In coordination and consultation
15 with the department of administration, the state cartographer shall:

16 ***-1669/1.1* SECTION 1356.** 36.25 (13m) of the statutes is amended to read:

17 36.25 (13m) MEDICAL STUDENT TRANSFER PROGRAM. The board shall establish a
18 program in the ~~Center for Health Sciences of the University of Wisconsin-Madison~~
19 ~~involving Wisconsin Medical School to consider~~ the transfer of residents of this state
20 from foreign medical schools after their 2nd year of study ~~or involving a 5th year of~~
21 ~~clerkship following their completion of 4 years of study at a foreign school.~~

22 ***-1857/5.106* SECTION 1357.** 36.25 (38) (b) 6. of the statutes is amended to
23 read:

24 36.25 (38) (b) 6. To pay the department of administration electronic
25 government for telecommunications services provided under s. ~~16.973~~ 22.05 (1).

SENATE BILL 55**SECTION 1358**

1 *~~2330/1.1~~* **SECTION 1358.** 36.27 (1) (a) of the statutes is amended to read:

2 36.27 (1) (a) Subject to pars. ~~(am)~~, (b) and (c), the board may establish for
3 different classes of students differing tuition and fees incidental to enrollment in
4 educational programs or use of facilities in the system. Except as otherwise provided
5 in this section, the board may charge any student who is not exempted by this section
6 a nonresident tuition. The board may establish special rates of tuition and fees for
7 the extension and summer sessions and such other studies or courses of instruction
8 as the board deems advisable.

9 *~~2330/1.2~~* **SECTION 1359.** 36.27 (1) (am) of the statutes is repealed.

10 *~~2263/2.1~~* **SECTION 1360.** 36.27 (3r) of the statutes is created to read:

11 36.27 (3r) FEE REMISSION; OTHER. Beginning in the 2002–03 academic year, the
12 board shall grant full remission of fees to a resident undergraduate student who is
13 enrolled in a bachelor’s degree program and who is designated the annual winner of
14 the Wisconsin state science fair by the Wisconsin Science Education Foundation.
15 The fee remission remains in effect until completion of a sufficient number of credits
16 to be awarded a bachelor’s degree in a science–related field of study, except that a
17 student must be in good academic standing to receive the remission for the next
18 semester and may not receive a remission for more than 5 consecutive years. Upon
19 completion of the student’s bachelor’s degree, the board shall grant the student a fee
20 remission for a science–related graduate program. The graduate fee remission
21 remains in effect for 2 consecutive years, except that a student must be in good
22 academic standing to receive the remission for the next semester.

23 *~~1595/1.1~~* **SECTION 1361.** 36.27 (4) (a) of the statutes is amended to read:

24 36.27 (4) (a) ~~In the 1993–94 to 2000–01 academic years, the~~ The board may
25 annually exempt from nonresident tuition, but not from incidental or other fees, up

SENATE BILL 55**SECTION 1361**

1 to 200 students enrolled at the University of Wisconsin–Parkside as juniors or
2 seniors in programs identified by that institution as having surplus capacity and up
3 to 150 students enrolled at the University of Wisconsin–Superior in programs
4 identified by that institution as having surplus capacity.

5 ***-1668/1.1* SECTION 1362.** 36.28 of the statutes is repealed.

6 ***-2096/1.1* SECTION 1363.** 36.46 (1) (a) of the statutes is amended to read:

7 36.46 (1) (a) The board may not accumulate any auxiliary reserve funds from
8 student fees for any institution in an amount that exceeds an amount equal to 15%
9 of the previous fiscal year's total revenues from student segregated fees and
10 auxiliary operations funded from student fees for that institution unless the reserve
11 funds are approved by the secretary of administration and the joint committee on
12 finance under this subsection. A request by the board for such approval for any fiscal
13 year shall be filed by the board with the secretary of administration and the
14 cochairpersons of the joint committee on finance no later than ~~September~~ October 15
15 of that fiscal year. The request shall include a plan specifying the amount of reserve
16 funds the board wishes to accumulate and the purposes to which the reserve funds
17 would be applied, if approved. Within 14 working days of receipt of the request, the
18 secretary of administration shall notify the cochairpersons of the joint committee on
19 finance in writing of whether the secretary proposes to approve the reserve fund
20 accumulation.

21 ***-1847/3.1* SECTION 1364.** 38.04 (4) (ag) of the statutes is renumbered 38.04
22 (4) (ag) 1.

23 ***-1847/3.2* SECTION 1365.** 38.04 (4) (ag) 2. of the statutes is created to read:

SENATE BILL 55**SECTION 1365**

1 38.04 (4) (ag) 2. A district board may employ an instructor who is not certified
2 by the board if the instructor holds a valid industry certification recognized by the
3 board.

4 ***-1847/3.3*** **SECTION 1366.** 38.04 (4) (am) of the statutes is repealed.

5 ***-1846/1.2*** **SECTION 1367.** 38.04 (9) of the statutes is amended to read:

6 38.04 (9) **TRAINING PROGRAMS FOR FIRE FIGHTERS.** In order to promote safety to
7 life and property, the board may establish and supervise training programs in fire
8 prevention and protection and emergency extrication. The training programs shall
9 be available to members of volunteer and paid fire departments maintained by public
10 and private agencies, including industrial plants. No training program required for
11 participation in structural fire fighting that is offered to members of volunteer and
12 paid fire departments maintained by public agencies may require more than 60
13 hours of training.

14 ***-0850/1.2*** **SECTION 1368.** 38.04 (28) of the statutes is created to read:

15 38.04 (28) **REPORT ON PRECOLLEGE PROGRAM.** The board shall report annually
16 to the department of public instruction the number of students who both enrolled in
17 a technical college precollege program under s. 115.43 and graduated from a
18 technical college.

19 ***-1694/11.9*** **SECTION 1369.** 38.04 (30) of the statutes is created to read:

20 38.04 (30) **INTERNET COURSES.** The board shall do all of the following:

21 (a) Promulgate rules that allow a student enrolled in one district to take a
22 course offered by another district over the Internet without paying additional fees
23 to the district board offering the course.

24 (b) Establish an Internet site that provides information on all courses offered
25 over the Internet by all district boards.

SENATE BILL 55**SECTION 1369**

1 (c) Assist district boards to develop Internet courses.

2 ***-1847/3.4* SECTION 1370.** 38.12 (12) of the statutes is created to read:

3 38.12 (12) REQUIRED PROGRAMS AND COURSES. The district board shall offer any
4 program or course of study that the board directs the district board to offer and shall
5 eliminate any program or course of study that the board directs the district board to
6 eliminate.

7 ***-0985/8.41* SECTION 1371.** 38.125 of the statutes is amended to read:

8 **38.125 Public broadcasting stations.** If the district board governing the
9 Milwaukee area technical college determines to relinquish its public broadcasting
10 licenses, it shall, subject to the approval of the federal communications commission,
11 offer to assign the licenses to the educational communications board, ~~subject to~~
12 ~~approval of the federal communications commission~~ or, if all broadcasting licenses
13 held by the educational board have been transferred to the broadcasting corporation
14 as defined in s. 39.81 (2), to the corporation.

15 ***-1847/3.5* SECTION 1372.** 38.15 (3) (c) 3. of the statutes is amended to read:

16 38.15 (3) (c) 3. The capital expenditure is made before ~~January 1, 2002~~ July 1,
17 2003.

18 ***-1847/3.6* SECTION 1373.** 38.27 (1) (i) of the statutes is created to read:

19 38.27 (1) (i) Statewide marketing and promotion of the technical college
20 system.

21 ***-1847/3.7* SECTION 1374.** 38.27 (2) (b) of the statutes is amended to read:

22 38.27 (2) (b) The board shall review the applications submitted under par. (a)
23 according to procedures and criteria established by the board. The board may not
24 award a grant to a district board unless the board has reviewed and approved the
25 district board's budget. Prior to awarding a grant for the purpose of sub. (1) (e), the

SENATE BILL 55**SECTION 1374**

1 board shall consider the principle of comparable budgetary support for similar
2 programs and ensure that the program being considered for a grant is efficient and
3 cost-effective. The board shall notify the applicant whether its application has been
4 approved and, if approved, of the amount and the conditions of the grant to be
5 awarded.

6 ***-1728/1.3* SECTION 1375.** 38.28 (1m) (a) 1. of the statutes is amended to read:

7 38.28 (1m) (a) 1. “District aidable cost” means the annual cost of operating a
8 technical college district, including debt service charges for district bonds and
9 promissory notes for building programs or capital equipment, but excluding all
10 expenditures relating to auxiliary enterprises and community service programs, all
11 expenditures funded by or reimbursed with federal revenues, all receipts under sub.
12 (6) and ss. 38.12 (9), 38.14 (3) and (9), 118.15 (2) (a), 118.55 (7r) and 146.55 (5), all
13 receipts from grants awarded under ss. ~~16.004 (14)~~, 38.04 (8), ~~(19)~~, and (20), 38.14
14 (11), 38.26, 38.27, 38.305, 38.31, 38.33 and 38.38, all fees collected under s. 38.24, and
15 driver education and chauffeur training aids.

16 ***-0985/8.42* SECTION 1376.** 39.10 of the statutes is created to read:

17 **39.10 Definitions.** In this subchapter:

18 (1) “Broadcasting corporation” has the meaning given in s. 39.81 (2).

19 (2) “Fund-raising corporation” means the corporation organized under s. 39.12

20 (1).

21 (3) “Transitional board” has the meaning given in s. 39.81 (7).

22 ***-0985/8.43* SECTION 1377.** 39.11 (22) of the statutes is created to read:

23 39.11 (22) Provide staff and legal, administrative, and technical assistance for
24 the transitional board to carry out the duties under s. 39.82 at no charge to the
25 transitional board.

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SECTION 1378

1 *~~0985/8.44~~* SECTION 1378. 39.12 of the statutes is amended to read:

2 **39.12 Nonstock Fund-raising corporation.** (1) The educational
3 communications board may organize and maintain a nonstock, nonprofit corporation
4 under ch. 181 for the exclusive purpose of raising funds for the educational
5 communications board to support the activities of the educational communications
6 board. Any funds raised by the fund-raising corporation shall be expended to carry
7 out the purposes for which received.

8 (2) The educational communications board shall enter into a contract with the
9 fund-raising corporation ~~under sub. (1)~~. The contract shall provide that the
10 educational communications board may make use of the services of the fund-raising
11 corporation and that the educational communications board may provide
12 administrative services to the fund-raising corporation. The type and scope of any
13 administrative services provided by the educational communications board to the
14 fund-raising corporation and the educational communications board employees
15 assigned to perform the services shall be determined by the educational
16 communications board. The fund-raising corporation may neither employ staff nor
17 engage in political activities.

18 (2m) The fund-raising corporation ~~under sub. (1)~~ shall donate any real
19 property to the state within 5 years after acquiring the property unless holding the
20 property for more than 5 years is consistent with sound business and financial
21 practices and is approved by the joint committee on finance.

22 (3) The educational communications board, the department of administration,
23 the legislative fiscal bureau, the legislative audit bureau, and the appropriate
24 committee of each house of the legislature, as determined by the presiding officer,
25 may examine all records of the fund-raising corporation.

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1 (4) The board of directors of ~~any~~ the fund-raising corporation established
2 ~~under this section~~ shall consist of 5 members, including the executive director of the
3 educational communications board and 4 members of the educational
4 communications board, elected by the educational communications board, of which
5 one shall be a legislator. No 2 members of the board of directors may be from the same
6 category of educational communications board members under s. 15.57 (1) ~~(a)~~ to ~~(7)~~
7 (h).

8 (5) ~~Any~~ The fund-raising corporation established ~~under this section~~ shall be
9 organized so that contributions to it will be deductible from adjusted gross income
10 under section 170 of the ~~internal revenue code~~ Internal Revenue Code and so that
11 the fund-raising corporation will be exempt from taxation under section 501 of the
12 ~~internal revenue code~~ Internal Revenue Code and ss. 71.26 (1) (a) and 71.45 (1).

13 ***-0985/8.45*** SECTION 1379. 39.145 of the statutes is created to read:

14 **39.145 Applicability.** If the secretary of administration determines that the
15 federal communications commission has approved the transfer of all broadcasting
16 licenses held by the educational communications board to the broadcasting
17 corporation as defined in s. 39.81 (2), this subchapter does not apply on and after the
18 effective date of the last license transferred as determined by the secretary under s.
19 39.87 (2) (a).

20 ***-1472/1.2*** SECTION 1380. 39.16 of the statutes is repealed.

21 ***-1954/1.2*** SECTION 1381. 39.41 (title) of the statutes is repealed and
22 recreated to read:

23 **39.41 (title) Governor Thompson scholarship program.**

24 ***-1954/1.3*** SECTION 1382. 39.41 (9) of the statutes is created to read:

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1 39.41 (9) In any printed material or other information disseminated or
2 otherwise distributed by the board, the scholarship program under this section shall
3 be referred to as the Governor Thompson scholarship program, and scholars shall be
4 referred to as Governor Thompson scholars.

5 *~~1950/1.1~~* **SECTION 1383.** 39.44 (5) of the statutes is created to read:

6 39.44 (5) By November 1, 2001, and annually thereafter, the board shall report
7 to the department of administration on the effectiveness of the program under this
8 section.

9 *~~0850/1.3~~* **SECTION 1384.** 39.49 of the statutes is created to read:

10 **39.49 Precollege programs; report.** Each private educational institution
11 located in this state that awards a bachelor's or higher degree or provides a program
12 that is acceptable for credit toward such a degree shall report annually to the
13 department of public instruction the number of students who both enrolled in the
14 institution's precollege program under s. 115.43 and graduated from the institution.

15 *~~1552/5.61~~* **SECTION 1385.** 39.76 (1) of the statutes is amended to read:

16 39.76 (1) **STATE REPRESENTATION ON THE EDUCATION COMMISSION OF THE STATES.**
17 There is created a 7-member delegation to represent the state of Wisconsin on the
18 education commission of the states. The delegation shall consist of the governor, the
19 state superintendent of public instruction, one senator and one representative to the
20 assembly selected as are the members of standing committees in their respective
21 houses, and 3 members appointed by the governor in compliance with s. 39.75 (3) (a)
22 who shall serve at the pleasure of the governor. The chairperson of the delegation
23 shall be designated by the governor from among its members. Members of the
24 delegation shall serve without compensation but shall be reimbursed for actual and
25 necessary expenses incurred in the performance of their duties from the

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1 appropriation in s. 20.505 ~~(3)(a)~~ (4)(ba). Annual commission membership dues shall
2 be paid from the appropriation in s. 20.505 ~~(3)(a)~~ (4)(ba).

3 ***-0985/8.46* SECTION 1386.** Subchapter V of chapter 39 [precedes 39.81] of the
4 statutes is created to read:

CHAPTER 39**SUBCHAPTER V****PUBLIC BROADCASTING**

8 **39.81 Definitions.** In this subchapter:

9 (1) “Association” means the Wisconsin Public Radio Association.

10 (2) “Broadcasting corporation” means the corporation specified in s. 39.82 (1).

11 (3) “Corporate board” means the board of directors of the broadcasting
12 corporation.

13 (4) “Foundation” means the Wisconsin Public Broadcasting Foundation.

14 (5) “Friends group” means a nonstock, nonprofit corporation described under
15 section 501 (c) (3) or (4) of the Internal Revenue Code and exempt from taxation
16 under section 501 (a) of the Internal Revenue Code that is organized to raise funds
17 for a public broadcasting television station in this state.

18 (6) “Secretary” means the secretary of administration.

19 (7) “Transitional board” means the public broadcasting transitional board.

20 **39.82 Transitional board duties.** The transitional board shall do all of the
21 following:

22 (1) Draft and file articles of incorporation for a nonstock corporation under ch.
23 181 and take all actions necessary to exempt the corporation from federal taxation
24 under section 501 (c) (3) of the Internal Revenue Code.

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1 (2) Provide in the articles of incorporation filed under sub. (1) that the initial
2 directors of the corporate board are the members of the transitional board.

3 (3) Draft bylaws for adoption by the corporate board under s. 181.0206 (2).

4 (4) Prepare an application for submission by the corporate board to the federal
5 communications commission to transfer all broadcasting licenses held by the
6 educational communications board and the board of regents of the University of
7 Wisconsin System, except licenses held by the board of regents for student radio, to
8 the broadcasting corporation.

9 (5) Negotiate an agreement with the association for the transfer to the
10 broadcasting corporation of funds raised by the association.

11 (6) Negotiate an agreement with each friends group in this state for the
12 transfer to the broadcasting corporation of funds raised by the friends group.

13 **39.83 Duties of broadcasting corporation.** The broadcasting corporation
14 shall do each of the following as a condition for receiving state aid under s. 20.218
15 (1):

16 (1) Maintain a state system of radio broadcasting for presenting educational,
17 informational, and public service programs; formulate policies regulating the
18 operation of that state system; and coordinate the public radio activities of the
19 various educational and informational agencies, civic groups, and citizens that
20 contribute to the public interest and welfare.

21 (2) Maintain educational television channels reserved for this state and take
22 such action as is necessary to preserve such channels in this state for educational
23 use.

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1 (3) Maintain a comprehensive state plan for the orderly operation of a
2 statewide television system for presenting noncommercial instructional programs
3 that will best serve the interests of the state.

4 (4) Work with the educational agencies and institutions of the state as
5 reviewer, adviser, and coordinator of their joint efforts to meet the educational needs
6 of the state through radio and television.

7 (5) Furnish leadership in securing adequate funding for statewide joint use of
8 radio and television for educational and cultural purposes, including funding for
9 media programming for broadcast over the state networks.

10 (6) Lease, purchase, or construct radio and television facilities for joint use
11 with state and local agencies, including facilities such as broadcast network and
12 production facilities, network interconnection or relay equipment, mobile units, and
13 other equipment available for statewide use.

14 (7) Maintain radio and television transmission equipment in order to provide
15 broadcast service to all areas of this state.

16 (8) Establish and maintain a continuing evaluation of the effectiveness of the
17 joint efforts of all participating educational institutions in terms of jointly
18 established goals in the area of educational radio and television.

19 (9) Act as an information source for educational radio and television activities
20 in this state and provide such information to legislators, government offices,
21 educational institutions, and the general public.

22 (10) Provide educational programming for elementary and secondary schools
23 in this state and transmit public radio and television to remote and underserved
24 areas of the state.

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1 (11) Enter into a contract with board of regents of the University of Wisconsin
2 System under s. 36.25 (5m) (b).

3 (12) Make the most effective use of its digital broadcasting spectrum.

4 **39.84 State aid. (1)** The broadcasting corporation may receive state aid under
5 s. 20.218 (1) if all of the following are satisfied:

6 (a) The articles of incorporation state that the purpose of the broadcasting
7 corporation is to provide public broadcasting to this state and that, if the
8 broadcasting corporation dissolves or discontinues public broadcasting in this state,
9 the broadcasting corporation shall, in good faith, take all reasonable measures to
10 transfer or assign the broadcasting corporation's assets, licenses, and rights to an
11 entity whose purpose is to advance public broadcasting in this state.

12 (b) The broadcasting corporation initially adopts the bylaws drafted by the
13 transitional board under s. 39.82 (3).

14 (c) The broadcasting corporation permits public inspection and copying of any
15 record of the corporation, as defined in s. 19.32 (1), to the same extent as required
16 of, and subject to the same terms and enforcement provisions that apply to, an
17 authority under subch. II of ch. 19.

18 (d) The broadcasting corporation provides public access to its meetings to the
19 same extent as is required of, and subject to the same terms and enforcement
20 provisions that apply to, a governmental body under subch. V of ch. 19.

21 (e) The broadcasting corporation provides the secretary of administration, the
22 legislative audit bureau, and the legislative fiscal bureau access to all of the
23 broadcasting corporation's records, as defined in s. 19.32 (2), except records
24 identifying the names of private donors.

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1 (f) 1. If the broadcast licenses of the educational communications board are
2 transferred to the broadcasting corporation, the broadcasting corporation carries out
3 any obligation of the educational communications board under any contract entered
4 into by the educational communications board that relates to the provision of public
5 broadcasting in this state until the contract is modified or rescinded by the
6 broadcasting corporation to the extent allowed under the contract and the
7 broadcasting corporation pays any outstanding state debt related to the state office
8 building as defined under s. 39.86 (1).

9 2. If the broadcast licenses of the board of regents of the University of Wisconsin
10 System, other than licenses for student radio, are transferred to the broadcasting
11 corporation, the broadcasting corporation carries out any obligation of the board of
12 regents of the University of Wisconsin System under any contract entered into by the
13 board of regents of the University of Wisconsin System that relates to the provision
14 of public broadcasting in this state until the contract is modified or rescinded by the
15 broadcasting corporation to the extent allowed under the contract.

16 (2) The secretary of administration shall pay aid under s. 20.218 (1) to the
17 broadcasting corporation in instalments, as determined by the secretary.

18 **39.86 Transfer provisions.** (1) In this section, “state office building” means
19 the state office building located at 3319 West Beltline Highway in Dane County.

20 (2) (a) If the secretary of administration determines that the federal
21 communications commission has approved the transfer of all broadcasting licenses
22 held by the educational communications board to the broadcasting corporation, each
23 of the following applies:

24 1. Any asset of the state, other than the state office building and the assets
25 specified in subd. 3., that is used by the educational communications board and that,

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1 as determined by the secretary of administration, is not a shared asset, as defined
2 in s. 16.26 (1) (b), is transferred to the broadcasting corporation. A transfer under
3 this subdivision takes effect on on the effective date of the last license transferred,
4 as determined by the secretary of administration under s. 39.87 (2) (a).

5 2. The secretary of administration shall transfer title to the state office building
6 from the state to the broadcasting corporation if the broadcasting corporation pays
7 \$476,228 to the foundation or the foundation waives such payment.

8 3. The assets of the state that, as determined by the secretary of
9 administration, are used by the educational communications board for the operation
10 of an emergency weather warning system are transferred to the department of
11 administration.

12 (b) Any asset transferred under par. (a) 1. or 2. shall revert to the state if the
13 asset is not used for the purpose of providing public broadcasting.

14 **(2m)** (a) If the secretary of administration determines that the federal
15 communications commission has approved the transfer of all broadcasting licenses,
16 except licenses for student radio, held by the board of regents of the University of
17 Wisconsin System to the broadcasting corporation, any asset of the state, other than
18 the state office building and the assets specified in sub. (2) (a) 3., that is used by the
19 board of regents of the University of Wisconsin System and that, as determined by
20 the secretary of administration, is not a shared asset, as defined in s. 16.26 (1) (b),
21 is transferred to the broadcasting corporation. A transfer under this paragraph shall
22 take effect on on the effective date of the last license transferred as determined by
23 the secretary of administration under s. 39.87 (2) (b).

24 (b) Any asset transferred under par. (a) 1. or 2. shall revert to the state if the
25 asset is not used for the purpose of providing public broadcasting.

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1 (3) If the secretary of administration determines that the federal
2 communications commission has approved the transfer of all broadcasting licenses
3 held by the educational communications board to the broadcasting corporation, each
4 of the following applies on the effective date of the last license transferred as
5 determined by the secretary of administration under s. 39.87 (2) (a):

6 (a) To the appropriation account under s. 20.218 (1), there is transferred the
7 unencumbered balance of the appropriation accounts under s. 20.225 (1) (a), (b), (d),
8 (eg), (er), and (f), except for the unencumbered balance of the appropriation accounts
9 that are otherwise transferred under sub. (4).

10 (b) To the appropriation account under s. 20.505 (9) (a), there is transferred the
11 unencumbered balance of the appropriation account under s. 20.225 (1) (kb) and the
12 amounts in the schedule for the appropriation account under s. 20.505 (9) (a) are
13 increased by the amount transferred from the appropriation account under s. 20.225
14 (1) (kb).

15 (c) To the appropriation account under s. 20.505 (9) (k), there is transferred the
16 unencumbered balance of the appropriation accounts under s. 20.225 (1) (g), (h), (k),
17 and (m), and, to the extent allowed under federal law, the secretary of administration
18 shall pay the broadcasting corporation a grant equal to the amount of the
19 unencumbered balance of the appropriation account under s. 20.505 (9) (k).

20 (4) If the secretary of administration determines that the federal
21 communications commission has approved the transfer of all broadcasting licenses
22 held by the educational communications board to the broadcasting corporation, all
23 positions authorized for the educational communications board and the incumbent
24 employees holding the positions are transferred to the department of
25 administration. Employees transferred under this subsection have all rights and the

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1 same status under subch. V of ch. 111 and ch. 230 that they enjoyed in the educational
2 communications board. Notwithstanding s. 230.28 (4), no employee so transferred
3 who has attained permanent status in class may be required to serve a probationary
4 period.

5 (5) All employees transferred to the department of administration under sub.
6 (4) shall provide broadcasting services to the broadcasting corporation under a
7 contract between the department of administration and the broadcasting
8 corporation for such services. The contract shall provide that the employees who are
9 providing services are supervised solely by the broadcasting corporation.

10 **39.87 License transfer determination.** The secretary shall determine each
11 of the following:

12 (1) Whether the federal communications commission has approved the
13 transfer of all broadcasting licenses held by the educational communications board
14 and the board of regents of the University of Wisconsin System, except licenses held
15 by the board of regents for student radio, to the broadcasting corporation.

16 (2) (a) If the secretary determines that the federal communications commission
17 has approved the transfer of all the broadcasting licenses held by the educational
18 communications board to the broadcasting corporation, the effective date of the
19 transfer of the last license transferred to the broadcasting corporation.

20 (b) If the secretary determines that the federal communications commission
21 has approved the transfer of all the broadcasting licenses, except licenses for student
22 radio, held by the board of regents of the University of Wisconsin System to the
23 broadcasting corporation, the effective date of the transfer of the last license
24 transferred to the broadcasting corporation.

SENATE BILL 55**SECTION 1387**

1 ***-1891/4.53*** **SECTION 1387.** 40.02 (25) (b) 2m. of the statutes is amended to
2 read:

3 40.02 **(25)** (b) 2m. A person employed by the department of workforce
4 development as a Wisconsin conservation corps crew leader or regional crew leader
5 employed by the Wisconsin conservation corps board for whom the Wisconsin
6 conservation corps board under s. 106.215 (10) (fm) for whom that department has
7 authorized group health care coverage under s. 106.215 (10) (fm).

8 ***-0522/2.1*** **SECTION 1388.** 40.02 (26g) of the statutes is renumbered 40.02
9 (26g) (intro.) and amended to read:

10 40.02 **(26g)** (intro.) “Employee-funded reimbursement account plan” means
11 a- any of the following:

12 (a) A plan in accordance with section 125 of the ~~internal revenue code~~ Internal
13 Revenue Code under which an employee may direct an employer to place part of the
14 employee’s gross compensation in an account to pay for certain future expenses of the
15 employee under section 125 of the ~~internal revenue code~~ Internal Revenue Code.

16 ***-0522/2.2*** **SECTION 1389.** 40.02 (26g) (b) of the statutes is created to read:

17 40.02 **(26g)** (b) A plan in accordance with section 132 of the Internal Revenue
18 Code under which an employee may direct an employer to place part of the
19 employee’s gross compensation in an account to pay for certain future expenses of the
20 employee under section 132 of the Internal Revenue Code.

21 ***-1462/3.3*** **SECTION 1390.** 40.02 (54) (g) of the statutes is repealed.

22 ***-1335/7.52*** **SECTION 1391.** 40.02 (54) (i) of the statutes is created to read:

23 40.02 **(54)** (i) The Fox River Navigational System Authority.

24 ***-0169/3.1*** **SECTION 1392.** 40.03 (2) (v) of the statutes is created to read:

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1 40.03 (2) (v) May settle any dispute in an appeal of a determination made by
2 the department that is subject to review under sub. (1) (j), (6) (i), (7) (f), or (8) (f), or
3 s. 40.80 (2g), but only with the approval of the board having the authority to accept
4 the appeal. In deciding whether to settle such a dispute, the secretary shall consider
5 the cost of litigation, the likelihood of success on the merits, the cost of delay in
6 resolving the dispute, the actuarial impact on the trust fund, and any other relevant
7 factor the secretary considers appropriate. Any moneys paid by the department to
8 settle a dispute under this paragraph shall be paid from the appropriation account
9 under s. 20.515 (1) (r).

10 ***-0169/3.2*** **SECTION 1393.** 40.03 (2) (w) of the statutes is created to read:

11 40.03 (2) (w) If the secretary determines that an otherwise eligible participant
12 has unintentionally forfeited or otherwise involuntarily ceased to be eligible for any
13 benefit provided under this chapter principally because of an error in administration
14 by the department, may order the correction of the error to prevent inequity. A
15 decision under this paragraph is not subject to review. The secretary shall submit
16 a quarterly report to the employee trust funds board on decisions made under this
17 paragraph.

18 ***-1941/2.1*** **SECTION 1394.** 40.03 (6) (c) of the statutes is amended to read:

19 40.03 (6) (c) ~~Shall~~ Except as provided in par. (cm), shall not enter into any
20 agreements to modify or expand group insurance coverage in a manner which
21 conflicts with this chapter or rules of the department or materially affects the level
22 of premiums required to be paid by the state or its employees, or the level of benefits
23 to be provided, under any group insurance coverage. This restriction shall not be
24 construed to prevent modifications required by law, prohibit the group insurance
25 board from providing optional insurance coverages as alternatives to the standard

SENATE BILL 55**SECTION 1394**

1 insurance coverage when any excess of required premium over the premium for the
2 standard coverage is paid by the employee or prohibit the group insurance board
3 from providing other plans as authorized under par. (b).

4 ***-1941/2.2* SECTION 1395.** 40.03 (6) (cm) of the statutes is created to read:

5 40.03 (6) (cm) May enter into an agreement to modify or expand group
6 insurance coverage in a manner that materially affects the level of premiums
7 required to be paid by the state or its employees, or the level of benefits to be provided,
8 under any group insurance coverage, if the modification or expansion would reduce
9 the cost incurred by the state in providing group health insurance to state employees.

10 ***-0522/2.3* SECTION 1396.** 40.04 (9m) (a) of the statutes is amended to read:

11 40.04 (9m) (a) Maintain a separate account in the fund for ~~the~~ each
12 employee-funded reimbursement account plan authorized under subch. VIII.

13 ***-0522/2.4* SECTION 1397.** 40.04 (9m) (b) of the statutes is amended to read:

14 40.04 (9m) (b) Credit to the ~~account~~ appropriate accounts established under
15 par. (a) money received from employees in connection with ~~the~~ each
16 employee-funded reimbursement account plan and income from investment of the
17 reserves in the account.

18 ***-0522/2.5* SECTION 1398.** 40.04 (9m) (c) of the statutes is amended to read:

19 40.04 (9m) (c) Charge to the ~~account~~ appropriate accounts established under
20 par. (a) payments made to reimburse employee-funded reimbursement account plan
21 providers for payments made to employees under ~~the~~ each employee-funded
22 reimbursement account plan under subch. VIII.

23 ***-0522/2.6* SECTION 1399.** 40.85 (2) (g) of the statutes is amended to read:

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1 40.85 (2) (g) Deposit into the ~~account~~ appropriate accounts established under
2 s. 40.04 (9m) (a) that part of an employee's gross compensation that the employec
3 wants placed in an each employee-funded reimbursement account.

4 *~~-0522/2.7~~* **SECTION 1400.** 40.86 (4) of the statutes is created to read:

5 40.86 (4) Transportation expenses authorized under section 132 of the Internal
6 Revenue Code.

7 *~~-0782/P1.1~~* **SECTION 1401.** 41.19 (1) (b) of the statutes is created to read:

8 41.19 (1) (b) "Nonprofit organization" has the meaning given in s. 108.02 (19).

9 *~~-0782/P1.2~~* **SECTION 1402.** 41.19 (2m) (c) (intro.) of the statutes is amended
10 to read:

11 41.19 (2m) (c) (intro.) Subject to par. (d), from the appropriation under s. 20.380
12 (1) (bm), the department shall, in the fiscal biennium in which an area is selected
13 under par. (a), award a grant to the applicant on behalf of ~~an~~ the area of ~~the~~ state
14 selected ~~under par. (a)~~ if all of the following apply:

15 *~~-0782/P1.3~~* **SECTION 1403.** 41.19 (2m) (d) of the statutes is amended to read:

16 41.19 (2m) (d) The department may not, under par. (c), award to an applicant
17 on behalf of an area selected under par. (a) more than one grant per fiscal year ~~to an~~
18 ~~applicant on behalf of an area under par. (c) and may not or~~ award grants to the
19 applicant for more than 2 fiscal years. Grants awarded to an applicant under par.
20 (c) may not exceed \$25,000 in the first fiscal year, or \$15,000 in the 2nd fiscal year,
21 in which the applicant receives a grant under par. (c).

22 *~~-0782/P1.4~~* **SECTION 1404.** 41.19 (2r) of the statutes is created to read:

23 41.19 (2r) From the appropriation under s. 20.380 (1) (bm), the department
24 may award to a nonprofit organization that is located in an area of the state that was
25 selected under sub. (2m) (a) grants of up to \$5,000 in any fiscal year after the fiscal

SENATE BILL 55**SECTION 1404**

1 biennium in which the area was selected under sub. (2m) (a). Grant proceeds must
2 be used to promote historic and prehistoric attractions in the area, and may be used
3 for such purposes as interpretive or directional signs, website development,
4 advertising, and public relations. The department may award grants under this
5 subsection to a nonprofit organization that received grants under sub. (2m) (c) as an
6 applicant on behalf of an area of the state selected under sub. (2m) (a).

7 ***-0695/2.1* SECTION 1405.** 42.035 of the statutes is amended to read:

8 **42.035 Treatment of certain state fair park board employees.**

9 Notwithstanding s. 230.08 (2) (pm), those employees holding positions in the
10 classified service at the state fair park board on October 29, 1999, who have achieved
11 permanent status in class before that date, shall retain, while serving in the
12 unclassified service at the state fair park board, those protections afforded
13 employees in the classified service under ss. 230.34 (1) (a) and 230.44 (1) (c) relating
14 to demotion, suspension, discharge, layoff or reduction in base pay. Such employcees
15 shall also be eligible for transfer under s. 230.29 and shall have reinstatement
16 privileges to the classified service under s. 230.33 (1m). Those employees of the state
17 fair park board on October 29, 1999, who have not achieved permanent status in class
18 in any position at the state fair park board on that date are eligible to receive the
19 protections, privileges and rights preserved under this section if they successfully
20 complete service equivalent to the probationary period required in the classified
21 service for the position that they hold on that date.

22 ***-1859/1.3* SECTION 1406.** 43.01 (2) of the statutes is amended to read:

23 43.01 (2) “Division” means the division for libraries, technology, and
24 community learning in the department.

25 ***-1860/1.12* SECTION 1407.** 43.17 (9) (b) of the statutes is amended to read:

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1 43.17 (9) (b) A public library system board of a multicounty library system may
2 borrow money to accomplish any of its purposes, but the outstanding amount of such
3 loans at any time may not exceed an amount equal to the system board's receipts for
4 the prior fiscal year. A federated public library system whose territory lies within
5 2 or more counties may obtain a state trust fund loan to accomplish any of its
6 purposes, but the outstanding amount of a federated public library system's state
7 trust fund loans, together with all other indebtedness of the system, may not exceed
8 an amount equal to the system's receipts for the prior fiscal year.

9 *~~1723/2.1~~* **SECTION 1408.** 43.70 (2) of the statutes is amended to read:

10 43.70 (2) ~~Annually, within 40 days after December 1 by January 10,~~ the state
11 superintendent shall apportion the amount that is estimated to be appropriated
12 under s. 20.255 (2) (s) in the current school year to the school districts in proportion
13 to the number of persons resident therein, as shown by the report certified under sub.
14 (1).

15 *~~1723/2.2~~* **SECTION 1409.** 43.70 (3) of the statutes is amended to read:

16 43.70 (3) Immediately upon making such apportionment, the state
17 superintendent shall certify to the department of administration the ~~total~~ estimated
18 amount that each school district is entitled to receive under this section and shall
19 notify each school district administrator of the estimated amount so certified for his
20 or her school district. ~~Within 15 days after receiving such certification, the~~ The
21 department of administration shall issue its warrants upon which the state
22 treasurer shall ~~pay to each school district 50% of its total aid entitlement on or before~~
23 ~~January 31 and the balance on or before June 30, except that, beginning in the~~
24 ~~1999-2000 school year, the state treasurer shall~~ distribute each school district's aid
25 entitlement in one payment on or before June 30 May 1. The amount paid to each

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1 school district shall be based upon the amount in the appropriation account under
2 s. 20.255 (2) (s) on April 15. All moneys distributed under this section shall be
3 expended for the purchase of library books and other instructional materials for
4 school libraries, but not for public library facilities operated by school districts under
5 s. 43.52, in accordance with rules promulgated by the state superintendent.
6 Appropriate records of such purchases shall be kept and necessary reports thereon
7 shall be made to the state superintendent.

8 ***-1464/2.61* SECTION 1410.** 44.02 (28) of the statutes is repealed.

9 ***-1464/2.62* SECTION 1411.** 44.025 (1) (intro.) of the statutes is amended to
10 read:

11 44.025 (1) (intro.) The historical society may use funds from the appropriation
12 under s. 20.245 (4) (1) (t) only for the following purposes:

13 ***-1464/2.63* SECTION 1412.** 44.025 (2) (b) of the statutes is amended to read:

14 44.025 (2) (b) The historical society shall transfer moneys from the
15 appropriation account under s. 20.245 (4) (1) (s) to the historical society endowment
16 fund to match moneys deposited into the historical society endowment fund under
17 par. (a) and to match moneys committed or pledged for the purposes specified in sub.
18 (1).

19 ***-1464/2.64* SECTION 1413.** 44.15 (4) of the statutes is amended to read:

20 44.15 (4) STATE-FUNDED MARKERS. The historical society may identify and
21 authorize construction of individual markers or plaques, or any series of markers or
22 plaques, to be funded from the appropriation under s. 20.245 (3) (d) (1) (a). No
23 matching funds are required for a marker or plaque that is constructed under this
24 subsection. Funds under this subsection may be used for the purchase of plaques to

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1 be installed on historical properties and for the construction of markers or plaques
2 in other states or countries.

3 ***-1464/2.65* SECTION 1414.** 44.34 (13) of the statutes is repealed.

4 ***-0684/2.4* SECTION 1415.** 44.70 (1d) of the statutes is created to read:

5 44.70 (1d) “Charter school sponsor” means an entity described under s. 118.40
6 (2r) (b) that is sponsoring a charter school.

****NOTE: This revision to SECTION 1415 of this bill will carry out your intent only
if LRB-0957/2 is included in the compiled bill.

7 ***-0684/2.5* SECTION 1416.** 44.70 (2g) of the statutes is amended to read:

8 44.70 (2g) “Educational agency” means a school district, charter school
9 sponsor, secured correctional facility, private school, cooperative educational service
10 agency, technical college district, private college, public library system, public library
11 board, the Wisconsin Center for the Blind and Visually Impaired or the Wisconsin
12 School for the Deaf.

****NOTE: This is reconciled s. 44.70 (2g). This SECTION has been affected by drafts
with the following LRB #: LRB-0445.

13 ***-0705/3.6* SECTION 1417.** 44.70 (3d) of the statutes is created to read:

14 44.70 (3d) “Political subdivision” means any city, village, town, or county.

15 ***-0445/3.3* SECTION 1418.** 44.70 (3r) of the statutes is created to read:

16 44.70 (3r) “Secured correctional facility” means the Southern Oaks Girls
17 School, the Ethan Allen School, and the Lincoln Hills School.

****NOTE: This is reconciled s. 44.70 (3r). This SECTION has been affected by drafts
with the following LRB numbers: LRB-2174.

18 ***-1857/5.107* SECTION 1419.** 44.70 (4) of the statutes is amended to read:

19 44.70 (4) “Telecommunications” has the meaning given in s. ~~16.99~~(1) 22.01

20 (10).

SENATE BILL 55**SECTION 1420**

1 *~~1694/11.10~~* **SECTION 1420.** 44.71 (2) (a) of the statutes is renumbered 44.71
2 (2), and 44.71 (2) (g) and (h), as renumbered, are amended to read:

3 44.71 (2) (g) Coordinate the purchasing of educational technology materials,
4 supplies, equipment, and contractual services for school districts, cooperative
5 educational service agencies, technical college districts, and the board of regents of
6 the University of Wisconsin System by the department under s. 16.72 (8), and, in
7 cooperation with the department and subject to the approval of the department of
8 electronic government, establish standards and specifications for purchases of
9 educational technology hardware and software by school districts, cooperative
10 educational service agencies, technical college districts, and the board of regents of
11 the University of Wisconsin System.

12 (h) Purchase With the approval of the department of electronic government,
13 purchase educational technology equipment for use by school districts, cooperative
14 educational service agencies, and public educational institutions in this state and
15 permit the districts, agencies, and institutions to purchase or lease the equipment,
16 with an option to purchase the equipment at a later date. This subdivision
17 paragraph does not require the purchase or lease of any educational technology
18 equipment from the board.

 ****NOTE: This is reconciled s. 44.71 (2) (g) and (h). This SECTION has been affected
by drafts with the following LRB numbers: –1857/4 and 1694/10.

19 *~~1694/11.11~~* **SECTION 1421.** 44.71 (2) (bm) of the statutes is repealed.

20 *~~0684/2.6~~* **SECTION 1422.** 44.72 (1) (intro.) of the statutes is amended to read:

21 44.72 (1) EDUCATIONAL TECHNOLOGY TRAINING AND TECHNICAL ASSISTANCE GRANTS.
22 (intro.) From the appropriation under s. 20.275 (1) (et), the board shall award grants
23 to cooperative educational service agencies and to consortia consisting of 2 or more

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

****NOTE: This is reconciled s. 44.72 (1) (intro.). This SECTION has been affected by
drafts with the following LRB #: LRB-0445.

9 ***-0684/2.7* SECTION 1423.** 44.72 (2) (b) 1. d. of the statutes is created to read:

10 44.72 (2) (b) 1. d. For a charter school sponsor, “equalized valuation per
11 member” means equalized valuation, as defined in s. 121.004 (2), divided by
12 membership, as defined in s. 121.004 (5), of the school district operating under ch.
13 119.

14 ***-0684/2.8* SECTION 1424.** 44.72 (2) (b) 2. of the statutes is amended to read:

15 44.72 (2) (b) 2. From the appropriation under s. 20.275 (1) (f), annually the
16 board shall pay \$5,000 to each eligible school district and \$5,000 to the department
17 of corrections for each eligible correctional facility. The department of corrections
18 shall allocate funds received under this subsection among the eligible secured
19 correctional facilities as it deems appropriate. The board shall distribute the balance
20 in the appropriation to eligible school districts and to charter school sponsors in
21 proportion to the weighted membership of each school district and charter school
22 sponsor, which shall be determined for a school district by dividing the statewide
23 average equalized valuation per member by the school district’s equalized valuation

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1 per member and multiplying the result by the school district's membership, as
2 defined in s. 121.004 (5), and which shall be determined for a charter school sponsor
3 by dividing the statewide average equalized valuation per member by the charter
4 school sponsor's equalized valuation per member and multiplying the result by the
5 number of pupils attending the charter school on the 3rd Friday of September.

****NOTE: This is reconciled s. 44.72 (2) (b) 2. This SECTION has been affected by
drafts with the following LRB #: LRB-0445.

6 ***-0445/3.4* SECTION 1425.** 44.72 (2) (c) of the statutes is amended to read:

7 44.72 (2) (c) A school district is eligible for a grant under par. (b) 2. only if the
8 annual meeting in a common school district, or the school board in a unified school
9 district or in a school district operating under ch. 119, adopts a resolution requesting
10 the grant. A secured correctional facility is eligible for a grant under par. (b) 2. only
11 if the secretary of corrections submits a written request to the board. A grant under
12 this subsection may not be used to replace funding available from other sources.

13 ***-0684/2.9* SECTION 1426.** 44.72 (2) (d) of the statutes is amended to read:

14 44.72 (2) (d) A school district or secured correctional facility receiving a grant
15 under par. (b) shall deposit the moneys in a separate fund. The moneys may be used
16 for any purpose related to educational technology, except that a school district or
17 secured correctional facility may not use the moneys to pay the salary or benefits of
18 any school district or secured correctional facility employee. A charter school sponsor
19 that receives a grant under par. (b) may use the moneys for any purpose related to
20 educational technology that benefits the pupils attending the charter school, except
21 that a charter school sponsor may not use the moneys to pay the salary or benefits
22 of any charter school employee.

****NOTE: This is reconciled s. 44.72 (2) (d). This SECTION has been affected by
drafts with the following LRB #: LRB-0445.