

SENATE BILL 55

1 notice under ch. 985 containing a copy of the rule, and shall take any other step it
2 considers feasible to make the rule known to persons who will be affected by the rule.

3 (3) EFFECTIVE DATE. A rule described under sub. (1) takes effect as provided
4 under s. 227.22.

5 *-1536/3.18* SECTION 3036. 228.01 of the statutes is amended to read:

6 **228.01 Recording of documents and public records by mechanical**
7 **process authorized.** Whenever any officer of any county having a population of
8 500,000 or more is required or authorized by law to file, record, copy, recopy or replace
9 any document, court order, plat, paper, written instrument, writings, record or book
10 of record, on file or of record in his or her office, notwithstanding any other provisions
11 in the statutes, the officer may do so by photostatic, photographic,
12 microphotographic, microfilm, optical imaging, electronic formatting or other
13 mechanical process which produces a clear, accurate and permanent copy or
14 reproduction of the original document, court order, plat, paper, written instrument,
15 writings, record or book of record in accordance with the applicable standards
16 specified under ss. 16.61 (7) and 16.612. Any such officer may also reproduce by such
17 processes or transfer from optical disk or electronic storage any document, court
18 order, plat, paper, written instrument, writings, record or book of record which has
19 previously been filed, recorded, copied or recopied. Optical imaging or electronic
20 formatting of any document is subject to authorization under s. 59.52 (14) (a).

21 *-1536/3.19* SECTION 3037. 228.03 (2) of the statutes is amended to read:

22 228.03 (2) Any photographic reproduction of an original record meeting the
23 applicable standards prescribed in s. 16.61 (7) or copy of a record generated from an
24 original record stored in optical disk or electronic format in compliance with the
25 applicable standards under ss. 16.61 and 16.612 shall be taken as and stand in lieu

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1 of and have all of the effect of the original record and shall be admissible in evidence
2 in all courts and all other tribunals or agencies, administrative or otherwise, in all
3 cases where the original document is admissible. A transcript, exemplification or
4 certified copy of such a reproduction of an original record, or certified copy of a record
5 generated from an original record stored in optical disk or electronic format, for the
6 purposes specified in this subsection, is deemed to be a transcript, exemplification
7 or certified copy of the original. The custodian of a photographic reproduction shall
8 place the reproduction or optical disk in conveniently accessible storage and shall
9 make provision for preserving, examining and using the reproduction of the record
10 or generating a copy of the record from optical disk or electronic storage. An enlarged
11 copy of a photographic reproduction of a record made in accordance with the
12 applicable standards specified in s. 16.61 (7) or an enlarged copy of a record
13 generated from an original record stored in optical disk or electronic format in
14 compliance with the applicable standards under ss. 16.61 and 16.612 that is certified
15 by the custodian as provided in s. 889.18 (2) has the same effect as an actual-size
16 copy.

17 *~~1335~~/7.61* **SECTION 3038.** 230.03 (3) of the statutes is amended to read:

18 230.03 (3) “Agency” means any board, commission, committee, council, or
19 department in state government or a unit thereof created by the constitution or
20 statutes if such board, commission, committee, council, department, unit, or the
21 head thereof, is authorized to appoint subordinate staff by the constitution or
22 statute, except a legislative or judicial board, commission, committee, council,
23 department, or unit thereof or an authority created under ~~ch.~~ chs. 231, 232, 233, 234,
24 or ~~235~~ 237. “Agency” does not mean any local unit of government or body within one

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1 or more local units of government that is created by law or by action of one or more
2 local units of government.

****NOTE: This is reconciled s. 230.03 (3). This SECTION has been affected by drafts
with the following LRB numbers: –1335 and –1462.

3 ***–0823/1.1* SECTION 3039.** 230.03 (12) of the statutes is repealed.

4 ***–0824/1.1* SECTION 3040.** 230.04 (1m) of the statutes is amended to read:

5 230.04 (1m) The secretary may delegate, in writing, any of his or her functions
6 set forth in this chapter to an appointing authority, within prescribed standards if
7 the secretary finds that the agency has personnel management capabilities to
8 perform such functions effectively ~~and has indicated its approval and willingness to~~
9 ~~accept such responsibility by written agreement.~~ If the secretary determines that
10 any agency is not performing such delegated function within prescribed standards,
11 the secretary shall forthwith withdraw such delegated function. Subject to the
12 approval of the joint committee on finance, the secretary may order transferred to
13 the department from the agency to which delegation was made such agency staff and
14 other resources as necessary to perform such functions if increased staff was
15 authorized to that agency as a consequence of such delegation or if the department
16 reduced staff or shifted staff to new responsibilities as a result of such delegation.
17 Any delegatory action taken under s. 230.09 (2) (a) or (d) or 230.13 (1) by an
18 appointing authority may be appealed to the personnel commission under s. 230.44
19 (1) (b). The secretary shall be a party in such an appeal.

20 ***–0827/1.2* SECTION 3041.** 230.04 (9) (e) of the statutes is amended to read:

21 230.04 (9) (e) ~~Annually~~ Biennially, beginning in 2001, prepare and submit to
22 the governor and the legislature a summary of existing agency affirmative action

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1 program accomplishments, including the information obtained from agencies under
2 sub. (10) (b), future goals and recommended actions.

3 ***-0827/1.3* SECTION 3042.** 230.04 (9) (em) of the statutes is amended to read:

4 230.04 (9) (em) Annually Biennially, beginning in 2001, prepare and submit
5 to the governor and the legislature a summary of the progress being made to provide
6 employment opportunities in civil service for veterans under this chapter, including
7 the information obtained from agencies under sub. (10) (c).

8 ***-0827/1.4* SECTION 3043.** 230.04 (9m) of the statutes is repealed.

9 ***-0827/1.5* SECTION 3044.** 230.04 (9r) of the statutes is repealed.

10 ***-0827/1.6* SECTION 3045.** 230.04 (13) (e) (intro.) of the statutes is amended
11 to read:

12 230.04 (13) (e) (intro.) On or before September 30 ~~annually,~~ biennially,
13 beginning in ~~1989~~ 2001, prepare and submit to the chief clerk of each house of the
14 legislature for distribution to the legislature under s. 13.172 (2) a report that
15 includes all of the following information for the fiscal year preceding the date that
16 the report is due:

17 ***-0824/1.2* SECTION 3046.** 230.05 (2) (a) of the statutes is amended to read:

18 230.05 (2) (a) Except as provided under par. (b), the administrator may
19 delegate, in writing, any of his or her functions set forth in this subchapter to an
20 appointing authority, within prescribed standards if the administrator finds that the
21 agency has personnel management capabilities to perform such functions effectively
22 ~~and has indicated its approval and willingness to accept such responsibility by~~
23 ~~written agreement.~~ If the administrator determines that any agency is not
24 performing such delegated function within prescribed standards, the administrator
25 shall withdraw such delegated function. The administrator may order transfer to

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1 the division from the agency to which delegation was made such agency staff and
2 other resources as necessary to perform such functions if increased staff was
3 authorized to that agency as a consequence of such delegation or if the division
4 reduced staff or shifted staff to new responsibilities as a result of such delegation
5 subject to the approval of the joint committee on finance. Any delegatory action
6 taken under this subsection by any appointing authority may be appealed to the
7 personnel commission under s. 230.44 (1) (a). The administrator shall be a party in
8 such appeal.

9 ***-0827/1.7*** SECTION 3047. 230.06 (1) (L) of the statutes is repealed.

10 ***-1857/5.116*** SECTION 3048. 230.08 (2) (e) 1. of the statutes is amended to
11 read:

12 230.08 (2) (e) 1. Administration — ~~12~~ 10.

13 ***-0985/8.47*** SECTION 3049. 230.08 (2) (e) 3m. of the statutes is amended to
14 read:

15 230.08 (2) (e) 3m. Educational communications board — 4. If the secretary of
16 administration determines that the federal communications commission has
17 approved the transfer of all broadcasting licenses held by the educational
18 communications board to the broadcasting corporation as defined in s. 39.81 (2), this
19 subdivision does not apply on and after the effective date of the last license
20 transferred as determined by the secretary of administration under s. 39.87 (2) (a).

21 ***-1857/5.117*** SECTION 3050. 230.08 (2) (e) 3r. of the statutes is created to read:

22 230.08 (2) (e) 3r. Electronic government — 3.

23 ***-0729/3.1*** SECTION 3051. 230.08 (2) (e) 13. of the statutes is amended to read:

24 230.08 (2) (e) 13. Veterans affairs — ~~2~~ 5.

25 ***-0985/8.48*** SECTION 3052. 230.08 (2) (km) of the statutes is created to read:

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1 230.08 (2) (km) Persons employed by the department of administration who
2 were transferred to the department of administration under s. 39.86 (4) and who
3 immediately before their transfer occupied a position described under par. (e) 3m.,
4 (L) 2. or (we).

5 *~~0985/8.49~~* **SECTION 3053.** 230.08 (2) (L) 2. of the statutes is amended to read:

6 230.08 (2) (L) 2. Educational communications board, created under s. 15.57 (1).
7 If the secretary of administration determines that the federal communications
8 commission has approved the transfer of all broadcasting licenses held by the
9 educational communications board to the broadcasting corporation, as defined in s.
10 39.81 (2), this subdivision does not apply on and after the effective date of the last
11 license transferred as determined by the secretary of administration under s. 39.87
12 (2) (a).

13 *~~1301/5.104~~* **SECTION 3054.** 230.08 (2) (oe) of the statutes is created to read:

14 230.08 (2) (oe) Special masters employed by the elections board under s. 7.08
15 (7).

16 *~~2358/4.44~~* *~~1880/3.27~~* **SECTION 3055.** 230.08 (2) (vm) of the statutes is
17 created to read:

18 230.08 (2) (vm) The executive director of the board on education evaluation and
19 accountability.

20 *~~0985/8.50~~* **SECTION 3056.** 230.08 (2) (we) of the statutes is amended to read:

21 230.08 (2) (we) Professional staff members of the educational communications
22 board authorized under s. 39.13 (2). If the secretary of administration determines
23 that the federal communications commission has approved the transfer of all
24 broadcasting licenses held by the educational communications board to the
25 broadcasting corporation, as defined in s. 39.81 (2), this paragraph does not apply on

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1 and after the effective date of the last license transferred as determined by the
2 secretary of administration under s. 39.87 (2) (a).

3 ***-0751/2.1*** **SECTION 3057.** 230.08 (2) (xm) of the statutes is created to read:
4 230.08 (2) (xm) The commandant of the Southern Wisconsin Veterans
5 Retirement Center in the department of veterans affairs.

6 ***-2059/3.3*** **SECTION 3058.** 230.08 (2) (ya) of the statutes is created to read:
7 230.08 (2) (ya) The state–local government coordinator in the department of
8 administration.

9 ***-0985/8.51*** **SECTION 3059.** 230.08 (4) (a) of the statutes is amended to read:
10 230.08 (4) (a) The number of administrator positions specified in sub. (2) (e)
11 includes all administrator positions specifically authorized by law to be employed
12 outside the classified service in each department, board or commission and the
13 historical society. ~~In~~ Except as provided in par. (am), in this paragraph,
14 “department” has the meaning given under s. 15.01 (5), “board” means the
15 educational communications board, investment board, public defender board and
16 technical college system board and “commission” means the public service
17 commission. Notwithstanding sub. (2) (z), no division administrator position
18 exceeding the number authorized in sub. (2) (e) may be created in the unclassified
19 service.

20 ***-0985/8.52*** **SECTION 3060.** 230.08 (4) (am) of the statutes is created to read:
21 230.08 (4) (am) If the secretary of administration determines that the federal
22 communications commission has approved the transfer of all broadcasting licenses
23 held by the educational communications board to the broadcasting corporation, as
24 defined in s. 39.81 (2), on and after the effective date of the last license transferred
25 as determined by the secretary of administration under s. 39.87 (2) (a), “board” in par.

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1 (a) means the investment board, public defender board, and technical college system
2 board.

3 *~~1857/5.118~~* **SECTION 3061.** 230.09 (2) (g) of the statutes is amended to read:

4 230.09 (2) (g) When filling a new or vacant position, if the secretary determines
5 that the classification for a position is different than that provided for by the
6 legislature as established by law or in budget determinations, or as authorized by the
7 joint committee on finance under s. 13.10, or as specified by the governor in creating
8 positions under s. 16.505 (1) (c) or (2), the chief information officer in transferring
9 positions under s. 16.505 (2e), the University of Wisconsin Hospitals and Clinics
10 Board in creating positions under s. 16.505 (2n) or the board of regents of the
11 University of Wisconsin System in creating positions under s. 16.505 (2m), or is
12 different than that of the previous incumbent, the secretary shall notify the
13 administrator and the secretary of administration. The administrator shall
14 withhold action on the selection and certification process for filling the position. The
15 secretary of administration shall review the position to determine that sufficient
16 funds exist for the position and that the duties and responsibilities of the proposed
17 position reflect the intent of the legislature as established by law or in budget
18 determinations, the intent of the joint committee on finance acting under s. 13.10,
19 the intent of the governor creating positions under s. 16.505 (1) (c) or (2), the chief
20 information officer transferring positions under s. 16.505 (2e), the University of
21 Wisconsin Hospitals and Clinics Board creating positions under s. 16.505 (2n) or the
22 intent of the board of regents of the University of Wisconsin System creating
23 positions under s. 16.505 (2m). The administrator may not proceed with the selection
24 and certification process until the secretary of administration has authorized the
25 position to be filled.

SENATE BILL 55**SECTION 3062**

1 *~~0825/1.1~~* **SECTION 3062.** 230.15 (1) of the statutes is amended to read:

2 230.15 (1) Appointments to, and promotions in, the classified service shall be
3 made only according to merit and fitness, which shall be ascertained so far as
4 practicable by competitive examination. The administrator may waive competitive
5 examination for appointments made under subs. (1m), (1r), and (2) and shall waive
6 competitive examination for appointments made under sub. (2m).

7 *~~0825/1.2~~* **SECTION 3063.** 230.15 (1r) of the statutes is created to read:

8 230.15 (1r) If a vacancy occurs in a position that is to be filled according to the
9 terms of a pilot program under s. 230.23 and the terms of the pilot program provide
10 that the competition requirements for filling the position may be waived, the
11 administrator may waive the competition requirements for filling the position.

12 *~~0826/1.1~~* **SECTION 3064.** 230.19 (2) of the statutes is amended to read:

13 230.19 (2) If, in the judgment of the administrator, the group of applicants best
14 able to meet the requirements for vacancies in positions in the classified service are
15 available within the classified service, the vacancies shall be filled by competition
16 limited to persons in the classified service who are not employed under s. 230.26 or
17 230.27 and persons with the right of restoration resulting from layoff under s. 230.34
18 (2), unless it is necessary to go outside the classified service to be consistent with an
19 approved affirmative action plan or program. The administrator may also limit
20 competition for promotion to the employees of an agency or an employing unit within
21 an agency ~~if the resulting group of applicants would fairly represent the proportion~~
22 ~~of members of racial and ethnic, gender or disabled groups in the relevant labor pool~~
23 ~~for the state, unless it is necessary to go outside the classified service to be consistent~~
24 with an approved affirmative action plan or program.

25 *~~0825/1.3~~* **SECTION 3065.** 230.19 (4) of the statutes is created to read:

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1 230.19 (4) If a vacancy occurs in a position that is to be filled according to the
2 terms of a pilot program under s. 230.23, the terms of the pilot program shall
3 supersede any inconsistent requirements established under this section.

4 ***-0827/1.8*** **SECTION 3066.** 230.21 (1m) (a) of the statutes is renumbered
5 230.21 (1m).

6 ***-0827/1.9*** **SECTION 3067.** 230.21 (1m) (b) of the statutes is repealed.

7 ***-0827/1.10*** **SECTION 3068.** 230.215 (3) (b) of the statutes is amended to read:
8 230.215 (3) (b) If the secretary, ~~upon review of the report submitted under sub.~~
9 (4), determines that an agency's past or proposed actions relating to permanent
10 part-time employment opportunities do not adequately reflect the policy under sub.
11 (1) (e), the secretary may recommend procedures designed to enable the agency to
12 effect such policy.

13 ***-0827/1.11*** **SECTION 3069.** 230.215 (4) of the statutes is repealed.

14 ***-0825/1.4*** **SECTION 3070.** 230.23 of the statutes is created to read:

15 **230.23 Merit recruitment and selection pilot programs.** (1) The
16 administrator may establish any number of pilot programs affecting one or more
17 agencies for appointments to, and promotions in, the classified service if all of the
18 following conditions are met:

19 (a) The administrator clearly specifies the purpose of the pilot program and the
20 evaluation criteria and evaluation methodology that he or she will use to evaluate
21 the pilot program.

22 (b) Appointments and promotions to positions under the pilot program are
23 made according to the applicant's merit and fitness for the position.

24 (c) The pilot program is not in effect for a period exceeding one year.

25 (d) The secretary approves the pilot program.

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1 (e) The administrator submits a report describing the terms of the pilot
2 program to the governor and to each house of the legislature for distribution to the
3 legislature under s. 13.172 (2) no later than 30 days before the commencement of the
4 pilot program.

5 (2) No later than 60 days after completion of a pilot program, the administrator
6 shall submit a report evaluating the pilot program to the governor and to each house
7 of the legislature for distribution to the legislature under s. 13.172 (2).

8 *~~0827/1.12~~* **SECTION 3071.** 230.25 (1p) of the statutes is repealed.

9 *~~0825/1.5~~* **SECTION 3072.** 230.25 (5m) of the statutes is created to read:

10 230.25 (5m) Unless otherwise provided in the terms of a pilot program under
11 s. 230.23, this section shall not apply to any vacancy in a position that is to be filled
12 according to the terms of a pilot program under s. 230.23.

13 *~~0823/1.2~~* **SECTION 3073.** 230.26 (1m) of the statutes is repealed.

14 *~~0825/1.6~~* **SECTION 3074.** 230.26 (2) of the statutes is amended to read:

15 230.26 (2) If there are urgent reasons for filling a vacancy in any position in
16 the classified service and the administrator is unable to certify to the appointing
17 authority, upon requisition by the latter, a list of persons eligible for appointment
18 from an appropriate employment register, the appointing authority may nominate
19 a person to the administrator for noncompetitive examination. If the nominee is
20 certified by the administrator as qualified, the nominee may be appointed
21 provisionally to fill the vacancy until an appointment can be made from a register
22 established after announcement of competition for the position, except that no
23 provisional appointment may be continued for more than 45 working days after the
24 date of certification from the register. Successive appointments may not be made
25 under this subsection. This subsection does not apply to a person appointed to a

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1 vacant position in the classified service under s. 230.275 or to a vacant position in the
2 classified service that is to be filled according to the terms of a pilot program under
3 s. 230.23.

4 ***-0823/1.3* SECTION 3075.** 230.26 (5) of the statutes is amended to read:

5 230.26 (5) If the administrator determines that an agency is not in compliance
6 with the requirements of, or rules related to, sub. (1), ~~(1m)~~ or (2) regarding a
7 particular employee, the administrator shall direct the appointing authority to
8 terminate the employee.

9 ***-0823/1.4* SECTION 3076.** 230.27 (1m) of the statutes is repealed.

10 ***-0827/1.13* SECTION 3077.** 230.27 (2k) of the statutes is repealed.

11 ***-0825/1.7* SECTION 3078.** 230.28 (7) of the statutes is created to read:

12 230.28 (7) Unless otherwise provided in the terms of a pilot program under s.
13 230.23, this section shall not apply to any appointment to a vacancy in a position that
14 is to be filled according to the terms of a pilot program under s. 230.23.

15 ***-0695/2.2* SECTION 3079.** 230.35 (1m) (a) 5. of the statutes is created to read:

16 230.35 (1m) (a) 5. A position held by an employee of the state fair park board
17 who was employed on October 29, 1999, in a career executive position under the
18 program established under s. 230.24.

19 ***-2411/3.33* SECTION 3080.** 230.35 (3) (a) of the statutes is amended to read:

20 230.35 (3) (a) Officials and employees of the state who have permanent status
21 and who are members of the national guard, the naval militia, the state defense force,
22 or any other reserve component of the military forces of the United States or this
23 state now or hereafter organized or constituted under federal or state law, are
24 entitled to leaves of absence without loss of time in the service of the state, to enable
25 them to attend military schools and annual field training or annual active duty for

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1 training, and any other state or federal tours of active duty, except extended active
2 duty or service as a member of the active armed forces of the United States which
3 have been duly ordered but not exceeding 30 days, excluding Saturdays, Sundays
4 and holidays enumerated in sub. (4) in the calendar year in which so ordered and
5 held. During this leave of absence, each state official or employee shall receive base
6 state pay less the base military pay received for and identified with such attendance
7 but such reduction shall not be more than the base state pay. Such Other than for
8 a leave of absence for the adjutant general and any deputy adjutants general, such
9 leave shall not be granted for absences of less than 3 days. A state official or employee
10 serving on state active duty as a member of the national guard, naval militia, or state
11 defense force, may elect to receive pay from the state under s. 20.465 (1) in an amount
12 equal to base state salary for such period of state active duty. Leave granted by this
13 section is in addition to all other leaves granted or authorized by any other law. For
14 the purpose of determining seniority, pay or pay advancement and performance
15 awards the status of the employee shall be considered uninterrupted by such
16 attendance.

17 ***-0408/1.1* SECTION 3081.** 230.36 (1m) (b) 2. (intro.) of the statutes is amended
18 to read:

19 230.36 (1m) (b) 2. (intro.) A conservation warden, conservation patrol boat
20 captain, conservation patrol boat engineer, member of the state patrol, state motor
21 vehicle inspector, University of Wisconsin System police officer, security officer, or
22 security person, ~~state fair park police officer~~, special tax agent, excise tax
23 investigator employed by the department of revenue, and special criminal
24 investigation agent employed by the department of justice at all times while:

25 ***-0408/1.2* SECTION 3082.** 230.36 (2m) (a) 13. of the statutes is repealed.

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1 *~~1939/5.35~~* **SECTION 3083.** 230.45 (1) (e) of the statutes is repealed.

2 *~~1939/5.36~~* **SECTION 3084.** 230.45 (3) of the statutes is amended to read:

3 230.45 (3) The commission shall promulgate rules establishing a schedule of
4 filing fees to be paid by any person who files an appeal under sub. (1) (c) ~~or (e)~~ or s.
5 230.44 (1) (a) or (b) with the commission on or after the effective date of the rules
6 promulgated under this subsection. Fees paid under this subsection shall be
7 deposited in the general fund as general purpose revenue – earned.

8 *~~0827/1.14~~* **SECTION 3085.** 230.46 of the statutes is amended to read:

9 **230.46 Duties of council on affirmative action.** The council on affirmative
10 action in the department shall serve in a direct advisory capacity to the secretary and
11 as part of that relationship shall evaluate the progress of affirmative action
12 programs throughout the civil service system, seek compliance with state and
13 federal regulations and recommend improvements in the state's affirmative action
14 efforts as an employer. In carrying out its responsibilities, the council may
15 recommend legislation, consult with agency personnel and other interested persons,
16 conduct hearings and take other appropriate action to promote affirmative action.
17 ~~The Beginning in 2001, the council shall report at least once per year~~ every 2 years
18 to the governor and the legislature.

19 *~~1888/3.1~~* **SECTION 3086.** 231.01 (4m) of the statutes is amended to read:

20 231.01 (4m) "Educational facility" means a facility used for education by a
21 regionally accredited, private, ~~postsecondary educational~~ institution that is
22 described in section 501 (c) (3) of the Internal Revenue Code, as defined in s. 71.22
23 (4), and that is exempt from federal taxation under section 501 (a) of the Internal
24 Revenue Code.

25 *~~1528/8.20~~* **SECTION 3087.** 231.01 (9) of the statutes is amended to read:

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1 231.01 (9) “Revenues” means, with respect to any project, the rents, fees,
2 charges, and other income or profit derived therefrom and, with respect to any bonds
3 issued under s. 231.03 (6) (g), tobacco settlement revenues identified in the bond
4 resolution.

5 *–1528/8.21* **SECTION 3088.** 231.01 (11) of the statutes is created to read:

6 231.01 (11) “Tobacco settlement agreement” has the meaning given in s. 16.63
7 (1) (b).

8 *–1528/8.22* **SECTION 3089.** 231.01 (12) of the statutes is created to read:

9 231.01 (12) “Tobacco settlement revenues” has the meaning given in s. 16.63
10 (1) (c).

11 *–1528/8.23* **SECTION 3090.** 231.03 (6) (g) of the statutes is created to read:

12 231.03 (6) (g) Finance a purchase, or make a loan, under sub. (20). Bonds
13 issued under this paragraph shall be payable from, or secured by interests in, tobacco
14 settlement revenues and such other property pledged under the bond resolution and,
15 notwithstanding s. 231.08 (3), are not required to mature in 30 years or less from the
16 date of issue.

17 *–1528/8.24* **SECTION 3091.** 231.03 (20) of the statutes is created to read:

18 231.03 (20) Purchase the state’s right to receive any of the payments under the
19 tobacco settlement agreement, or make a loan to be secured by the state’s right to
20 receive any of the payments under the tobacco settlement agreement, upon such
21 terms and at such prices as the authority considers reasonable and as can be agreed
22 upon between the authority and the other party to the transaction. The authority
23 may issue certificates or other evidences of ownership interest in tobacco settlement
24 revenues upon such terms and conditions as specified by the authority in the

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1 resolution under which the certificates or other evidences are issued or in a related
2 trust agreement or trust indenture.

3 *–1528/8.25* **SECTION 3092.** 231.09 of the statutes is amended to read:

4 **231.09 Bond security.** The authority may secure any bonds issued under this
5 chapter by a trust agreement, trust indenture, indenture of mortgage, or deed of
6 trust by and between the authority and one or more corporate trustees, which may
7 be any trust company or bank ~~in this state~~ having the powers of a trust company. The
8 bond resolution providing for the issuance of bonds so secured shall pledge the
9 revenues to be received by the authority as a result of the terms of the financing
10 referred to in the resolution, and may contain such provisions for protecting and
11 enforcing the rights and remedies of the bondholders as are reasonable and proper
12 and not in violation of law, including particularly such provisions as are specifically
13 authorized by this chapter to be included in any bond resolution of the authority, and
14 may restrict the individual right of action by bondholders. In addition, any bond
15 resolution may contain such other provisions as the authority deems reasonable and
16 proper for the security of the bondholders. All expenses incurred in carrying out the
17 provisions of the bond resolution may be treated as a part of the cost of the operation
18 of a project.

19 *–1528/8.26* **SECTION 3093.** 231.16 (1) of the statutes is amended to read:

20 231.16 (1) The authority may issue bonds to refund any outstanding bond of
21 the authority or indebtedness that a participating health institution, participating
22 educational institution, or participating child care provider may have incurred for
23 the construction or acquisition of a project prior to or after April 30, 1980, including
24 the payment of any redemption premium on the outstanding bond or indebtedness
25 and any interest accrued or to accrue to the earliest or any subsequent date of

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1 redemption, purchase, or maturity, or to pay all or any part of the cost of constructing
2 and acquiring additions, improvements, extensions, or enlargements of a project or
3 any portion of a project. No Except for bonds to refund bonds issued under s. 231.03
4 (6) (g), no bonds may be issued under this section unless the authority has first
5 entered into a new or amended agreement with a participating health institution,
6 participating educational institution, or participating child care provider to provide
7 sufficient revenues to pay the costs and other items described in s. 231.13.

8 ***-1528/8.27* SECTION 3094.** 231.16 (3) of the statutes is amended to read:

9 231.16 (3) All bonds issued under this section shall be subject to this chapter
10 in the same manner and to the same extent as other bonds issued pursuant to this
11 chapter, except that the limitations with respect to dates under s. 231.03 (6) (e) and
12 (f) and (14) do not apply to bonds issued under this section, and the requirement
13 under s. 231.08 (3) that the bonds mature in 30 years or less from their date of issue
14 does not apply to bonds issued under this section to refund bonds issued under s.
15 231.03 (6) (g).

16 ***-1528/8.28* SECTION 3095.** 231.215 of the statutes is created to read:

17 **231.215 Incorporator for purpose related to purchase or sale of right**
18 **to payments.** The authority, or its executive director, may organize one or more
19 nonstock corporations under ch. 181 or limited liability companies under ch. 183 for
20 any purpose related to purchasing or selling the state's right to receive any of the
21 payments under the tobacco settlement agreement and may take any action
22 necessary to facilitate and complete the purchase or sale.

23 ***-1562/1.1* SECTION 3096.** 233.27 of the statutes is amended to read:

24 **233.27 Limit on the amount of outstanding bonds.** The authority may not
25 issue bonds or incur indebtedness described under s. 233.03 (12) if, after the bonds

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1 are issued or the indebtedness is incurred, the aggregate principal amount of the
2 authority's outstanding bonds, together with all indebtedness described under s.
3 233.03 (12) would exceed ~~\$106,500,000~~ \$175,000,000. Bonds issued to fund or refund
4 outstanding bonds, or indebtedness incurred to pay off or purchase outstanding
5 indebtedness, is not included in calculating compliance with the ~~\$106,500,000~~
6 \$175,000,000 limit.

7 ***-1341/4.29* SECTION 3097.** 234.01 (4n) (a) 3m. a. of the statutes is amended
8 to read:

9 234.01 (4n) (a) 3m. a. The facility is in a tax incremental district or an
10 environmental remediation tax incremental district or is the subject of an urban
11 development action grant and will result in a net economic benefit to the state.

12 ***-0878/2.2* SECTION 3098.** 234.265 (2) of the statutes is amended to read:

13 234.265 (2) Records or portions of records consisting of personal or financial
14 information provided by a person seeking a grant or loan under s. 234.08, 234.49,
15 234.59, 234.61, 234.65, 234.67, 234.83, 234.84, 234.90, ~~234.905,~~ 234.907, or 234.91,
16 seeking a loan under ss. 234.621 to 234.626, seeking financial assistance under s.
17 234.66, seeking investment of funds under s. 234.03 (18m), or in which the authority
18 has invested funds under s. 234.03 (18m), unless the person consents to disclosure
19 of the information.

20 ***-0880/5.1* SECTION 3099.** 234.65 (3) (f) of the statutes, as affected by 1999
21 Wisconsin Act 9, is amended to read:

22 234.65 (3) (f) The name of the person receiving the loan does not appear on the
23 statewide support lien docket under s. 49.854 (2) (b). ~~The condition under this~~
24 ~~paragraph is met for a person whose name does appear if~~ or, if the person's name
25 appears on that docket, the person provides to the authority a payment agreement

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1 that has been approved by the county child support agency under s. 59.53 (5) and that
2 is consistent with rules promulgated under s. 49.858 (2) (a).

3 ***-0878/2.3* SECTION 3100.** 234.67 (1) (f) of the statutes is amended to read:

4 234.67 (1) (f) “Percentage of guarantee” means the percentage established by
5 the authority under sub. (3) (a).

6 ***-0878/2.4* SECTION 3101.** 234.67 (3) (a) of the statutes is renumbered 234.67
7 (3) and amended to read:

8 234.67 (3) GUARANTEE OF COLLECTION. ~~Subject to par. (b), the~~ The authority
9 shall guarantee collection of a percentage, not exceeding 90%, of the principal of any
10 loan eligible for a guarantee under sub. (2). The authority shall establish the
11 percentage of the unpaid principal of an eligible loan that will be guaranteed, using
12 the procedures described in the guarantee agreement under s. 234.93 (2) (a). The
13 authority may establish a single percentage for all guaranteed loans or establish
14 different percentages for eligible loans on an individual basis.

15 ***-0878/2.5* SECTION 3102.** 234.67 (3) (b) of the statutes is repealed.

16 ***-0880/5.2* SECTION 3103.** 234.83 (1) of the statutes is renumbered 234.83
17 (1m).

18 ***-0880/5.3* SECTION 3104.** 234.83 (1c) of the statutes is created to read:

19 234.83 (1c) DEFINITIONS. In this section:

20 (a) “Rural community” means a city, town, or village in this state with a
21 population of less than 50,000.

22 (b) “Small business” means a business, as defined in s. 560.60 (2), that employs
23 50 or fewer employees on a full-time basis.

24 ***-0880/5.4* SECTION 3105.** 234.83 (2) (a) (intro.) of the statutes is amended to
25 read:

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1 234.83 (2) (a) (intro.) A business, ~~as defined in s. 560.60 (2)~~, to which all of the
2 following apply:

3 *~~0880/5.5~~* **SECTION 3106.** 234.83 (2) (a) 2. of the statutes is amended to read:

4 234.83 (2) (a) 2. The business ~~employs 50 or fewer employees on a full-time~~
5 ~~basis is a small business.~~

6 *~~0880/5.6~~* **SECTION 3107.** 234.83 (2) (a) 3. of the statutes, as affected by 1999
7 Wisconsin Act 9, is amended to read:

8 234.83 (2) (a) 3. The name of the owner of the business does not appear on the
9 statewide support lien docket under s. 49.854 (2) (b). ~~The condition under this~~
10 ~~subdivision is met for an owner whose name does appear if~~ or, if the name of the
11 owner of the business appears on that docket, the owner of the business provides to
12 the authority a payment agreement that has been approved by the county child
13 support agency under s. 59.53 (5) and that is consistent with rules promulgated
14 under s. 49.858 (2) (a).

15 *~~0880/5.7~~* **SECTION 3108.** 234.83 (3) (a) 2. of the statutes is amended to read:

16 234.83 (3) (a) 2. The start-up, ~~expansion or acquisition~~ of a day care business,
17 including the purchase or improvement of land, buildings, machinery, equipment, or
18 inventory.

19 *~~0880/5.8~~* **SECTION 3109.** 234.83 (3) (a) 3. of the statutes is created to read:

20 234.83 (3) (a) 3. The start-up of a small business in a vacant storefront in the
21 downtown area of a rural community, including the purchase or improvement of
22 land, buildings, machinery, equipment, or inventory.

23 *~~0878/2.6~~* **SECTION 3110.** 234.83 (4) (a) of the statutes is renumbered 234.83

24 (4) and amended to read:

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1 234.83 (4) GUARANTEE OF REPAYMENT. ~~Subject to par. (b), the~~ The authority may
2 guarantee repayment of a portion of the principal of any loan eligible for a guarantee
3 under sub. ~~(1)~~ (1m). That portion may not exceed 80% of the principal of the loan or
4 \$200,000, whichever is less. The authority shall establish the portion of the principal
5 of an eligible loan that will be guaranteed, using the procedures described in the
6 agreement under s. 234.93 (2) (a). The authority may establish a single portion for
7 all guaranteed loans that do not exceed \$250,000 and a single portion for all
8 guaranteed loans that exceed \$250,000 or establish on an individual basis different
9 portions for eligible loans that do not exceed \$250,000 and different portions for
10 eligible loans that exceed \$250,000.

 ***NOTE: This is reconciled s. 234.83 (4) (a). This SECTION has been affected by
 drafts with the following LRB numbers: LRB–0878/1 and LRB–0880/4.

11 *~~0878/2.7~~* **SECTION 3111.** 234.83 (4) (b) of the statutes is repealed.

12 *~~0880/5.9~~* **SECTION 3112.** 234.90 (3) (d) of the statutes, as affected by 1999
13 Wisconsin Act 9, is amended to read:

14 234.90 (3) (d) The farmer's name does not appear on the statewide support lien
15 docket under s. 49.854 (2) (b). ~~The condition under this paragraph is met for a farmer~~
16 ~~whose name does appear if or, if the farmer's name appears on that docket,~~ the farmer
17 provides to the authority a payment agreement that has been approved by the county
18 child support agency under s. 59.53 (5) and that is consistent with rules promulgated
19 under s. 49.858 (2) (a).

20 *~~0880/5.10~~* **SECTION 3113.** 234.90 (3g) (c) of the statutes, as affected by 1999
21 Wisconsin Act 9, is amended to read:

22 234.90 (3g) (c) The farmer's name does not appear on the statewide support lien
23 docket under s. 49.854 (2) (b). ~~The condition under this paragraph is met for a farmer~~

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1 ~~whose name does appear if or, if the farmer's name appears on that docket,~~ the farmer
2 provides to the authority a payment agreement that has been approved by the county
3 child support agency under s. 59.53 (5) and that is consistent with rules promulgated
4 under s. 49.858 (2) (a).

5 ***-0878/2.8* SECTION 3114.** 234.90 (4) (a) of the statutes is renumbered 234.90
6 (4) and amended to read:

7 234.90 (4) GUARANTEE. ~~Except as provided in par. (b), the~~ The authority shall
8 guarantee repayment of 90% of the principal of any agricultural production loan
9 eligible for guarantee under sub. (2) made to a farmer eligible for a guaranteed loan
10 under sub. (3) or (3g).

11 ***-0878/2.9* SECTION 3115.** 234.90 (4) (b) of the statutes is repealed.

12 ***-0878/2.10* SECTION 3116.** 234.905 of the statutes is repealed.

13 ***-0878/2.11* SECTION 3117.** 234.907 (1) (f) of the statutes is amended to read:

14 234.907 (1) (f) "Percentage of guarantee" means the percentage established by
15 the authority under sub. (3) ~~(a)~~.

16 ***-0878/2.12* SECTION 3118.** 234.907 (3) (a) of the statutes is renumbered
17 234.907 (3) and amended to read:

18 234.907 (3) GUARANTEE OF COLLECTION. ~~Subject to par. (b), the~~ The authority
19 shall guarantee collection of a percentage, not exceeding 90%, of the principal of any
20 loan eligible for a guarantee under sub. (2). The authority shall establish the
21 percentage of the unpaid principal of an eligible loan that will be guaranteed, using
22 the procedures described in the guarantee agreement under s. 234.93 (2) (a). The
23 authority may establish a single percentage for all guaranteed loans or establish
24 different percentages for eligible loans on an individual basis.

25 ***-0878/2.13* SECTION 3119.** 234.907 (3) (b) of the statutes is repealed.

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1 *~~0878/2.14~~* **SECTION 3120.** 234.91 (5) (a) of the statutes is amended to read:

2 234.91 (5) (a) ~~Subject to par. (e), the~~ The authority shall guarantee collection
3 of a percentage of the principal of a loan eligible for a guarantee under sub. (2). The
4 principal amount of an eligible loan that the authority may guarantee may not
5 exceed the borrower's net worth or 25% of the total loan amount, whichever is less,
6 calculated at the time the loan is made.

7 *~~0878/2.15~~* **SECTION 3121.** 234.91 (5) (c) of the statutes is repealed.

8 *~~0878/2.16~~* **SECTION 3122.** 234.93 (3) (title) of the statutes is amended to
9 read:

10 234.93 (3) (title) ~~INCREASES OR DECREASES IN LOAN~~ LOAN GUARANTEES; INCREASES
11 OR DECREASES.

12 *~~0878/2.17~~* **SECTION 3123.** 234.93 (3) of the statutes is renumbered 234.93
13 (3) (b) and amended to read:

14 234.93 (3) (b) The authority may request the joint committee on finance to take
15 action under s. 13.10 to permit the authority to increase or decrease the total
16 principal amount or total outstanding guaranteed principal amount of loans that it
17 may guarantee under ~~a program~~ the aggregate of the programs guaranteed by the
18 Wisconsin development reserve fund. Included with its request, the authority shall
19 provide a projection, for the next June 30, that compares the amounts required on
20 that date to pay outstanding claims and to fund guarantees under ~~all the aggregate~~
21 of the programs guaranteed by funds from the Wisconsin development reserve fund,
22 and the balance remaining in the Wisconsin development reserve fund on that date
23 after deducting such amounts, if the increase or decrease is approved, with such
24 amounts and the balance remaining, if the increase or decrease is not approved.

25 *~~0878/2.18~~* **SECTION 3124.** 234.93 (3) (a) of the statutes is created to read:

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1 234.93 (3) (a) Except as provided in par. (b), the total principal amount or total
2 outstanding guaranteed principal amount of all loans that the authority may
3 guarantee under the aggregate of the programs guaranteed by funds from the
4 Wisconsin development reserve fund, excluding the program under s. 234.935, 1997
5 stats., may not exceed \$62,000,000.

6 *~~0774/1.1~~* **SECTION 3125.** 234.93 (4) (a) 2. of the statutes is amended to read:

7 234.93 (4) (a) 2. To fund guarantees under all of the programs guaranteed by
8 funds from the Wisconsin development reserve fund, except for the program under
9 s. 234.935, 1997 stats., at a ratio of \$1 of reserve funding to ~~\$4.50~~ \$5.50 of total
10 outstanding principal and outstanding guaranteed principal that the authority may
11 guarantee under all of those programs.

12 *~~0774/1.2~~* **SECTION 3126.** 234.93 (4m) of the statutes is amended to read:

13 234.93 (4m) LIMITATION ON LOAN GUARANTEES. The authority shall regularly
14 monitor the cash balance in the Wisconsin development reserve fund. The authority
15 shall ensure that the cash balance in the fund is sufficient for the purposes specified
16 in sub. (4) (a) 1. ~~and 2., and 3.~~

17 *~~1462/3.5~~* **SECTION 3127.** Chapter 235 of the statutes is repealed.

18 *~~1335/7.62~~* **SECTION 3128.** Chapter 237 of the statutes is created to read:

CHAPTER 237**FOX RIVER NAVIGATIONAL****SYSTEM AUTHORITY**

22 **237.01 Definitions.** In this chapter:

23 (1) “Authority” means the Fox River Navigational System Authority.

24 (2) “Board of directors” means the board of directors of the authority.

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1 (3) “Fiscal year” means the period beginning on July 1 and ending on the
2 following June 30.

3 **237.02 Creation and organization of authority.** (1) There is created a
4 public body corporate and politic to be known as the “Fox River Navigational System
5 Authority.” The board of directors of the authority shall consist of the following
6 members:

7 (a) Six members appointed by the governor for 3–year terms.

8 (b) The secretary of natural resources, or his or her designee.

9 (c) The secretary of transportation, or his or her designee.

10 (d) The director of the state historical society, or his or her designee.

11 (2) A vacancy on the board of directors shall be filled in the same manner as
12 the original appointment to the board of directors for the remainder of the unexpired
13 term, if any.

14 (3) A member of the board of directors may not be compensated for his or her
15 services but shall be reimbursed for actual and necessary expenses, including travel
16 expenses, incurred in the performance of his or her duties.

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

21 (5) The members of the board of directors shall annually elect a chairperson
22 and may elect other officers as they consider appropriate. Five voting members of
23 the board of directors constitute a quorum for the purpose of conducting the business
24 and exercising the powers of the authority, notwithstanding the existence of any

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1 vacancy. The board of directors may take action upon a vote of a majority of the
2 members present, unless the bylaws of the authority require a larger number.

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

16 **237.03 Duties of authority. (1) GENERAL DUTIES.** In addition to all other
17 duties imposed under this chapter, the authority shall do all of the following:

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

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

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

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

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

3 **(2) DUTIES UPON LEASING.** Upon entering into the lease under s. 237.06, the
4 authority shall rehabilitate, repair, replace, operate, and maintain the navigational
5 system.

6 **237.04 Powers of authority.** The authority shall have all the powers
7 necessary or convenient to carry out the purposes and provisions of this chapter. In
8 addition to all other powers granted by this chapter, the authority may:

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

10 **(2)** Sue and be sued.

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

12 **(4)** Have a seal and alter the seal at pleasure; have perpetual existence; and
13 maintain an office.

14 **(5)** Appoint any technical or professional advisory committee that the
15 authority finds necessary to assist the authority in exercising its duties and powers.
16 The authority shall define the duties of the committee, and provide reimbursement
17 for the expenses of the committee.

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

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

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

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

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

5 **237.05 Restrictions on authority.** **(1)** The authority may not issue bonds.

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

8 **237.06 Lease.** Upon transfer of the ownership of the navigational system by
9 the federal government to the state, the department of administration on behalf of
10 the state and the authority shall enter into a lease agreement under which the state
11 shall lease the navigational system to the authority for nominal consideration. The
12 secretary of administration shall determine the amount of the rental payments.

13 **237.07 Management plan; financial statements.** **(1)** (a) The authority
14 shall submit to the department of administration a plan that does all the following:

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

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

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

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

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1 **(3)** (a) For each fiscal year, the authority shall submit to the department of
2 administration an audited financial statement of the funding received by the
3 authority from the department of natural resources under s. 237.08 (2) and by the
4 authority from contributions and other funding accepted by the authority under s.
5 237.08 (3).

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

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

12 **237.08 Sources of funding.** **(1) FEDERAL FUNDING.** The authority shall accept
13 federal funding for the rehabilitation, repair, replacement, operation, and
14 maintenance of the navigational system and shall agree with any conditions
15 attached to the funding.

16 **(2) STATE FUNDING.** From the appropriation under s. 20.370 (5) (cq) and before
17 applying the percentages under s. 30.92 (4) (b) 6., the department of natural
18 resources shall set aside for the rehabilitation and repair of the navigational system
19 \$400,000 in each fiscal year to be matched by the moneys raised under s. 237.09 (2)
20 (b). The funding shall be set aside beginning with the first fiscal year beginning after
21 the submittal of the initial management plan submitted under s. 237.07 (1) and shall
22 continue to be set aside in each of the next 6 consecutive fiscal years. From the
23 funding that is set aside, the department shall release to the authority for each fiscal
24 year an amount equal to the total amount raised by each corporation under s. 237.09
25 (2) (b) for which matching funding has not been previously released.

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

5 **237.09 Requirements for nonprofit corporations.** (1) Each corporation
6 contracted with under s. 237.03 (1) (e) shall be a nonprofit corporation as described
7 in section 501 (c) (3) of the Internal Revenue Code that is exempt from federal income
8 tax under section 501 (a) of the Internal Revenue Code and shall be based in one or
9 more of the counties in which the navigational system is located.

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

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

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

15 (c) Accept for investment moneys received by the authority for rehabilitation
16 and repair under s. 237.08 and invest the moneys at a rate of return that the
17 authority finds adequate to enable the authority to exercise its duties and powers in
18 rehabilitating and repairing the navigational system.

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

21 **237.10 Rapide Croche lock.** (1) Upon entering into the lease under s.
22 237.06, the authority shall maintain the sea lamprey barrier at the Rapide Croche
23 lock according to specifications of the department of natural resources in order to
24 prevent sea lampreys and other aquatic nuisance from moving upstream.

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

6 **237.11 Political activities.** (1) No employee of the authority may directly
7 or indirectly solicit or receive subscriptions or contributions for any partisan political
8 party or any political purpose while engaged in his or her official duties as an
9 employee. No employee of the authority may engage in any form of political activity
10 calculated to favor or improve the chances of any political party or any person seeking
11 or attempting to hold partisan political office while engaged in his or her official
12 duties as an employee or engage in any political activity while not engaged in his or
13 her official duties as an employee to such an extent that the person's efficiency during
14 working hours will be impaired or that he or she will be tardy or absent from work.
15 Any violation of this section is adequate grounds for dismissal.

16 (2) If an employee of the authority declares an intention to run for partisan
17 political office the employee shall be placed on a leave of absence for the duration of
18 the election campaign and if elected shall no longer be employed by the authority on
19 assuming the duties and responsibilities of such office.

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

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

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

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

7 **237.13 Exemption.** Any activity or project involving the navigational system,
8 including abandonment of the navigational system, is exempt from any permit,
9 license, or other approval required under ch. 30 or 31.

10 **237.14 Abandonment.** If the authority determines the operation of the
11 navigational system is no longer feasible, the authority shall submit a plan to the
12 department of administration and to the department of natural resources describing
13 the steps the authority will take in abandoning the navigational system. The
14 navigational system may not be abandoned unless both the department of
15 administration and the department of natural resources determine that the plan for
16 abandonment will preserve the public rights in the Fox River, will ensure safety, and
17 will protect life, health, and property.

18 **237.15 Transitional provisions.** (1) FUNDING. The department of
19 administration shall transfer the unencumbered balances in the appropriation
20 accounts under s. 20.370 (9) (jL) and (ju) to the authority on the day after the date
21 on which the state and the authority enter into the lease agreement specified in s.
22 237.06.

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

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- 1 1. Any assets and liabilities of the commission.
- 2 2. Any tangible personal property, including records, of the commission.
- 3 3. Any contracts entered into by the commission, and any policies and
- 4 procedures of the commission that will be in effect on the day after the date on which
- 5 the state and the authority enter into the lease agreement specified in s. 237.06.

6 (b) On the day after the date on which the state and the authority enter into

7 the lease agreement specified in s. 237.06, all of the assets, liabilities, and personal

8 property identified for transfer under par. (a) 1. and 2. shall become the assets,

9 liabilities, and personal property of the authority.

10 (c) On the day after the date on which the state and the authority enter into

11 the lease agreement specified in s. 237.06, all the contracts identified under par. (a)

12 3. shall remain in effect and the authority shall, beginning on that day, carry out any

13 such contractual obligations until modified or rescinded to the extent allowed under

14 the contract.

15 (d) On the day after the date on which the state and the authority enter into

16 the lease agreement specified in s. 237.06, all policies and procedures identified in

17 par. (a) 3. shall become policies and procedures of the authority and shall remain in

18 effect until their expiration date or until modified or rescinded by the authority.

19 (e) In case of disagreement with respect to any matter specified in pars. (a) to

20 (d), the secretary of administration shall determine the matter and shall develop a

21 plan for an orderly transfer of the item subject to the disagreement.

22 *–0420/4.2* SECTION 3129. 252.12 (title) of the statutes is amended to read:

23 252.12 (title) ~~Services relating to acquired immunodeficiency~~

24 **syndrome HIV and related infections, including hepatitis C virus**

25 **infections; services and prevention.**

SENATE BILL 55**SECTION 3130**

1 *~~0420/4.3~~* **SECTION 3130.** 252.12 (2) (a) (intro.) of the statutes is amended to
2 read:

3 252.12 (2) (a) ~~Acquired immunodeficiency syndrome~~ HIV and related
4 infections, including hepatitis C virus infections; ~~services.~~ (intro.) From the
5 appropriations under s. 20.435 (1) (a) and (5) (am), the department shall distribute
6 funds for the provision of services to individuals with or at risk of contracting
7 ~~acquired immunodeficiency syndrome~~ HIV infection, as follows:

8 *~~0420/4.4~~* **SECTION 3131.** 252.12 (2) (a) 1. of the statutes is amended to read:

9 252.12 (2) (a) 1. ‘Partner referral and notification.’ The department shall
10 contact an individual known to have received an HIV infection and encourage him
11 or her to refer for counseling ~~and, HIV testing, and, if appropriate, testing for~~
12 hepatitis C virus infection any person with whom the individual has had sexual
13 relations or has shared intravenous equipment.

14 *~~0420/4.5~~* **SECTION 3132.** 252.12 (2) (a) 2. of the statutes is amended to read:

15 252.12 (2) (a) 2. ‘Grants to local projects.’ The department shall make grants
16 to applying organizations for the provision of ~~acquired immunodeficiency syndrome~~
17 HIV and related infection prevention information, the establishment of counseling
18 support groups and the provision of direct care to persons with ~~acquired~~
19 ~~immunodeficiency syndrome~~ HIV infection, including those persons with hepatitis
20 C virus infection.

21 *~~0420/4.6~~* **SECTION 3133.** 252.12 (2) (a) 3. (intro.) of the statutes is amended
22 to read:

23 252.12 (2) (a) 3. ‘Statewide public education campaign.’ (intro.) The
24 department shall promote public awareness of the risk of contracting ~~acquired~~
25 ~~immunodeficiency syndrome~~ HIV and related infections and measures for ~~acquired~~

SENATE BILL 55**SECTION 3133**

1 ~~immunodeficiency syndrome~~ HIV and related infections protection by development
2 and distribution of information through clinics providing family planning services,
3 as defined in s. 253.07 (1) (b), offices of physicians and clinics for sexually transmitted
4 diseases and by newsletters, public presentations or other releases of information to
5 newspapers, periodicals, radio and television stations and other public information
6 resources. The information ~~would~~ shall be targeted at individuals whose behavior
7 puts them at risk of contracting ~~acquired immunodeficiency syndrome~~ HIV and
8 related infections and ~~would~~ shall encompass the following topics:

9 *~~0420/4.7~~* **SECTION 3134.** 252.12 (2) (a) 3. a. of the statutes is amended to
10 read:

11 252.12 (2) (a) 3. a. ~~Acquired immunodeficiency syndrome and~~ HIV infection
12 and related infections.

13 *~~0420/4.8~~* **SECTION 3135.** 252.12 (2) (a) 3. b. of the statutes is amended to
14 read:

15 252.12 (2) (a) 3. b. Means of identifying whether or not individuals may be at
16 risk of contracting ~~acquired immunodeficiency syndrome~~ HIV and related infections.

17 *~~0420/4.9~~* **SECTION 3136.** 252.12 (2) (a) 3. c. of the statutes is amended to
18 read:

19 252.12 (2) (a) 3. c. Measures individuals may take to protect themselves from
20 contracting ~~acquired immunodeficiency syndrome~~ HIV and related infections.

21 *~~0420/4.10~~* **SECTION 3137.** 252.12 (2) (a) 4. of the statutes is amended to read:

22 252.12 (2) (a) 4. 'Information network.' The department shall establish a
23 network to provide information to local health officers and other public officials who
24 are responsible for ~~acquired immunodeficiency syndrome~~ HIV infection and related
25 infection prevention and training.

SENATE BILL 55**SECTION 3138**

1 *~~0420/4.11~~* **SECTION 3138.** 252.12 (2) (a) 5. of the statutes is amended to read:

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

9 *~~0420/4.12~~* **SECTION 3139.** 252.12 (2) (a) 6. of the statutes is amended to read:

10 252.12 (2) (a) 6. ‘Grants for targeted populations and intervention services.’
11 The department shall make grants to those applying organizations ~~determined by~~
12 that the department ~~to be~~ determines ~~are~~ best able to contact individuals who are
13 determined to be highly at risk of contracting ~~acquired immunodeficiency syndrome~~
14 HIV for the provision of ~~acquired immunodeficiency syndrome~~ HIV and related
15 infection information and intervention services.

16 *~~0420/4.13~~* **SECTION 3140.** 252.12 (2) (a) 7. of the statutes is amended to read:

17 252.12 (2) (a) 7. ‘Contracts for counseling and laboratory testing services.’ The
18 department shall distribute funding in each fiscal year to contract with
19 organizations to provide, at alternate testing sites, anonymous or confidential
20 counseling services for HIV and laboratory testing services for the presence of HIV
21 and, if appropriate, related viruses.

22 *~~0420/4.14~~* **SECTION 3141.** 252.12 (2) (c) 2. of the statutes is amended to read:

23 252.12 (2) (c) 2. From the appropriation under s. 20.435 (5) (am), the
24 department shall award \$75,000 in each fiscal year as grants for services to prevent
25 HIV infection and related infections, including hepatitis C virus infection. Criteria

SENATE BILL 55**SECTION 3141**

1 for award of the grants shall include the criteria specified under subd. 1. The
2 department shall award 60% of the funding to applying organizations that receive
3 funding under par. (a) 8. and 40% of the funding to applying community-based
4 organizations that are operated by minority group members, as defined in s. 560.036
5 (1) (f).

6 *~~0420/4.15~~* **SECTION 3142.** 252.12 (2) (c) 3. of the statutes is amended to read:

7 252.12 (2) (c) 3. From the appropriation under s. 20.435 (5) (am), the
8 department shall award to the African American AIDS task force of the Black Health
9 Coalition of Wisconsin, Inc., \$25,000 in each fiscal year as grants for services to
10 prevent HIV infection and related infections, including hepatitis C infection.

11 *~~0295/2.2~~* **SECTION 3143.** 253.13 (2) of the statutes is amended to read:

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

SENATE BILL 55**SECTION 3143**

1 administering the congenital disorder program under this section and shall credit
2 these amounts to the appropriations under s. 20.435 (1) (jb) and (5) (ja).

3 ***-0191/1.1* SECTION 3144.** 254.31 (10) of the statutes is amended to read:

4 254.31 (10) “Source material” means ~~any material except special nuclear~~
5 ~~material, which contains by weight 0.05 per cent or more of uranium, thorium, or any~~
6 ~~combination thereof~~ in any physical or chemical form, or ores that contain by weight
7 0.05% or more of uranium, thorium, or any combination thereof. “Source material”
8 does not include special nuclear material.

9 ***-0191/1.2* SECTION 3145.** 254.34 (1) (a) of the statutes is amended to read:

10 254.34 (1) (a) Promulgate and enforce rules, including registration and
11 licensing of sources of ionizing radiation, as may be necessary to prohibit and prevent
12 unnecessary radiation exposure. The rules may incorporate by reference the
13 recommended standards of nationally recognized bodies in the field of radiation
14 protection and other fields of atomic energy, under the procedure established by s.
15 227.21 (2). The rules for by-product material, source material and special nuclear
16 material ~~may be no less stringent than~~ shall be in accordance with the requirements
17 of 42 USC 2021 (o) and shall otherwise be compatible with the requirements under
18 42 USC 2011 to 2114 and regulations adopted under 42 USC 2011 to 2114.

19 ***-0191/1.3* SECTION 3146.** 254.34 (2) (c) of the statutes is created to read:

20 254.34 (2) (c) Develop requirements for qualification, certification, training,
21 and experience of an individual who does any of the following:

- 22 1. Operates radiation generating equipment.
- 23 2. Utilizes, stores, transfers, transports, or possesses radioactive materials.
- 24 3. Acts as a radiation safety consultant to any person who possesses a license
25 or registration issued by the department under this subchapter.

SENATE BILL 55**SECTION 3147**

1 ***-0191/1.4*** **SECTION 3147.** 254.34 (2) (d) of the statutes is created to read:

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

7 ***-0421/2.1*** **SECTION 3148.** 254.47 (1m) of the statutes is created to read:

8 254.47 (1m) The department or a local health department granted agent status
9 under s. 254.69 (2) may not, without a preinspection, grant a permit to a person
10 intending to operate a new public swimming pool, campground, or recreational or
11 educational camp or to a person intending to be the new operator of an existing public
12 swimming pool, campground, or recreational or educational camp.

13 ***-0421/2.2*** **SECTION 3149.** 254.47 (2) of the statutes is amended to read:

14 254.47 (2) A separate permit is required for each campground, camping resort,
15 recreational ~~and~~ or educational camp and public swimming pool. No permit issued
16 under this section is transferable from one premises to another or from one person,
17 state or local government to another, except that the permit may be transferred from
18 an individual to an immediate family member, as defined in s. 254.64 (4) (a), if the
19 individual is transferring operation of the campground, camping resort, recreational
20 ~~and~~ or educational camp or public swimming pool to the immediate family member.

21 ***-0421/2.3*** **SECTION 3150.** 254.47 (4) of the statutes is amended to read:

22 254.47 (4) Permits issued under this section expire on June 30, except that
23 permits initially issued during the period beginning on April 1 and ending on June
24 30 expire on June 30 of the following year. Except as provided in s. 254.69 (2) (d) and
25 (e), the department shall promulgate rules that establish, for permits issued under

SENATE BILL 55**SECTION 3150**

1 this section, amounts of permit fees, preinspection fees, reinspection fees, fees for
2 operating without a license, and late fees for untimely permit renewal.

3 ***-0421/2.4* SECTION 3151.** 254.64 (1) (b) of the statutes is amended to read:

4 254.64 (1) (b) No person may maintain, manage or operate a bed and breakfast
5 establishment for more than 10 nights in a year without having first obtained a
6 ~~biennial~~ an annual permit from the department.

7 ***-0421/2.5* SECTION 3152.** 254.64 (4) (b) of the statutes is amended to read:

8 254.64 (4) (b) Except as provided in pars. (c) and par. (d), no permit is
9 transferable from one premises to another or from one person to another.

10 ***-0421/2.6* SECTION 3153.** 254.64 (4) (c) of the statutes is repealed.

11 ***-0421/2.7* SECTION 3154.** 254.68 of the statutes is amended to read:

12 **254.68 Fees.** Except as provided in s. 254.69 (2) (d) and (e), the department
13 shall promulgate rules that establish, for permits issued under s. 254.64, permit fees,
14 preinspection fees and, reinspection fees, fees for operating without a permit, late
15 fees for untimely permit renewal, fees for comparable compliance or variance
16 requests, and fees for pre-permit review of restaurant plans.

17 ***-0421/2.8* SECTION 3155.** 254.69 (2) (am) of the statutes is amended to read:

18 254.69 (2) (am) In the administration of this subchapter or s. 254.47, the
19 department may enter into a written agreement with a local health department with
20 a jurisdictional area that has a population greater than 5,000, which designates the
21 local health department as the department's agent in issuing permits to and making
22 investigations or inspections of hotels, restaurants, temporary restaurants, tourist
23 rooming houses, bed and breakfast establishments, campgrounds and camping
24 resorts, recreational and educational camps and public swimming pools. In a
25 jurisdictional area of a local health department without agent status, the

SENATE BILL 55**SECTION 3155**

1 department of health and family services may issue permits, collect permit fees
2 established by rule under s. 254.68 and make investigations or inspections of hotels,
3 restaurants, temporary restaurants, tourist rooming houses, bed and breakfast
4 establishments, campgrounds and camping resorts, recreational and educational
5 camps and public swimming pools. If the department designates a local health
6 department as its agent, the department or local health department may require no
7 permit for the same operations other than the permit issued by the local health
8 department under this subsection. The department shall coordinate the designation
9 of agents under this subsection with the department of agriculture, trade and
10 consumer protection to ensure that, to the extent feasible, the same local health
11 department is granted agent status under this subsection and under s. 97.41. Except
12 as otherwise provided by the department, a local health department granted agent
13 status shall regulate all types of establishments for which this subchapter permits
14 the department of health and family services to delegate regulatory authority.

15 ***-0294/1.2*** SECTION 3156. 255.06 (2) (b) of the statutes is repealed.

16 ***-0294/1.3*** SECTION 3157. 255.075 of the statutes is renumbered 255.075
17 (intro.) and amended to read:

18 **255.075 Health screening for low-income women.** (intro.) From the
19 appropriation account under s. 20.435 (5) (cb), the department shall ~~en~~ do all of the
20 following:

21 (1) On a regional basis award funds, as determined by the department, to
22 applicants to provide health care screening, referral, follow-up and patient
23 education to low-income, underinsured and uninsured women. Award of a grant to
24 an applicant under this ~~section~~ subsection is conditioned upon receipt by the

SENATE BILL 55**SECTION 3157**

1 department of an agreement by the applicant to provide funds or in-kind services to
2 match 25% of the amount of a grant awarded.

3 ***-0294/1.4* SECTION 3158.** 255.075 (2) of the statutes is created to read:

4 255.075 (2) Allocate and expend at least \$20,000 in each fiscal year to develop
5 and provide media announcements and educational materials to promote health
6 care screening services for women that are available under a grant awarded under
7 sub. (1) and to promote breast cancer screening services that are available under s.
8 255.06.

9 ***-1205/4.4* SECTION 3159.** 255.10 (intro.) of the statutes is amended to read:

10 **255.10 Thomas T. Melvin youth tobacco prevention and education**
11 **program.** (intro.) From the appropriation under s. 20.435 (5) (dg) and from the
12 moneys distributed under s. 255.15 (3) (a) 2., the department shall administer the
13 Thomas T. Melvin youth tobacco prevention and education program, with the
14 primary purpose of reducing the use of cigarettes and tobacco products by minors.
15 The department shall award grants for the following purposes:

16 ***-1205/4.5* SECTION 3160.** 255.15 (3) (a) 2. of the statutes is amended to read:

17 255.15 (3) (a) 2. The Thomas T. Melvin youth tobacco prevention and education
18 program under s. 255.10, ~~\$1,000,000~~ \$1,500,000 in fiscal year ~~1999–2000~~ and not
19 ~~less than \$1,000,000 in fiscal year 2000–01~~ 2001–02 and \$2,000,000 in each fiscal
20 year thereafter.

21 ***-0313/2.21* SECTION 3161.** 281.17 (2) of the statutes is amended to read:

22 281.17 (2) The department shall supervise chemical treatment of waters for the
23 suppression of algae, ~~aquatic weeds, swimmers' itch and other nuisance-producing~~
24 ~~plants and organisms~~ that are not regulated by the program established under s.
25 23.24 (2). It may purchase equipment and may make a charge for the use of the same

SENATE BILL 55**SECTION 3161**

1 and for materials furnished, together with a per diem charge for any services
2 performed in such work. The charge shall be sufficient to reimburse the department
3 for the use of the equipment, the actual cost of materials furnished, and the actual
4 cost of the services rendered.

5 ***-0286/3.1* SECTION 3162.** 281.58 (8) (c) of the statutes is amended to read:

6 281.58 (8) (c) Except as provided in par. (k), financial assistance may be
7 provided for the design, planning, and construction of a collection system,
8 interceptor, or individual system project in an unsewered municipality or an
9 unsewered area of a municipality, only if the department finds that at least
10 two-thirds of the initial flow will be for wastewater originating from residences in
11 existence on ~~October 17, 1972~~ the date that is 10 years before the day on which the
12 department approves the facility plan under sub. (8s) for the project.

13 ***-0321/5.3* SECTION 3163.** 281.58 (9) (e) of the statutes is amended to read:

14 281.58 (9) (e) If the governor's recommendation, as set forth in the executive
15 budget bill, for the amount under s. 281.59 (3e) (b), the amount available under s.
16 20.866 (2) (tc), or the amount available under s. 281.59 (4) (f) for a biennium is ~~85%~~
17 75% or less of the amount of present value subsidy, general obligation bonding
18 authority, or revenue bonding authority, respectively, requested for that biennium
19 in the biennial finance plan submitted under s. 281.59 (3) (bm) 1., the department
20 shall inform municipalities that, if the governor's recommendations are approved,
21 clean water fund program assistance during a fiscal year of that biennium will only
22 be available to municipalities that submit financial assistance applications by the
23 June 30 preceding that fiscal year.

24 ***-0321/5.4* SECTION 3164.** 281.58 (9m) (f) (intro.) of the statutes is amended
25 to read:

SENATE BILL 55**SECTION 3164**

1 281.58 **(9m)** (f) (intro.) If the amount approved under s. 281.59 (3e) (b), the
2 amount available under s. 20.866 (2) (tc), or the amount available under s. 281.59 (4)
3 (f) for a biennium is ~~85%~~ 75% or less of the amount of present value subsidy, general
4 obligation bonding authority, or revenue bonding authority, respectively, requested
5 for that biennium in the biennial finance plan submitted under s. 281.59 (3) (bm) 1.,
6 all of the following apply:

7 ***-0321/5.5*** **SECTION 3165.** 281.59 (3e) (b) 1. and 3. of the statutes are amended
8 to read:

9 281.59 **(3e)** (b) 1. Equal to ~~\$85,200,000~~ \$90,000,000 during the ~~1999-01~~
10 2001-03 biennium.

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

12 ***-0321/5.6*** **SECTION 3166.** 281.59 (3m) (b) 1. and 2. of the statutes are
13 amended to read:

14 281.59 **(3m)** (b) 1. Equal to ~~\$9,400,000~~ \$9,110,000 during the ~~1999-01~~ 2001-03
15 biennium.

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

17 ***-0321/5.7*** **SECTION 3167.** 281.59 (3s) (b) 1. and 2. of the statutes are amended
18 to read:

19 281.59 **(3s)** (b) 1. Equal to ~~\$12,600,000~~ \$10,900,000 during the ~~1999-01~~
20 2001-03 biennium.

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

22 ***-0321/5.8*** **SECTION 3168.** 281.59 (4) (f) of the statutes is amended to read:

23 281.59 **(4)** (f) Revenue obligations may be contracted by the building
24 commission when it reasonably appears to the building commission that all
25 obligations incurred under this subsection can be fully paid on a timely basis from

SENATE BILL 55**SECTION 3168**

1 moneys received or anticipated to be received. Revenue obligations issued under this
2 subsection for the clean water fund program shall not exceed ~~\$1,297,755,000~~
3 \$1,389,755,000 in principal amount, excluding obligations issued to refund
4 outstanding revenue obligation notes.

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

6 ***-0291/1.2* SECTION 3170.** 281.61 (3) (c) of the statutes is amended to read:
7 281.61 (3) (c) The department may waive par. (a) ~~or (b)~~ upon the written request
8 of a local governmental unit.

9 ***-0373/2.1* SECTION 3171.** 281.65 (4) (f) of the statutes is amended to read:
10 281.65 (4) (f) Administer the distribution of grants and aids to governmental
11 units for local administration and implementation of the program under this section.
12 A grant awarded under this section may be used for cost-sharing for management
13 practices and capital improvements, easements, or other activities determined by
14 the department to satisfy the requirements of this section. A grant under this section
15 to a lake district for a priority lake identified under sub. (3m) (b) 1. may be used for
16 plan preparation, technical assistance, educational and training assistance, and
17 ordinance development and administration. A grant may not be used for
18 promotional items, except for promotional items that are used for informational
19 purposes, such as brochures or videos.

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

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

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

SENATE BILL 55**SECTION 3173**

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

4 ***-1813/4.14*** **SECTION 3174.** 281.65 (4g) of the statutes is amended to read:

5 281.65 (4g) The department may contract with any person from the
6 appropriation account under s. 20.370 (4) (at) (ac) for services to administer or
7 implement this section, including information and education and training services.
8 The department shall allocate \$500,000 in each fiscal year from the appropriation
9 account under s. 20.370 (4) ~~(at)~~ (ac) for contracts for educational and technical
10 assistance related to the program under this section provided by the University of
11 Wisconsin–Extension.

12 ***-0407/2.1*** **SECTION 3175.** 281.65 (5m) of the statutes is amended to read:

13 281.65 (5m) Upon completion of plans by the department under sub. (4) (g), the
14 governmental unit or regional planning commission under sub. (4m) and the
15 department of agriculture, trade and consumer protection under sub. (5), ~~and upon~~
16 ~~receiving the approval of the land and water conservation board,~~ the department
17 shall prepare ~~and approve~~ the final plan for a priority watershed or priority lake
18 project. The department shall submit the final plan to the land and water
19 conservation board for approval and may not implement the plan without that
20 approval.

21 ***-0407/2.2*** **SECTION 3176.** 281.65 (5q) of the statutes is created to read:

22 281.65 (5q) Notwithstanding sub. (5s), neither the department nor the land
23 and water conservation board may extend funding under this section for a priority
24 watershed or priority lake project beyond the following date:

SENATE BILL 55**SECTION 3176**

1 (a) If a funding termination date was established for the priority watershed or
2 priority lake project before January 1, 2001, that funding termination date.

3 (b) If a funding termination date was not established for the priority watershed
4 or priority lake project before January 1, 2001, the funding termination date first
5 established after December 31, 2000.

6 ***-0353/3.13* SECTION 3177.** 281.68 (1) (ac) of the statutes is created to read:
7 281.68 (1) (ac) “Aquatic nuisance species” has the meaning given in s. 30.1255
8 (1).

9 ***-0353/3.14* SECTION 3178.** 281.68 (1) (ar) of the statutes is created to read:
10 281.68 (1) (ar) “Paid membership” means members of a premier lake
11 association that are current in the payment of their annual membership fees.

12 ***-0353/3.15* SECTION 3179.** 281.68 (1) (au) of the statutes is created to read:
13 281.68 (1) (au) “Premier lake association” is an association that meets the
14 qualifications under sub. (3m) (d).

15 ***-0353/3.16* SECTION 3180.** 281.68 (1) (b) (intro.) of the statutes is
16 renumbered 281.68 (1) (b) and amended to read:

17 281.68 (1) (b) “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 sub. (3m) (a).

20 ***-0353/3.17* SECTION 3181.** 281.68 (1) (b) 1. of the statutes is renumbered
21 281.68 (3m) (a) 2. and amended to read:

22 281.68 (3m) (a) 2. ~~Specifies~~ Specify in its articles of incorporation or bylaws
23 that a substantial purpose of its being incorporated is to support the protection or
24 improvement of one or more inland lakes for the benefit of the general public.

SENATE BILL 55**SECTION 3182**

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

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

6 ***-0353/3.19*** **SECTION 3183.** 281.68 (1) (b) 3. of the statutes is renumbered
7 281.68 (3m) (a) 4. and amended to read:

8 281.68 (3m) (a) 4. ~~Allows~~ Allow to be a member any individual who for at least
9 one month each year resides on or within one mile of an inland lake for which the
10 association was incorporated.

11 ***-0353/3.20*** **SECTION 3184.** 281.68 (1) (b) 4. of the statutes is renumbered
12 281.68 (3m) (a) 5. and amended to read:

13 281.68 (3m) (a) 5. ~~Allows~~ Allow to be a member any individual who owns real
14 estate on or within one mile of an inland lake for which the association was
15 incorporated.

16 ***-0353/3.21*** **SECTION 3185.** 281.68 (1) (b) 5. of the statutes is renumbered
17 281.68 (3m) (a) 6. and amended to read:

18 281.68 (3m) (a) 6. ~~Does not~~ Not have articles of incorporation or bylaws which
19 limit or deny the right of any member or any class of members to vote as permitted
20 under s. 181.0721 (1).

21 ***-0353/3.22*** **SECTION 3186.** 281.68 (1) (b) 6. of the statutes is renumbered
22 281.68 (3m) (a) 7. and amended to read:

23 281.68 (3m) (a) 7. ~~Has been~~ Demonstrate that it has been in existence for at
24 least one year.

SENATE BILL 55

1 ***-0353/3.23*** SECTION 3187. 281.68 (1) (b) 7. of the statutes is renumbered
2 281.68 (3m) (a) 8. and amended to read:

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

4 ***-0353/3.24*** SECTION 3188. 281.68 (1) (b) 8. of the statutes is renumbered
5 281.68 (3m) (a) 9. and amended to read:

6 281.68 (3m) (a) 9. ~~Requires~~ Require payment of an annual membership fee of
7 ~~not less than \$10 nor more than \$25 as set by the department by rule under par. (b).~~

8 ***-0353/3.25*** SECTION 3189. 281.68 (1) (c) of the statutes is created to read:

9 281.68 (1) (c) “Qualified school district” is a school district that meets the
10 qualifications under sub. (3m) (c).

11 ***-0353/3.26*** SECTION 3190. 281.68 (2) of the statutes is renumbered 281.68
12 (2) (a) and amended to read:

13 281.68 (2) (a) AMOUNT OF GRANTS. The department may provide a grant of 75%
14 of the cost of a lake management planning project ~~up to a total of \$10,000 per grant.~~
15 Each grant may not exceed \$10,000, except as provided in par. (b).

16 ***-0353/3.27*** SECTION 3191. 281.68 (2) (b) of the statutes is created to read:

17 281.68 (2) (b) A grant made to a premier lake association under par. (a) may
18 not exceed \$25,000.

19 ***-0353/3.28*** SECTION 3192. 281.68 (3) (a) of the statutes is amended to read:

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

SENATE BILL 55**SECTION 3193**

1 ***-0353/3.29* SECTION 3193.** 281.68 (3) (b) 6. of the statutes is created to read:

2 281.68 (3) (b) 6. Providing programs and materials that promote the
3 monitoring of private sewage systems, the reduction in the use of environmentally
4 harmful chemicals, water safety, and the protection of natural lake ecosystems.

5 ***-0353/3.30* SECTION 3194.** 281.68 (3m) (title) and (a) (intro.) of the statutes
6 are created to read:

7 281.68 (3m) (title) **QUALIFIED ENTITIES.** (a) (intro.) To be a qualified lake
8 association, an association shall do all of the following:

9 ***-0353/3.31* SECTION 3195.** 281.68 (3m) (a) 1. of the statutes is created to read:

10 281.68 (3m) (a) 1. Demonstrate that it is incorporated under ch. 181.

11 ***-0353/3.32* SECTION 3196.** 281.68 (3m) (b) of the statutes is created to read:

12 281.68 (3m) (b) For purposes of par. (a) 9., the department shall set by rule the
13 maximum amount and the minimum amount that may be charged as an annual
14 membership fee.

15 ***-0353/3.33* SECTION 3197.** 281.68 (3m) (c) of the statutes is created to read:

16 281.68 (3m) (c) To be a qualified school district, the board of the school district
17 shall adopt a resolution to conduct a lake management planning project that will do
18 all of the following:

19 1. Provide information or education on the use of lakes or natural lake
20 ecosystems, on the quality of water in lakes, or on the quality of natural lake
21 ecosystems.

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

24 ***-0353/3.34* SECTION 3198.** 281.68 (3m) (d) of the statutes is created to read: