

1 shall supersede the rules promulgated by the department under this section that
2 were in effect on the day before the effective date of this subsection [revisor inserts
3 date].”.

4 *b1519/2.145* **661.** Page 494, line 14: after that line insert:

5 *b1519/2.145* “SECTION 1253b. 30.124 (1) (intro) of the statutes, as affected
6 by 2001 Wisconsin Act (this act), is renumbered 23.244 (1) (intro.) and amended
7 to read:

8 23.244 (1) (intro.) Notwithstanding ss. 23.245, 30.12, 30.20, 30.44 and 30.45
9 and if the department finds, after consulting with the department of environmental
10 management, that the activity will not adversely affect public or private rights or
11 interests in fish and wildlife populations, navigation or waterway flood flow capacity
12 and will not result in environmental pollution, as defined in s. 299.01 (4), the
13 department may do all of the following on public lands or waters:”.

14 *b1519/2.146* **662.** Page 494, line 18: after that line insert:

15 *b1519/2.146* “SECTION 1254b. 30.124 (1) (a) of the statutes, as affected by
16 2001 Wisconsin Act (this act), is renumbered 23.244 (1) (a).

17 *b1519/2.146* SECTION 1254g. 30.124 (1) (b) of the statutes is renumbered
18 23.244 (1) (b).

19 *b1519/2.146* SECTION 1254r. 30.124 (2) of the statutes is renumbered 23.244
20 (2).”.

21 **663.** Page 494, line 19: after that line insert:

22 *b1519/2.146* “SECTION 1255m. 30.1255 of the statutes is renumbered
23 23.243.

24 *b1519/2.146* SECTION 1259d. 30.195 (2) of the statutes is amended to read:

1 30.195 (2) APPLICATIONS. Applications for permits required by this section shall
2 be made to the department of ~~natural resources~~ upon forms prescribed by it.
3 Applications shall contain such information as the department reasonably requires
4 to enable it to act on the application.

5 ***b1519/2.146* SECTION 1260b.** 30.20 (1) (d) of the statutes is amended to read:

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

13 ***b1488/3.3* 664.** Page 494, line 19: after that line insert:

14 ***b1488/3.3* SECTION 1255g.** 30.20 (1) (d) of the statutes is amended to read:

15 30.20 (1) (d) The A drainage board for the ~~Duck Creek Drainage District~~ may,
16 without a permit under sub. (2) (c), remove qualifying material from a drain ~~that the~~
17 ~~board operates in the Duck Creek Drainage District~~ if the removal is required, under
18 rules promulgated by the department of agriculture, trade and consumer protection,
19 in order to conform the drain to specifications imposed by the department of
20 agriculture, trade and consumer protection after consulting with the department of
21 natural resources.

22 ***b1488/3.3* SECTION 1255r.** 30.20 (1) (dm) of the statutes is created to read:

23 30.20 (1) (dm) For purposes of this paragraph, “qualifying material” is either
24 of the following:

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

3 2. Any material that is removed from a drain that is not described in subd. 1.
4 if the removal is necessary primarily for agricultural purposes, as defined in s. 29.181
5 (1b) (a).”.

6 ***b1670/1.1* 665.** Page 494, line 19: after that line insert:

7 ***b1670/1.1* SECTION 1256g.** 30.19 (1) (c) of the statutes is amended to read:

8 30.19 (1) (c) To grade or otherwise remove top soil from the bank of any
9 navigable stream, lake or other body of navigable water where the area exposed by
10 such grading or removal will exceed 10,000 20,000 square feet.

11 ***b1670/1.1* SECTION 1256r.** 30.19 (3) (a) of the statutes is amended to read:

12 30.19 (3) (a) Section 30.02 (3) and (4) applies to permit applications under sub.
13 (1) (b) ~~and (e)~~. Notice shall be provided to the clerks of the county and municipality
14 in which the project or affected body of water is located and to the persons under sub.
15 (2) (e). For any permit application which affects the Milwaukee River, the
16 Menomonee River, the Kinnickinnic River, the Root River or any tributary of those
17 rivers, special notice shall be given to the Milwaukee metropolitan sewerage district.
18 The metropolitan sewerage district shall have 30 days to respond to the special
19 notice.”.

20 ***b1672/1.3* 666.** Page 494, line 19: after that line insert:

21 ***b1672/1.3* SECTION 1255f.** 30.13 (1p) of the statutes is created to read:

22 30.13 (1p) PIERS EXEMPT FROM ENFORCEMENT ACTION. A pier that was in place
23 on January 1, 2001, or that was seasonally placed in the same location in each of the
24 years beginning with 1996 and ending with 2000, is exempt from any enforcement

1 action under this section by the department, or by the governing body of a city,
2 village, or town, or a designated officer, that requires a riparian proprietor to repair,
3 renovate, modify, or remove the pier, unless the riparian proprietor reconstructs or
4 materially alters the pier after January 1, 2001.

5 ***b1672/1.3* SECTION 1255j.** 30.13 (4) (a) of the statutes is amended to read:

6 30.13 (4) (a) *Interferes with public rights.* A wharf ~~or pier~~ which that interferes
7 with public rights in navigable waters constitutes an unlawful obstruction of
8 navigable waters unless a permit is issued for the wharf ~~or pier~~ under s. 30.12 or
9 unless authorization for the wharf ~~or pier~~ is expressly provided. A pier that
10 interferes with public rights in navigable waters constitutes an unlawful obstruction
11 of navigable waters unless a permit is issued for the pier under s. 30.12,
12 authorization for the pier is expressly provided, or the pier is exempt from any
13 enforcement action under sub. (1p), s. 30.12 (2m), or s. 30.131 (4).

14 ***b1672/1.3* SECTION 1255m.** 30.13 (4) (b) of the statutes is amended to read:

15 30.13 (4) (b) *Interferes with riparian rights.* A wharf ~~or pier~~ which that
16 interferes with rights of other riparian proprietors constitutes an unlawful
17 obstruction of navigable waters unless a permit is issued for the wharf ~~or pier~~ under
18 s. 30.12 or unless authorization for the wharf or pier is expressly provided. A pier
19 that interferes with the rights of other riparian proprietors constitutes an unlawful
20 obstruction of navigable waters unless a permit is issued for the pier under s. 30.12,
21 authorization for the pier is expressly provided, or the pier is exempt from any
22 enforcement action under sub. (1p), s. 30.12 (2m), s. 30.131 (4).

23 ***b1672/1.3* SECTION 1255p.** 30.13 (7) of the statutes is created to read:

24 30.13 (7) APPLICATION AND PROMULGATION OF RULES. Every rule promulgated by
25 the department that relates to the regulation of piers under this section and that is

1 in effect on the day before the effective date of this subsection [revisor inserts
2 date], shall be void. The department shall promulgate rules regulating piers under
3 this section that shall supersede the rules promulgated by the department under this
4 section that were in effect on January 1, 2001.

5 ***b1672/1.3* SECTION 1255t.** 30.131 (3) of the statutes is created to read:

6 30.131 (3) PIERS EXEMPT FROM ENFORCEMENT ACTION. A pier that was in place
7 on January 1, 2001, or that was seasonally placed in the same location in each of the
8 years beginning with 1996 and ending with 2000, is exempt from any enforcement
9 action by the department that requires the person who placed the pier or the owner
10 of riparian land that abuts the pier to repair, renovate, modify, or remove the pier,
11 unless the person who placed the pier or the riparian owner reconstructs or
12 materially alters the pier after January 1, 2001.

13 ***b1672/1.3* SECTION 1255v.** 30.131 (4) of the statutes is created to read:

14 30.131 (4) APPLICATION AND PROMULGATION OF RULES. Every rule promulgated
15 by the department that relates to the regulation of piers under this section and that
16 is in effect on the day before the effective date of this subsection [revisor inserts
17 date], shall be void. The department shall promulgate rules regulating piers under
18 this section that shall supersede the rules promulgated by the department under this
19 section that were in effect on the day before the effective date of this subsection
20 [revisor inserts date].”.

21 ***b1707/1.1* 667.** Page 494, line 19: after that line insert:

22 ***b1707/1.1* “SECTION 1255d.** 30.134 (1) (e) of the statutes is repealed.

23 ***b1707/1.1* SECTION 1255h.** 30.134 (2) of the statutes is amended to read:

1 30.134 (2) AUTHORIZATION. Members of the public may use any exposed shore
2 area of a stream without the permission of the riparian ~~to engage in a water-related~~
3 ~~recreational activity only if it is necessary to exit the body of water to bypass an~~
4 obstruction.

5 ***b1707/1.1* SECTION 1255j.** 30.134 (3) (a) (intro.) of the statutes is renumbered
6 30.134 (3) (a) and amended to read:

7 30.134 (3) (a) ~~In engaging in a water-related recreational activity in the using~~
8 an exposed shore area of a stream, as authorized under sub. (2), a member of the
9 public may not ~~do any of the following: enter the exposed shore area except from the~~
10 water, from a point of public access on the stream, or with the permission of the
11 riparian.

12 ***b1707/1.1* SECTION 1255k.** 30.134 (3) (a) 1. of the statutes is repealed.

13 ***b1707/1.1* SECTION 1255n.** 30.134 (3) (a) 2. of the statutes is repealed.

14 ***b1707/1.1* SECTION 1255p.** 30.134 (3) (a) 3. of the statutes is repealed.

15 ***b1707/1.1* SECTION 1255q.** 30.134 (3) (a) 4. of the statutes is repealed.

16 ***b1707/1.1* SECTION 1255r.** 30.134 (3) (a) 5. of the statutes is repealed.

17 ***b1707/1.1* SECTION 1255s.** 30.134 (3) (a) 6. of the statutes is repealed.

18 ***b1707/1.1* SECTION 1255t.** 30.134 (3) (a) 7. of the statutes is repealed.

19 ***b1707/1.1* SECTION 1255u.** 30.134 (3) (b) of the statutes is repealed.

20 ***b1707/1.1* SECTION 1255v.** 30.134 (5) (intro.) of the statutes is amended to
21 read:

22 30.134 (5) EXCEPTIONS. (intro.) The right granted to the public ~~to engage in~~
23 ~~recreational activities on~~ under this section to use an exposed shore area of a stream
24 does not apply to any of the following:”.

1 ***b1519/2.147* 668.** Page 494, line 20: delete the material beginning with
2 that line and ending with page 497, line 21, and substitute:

3 ***b1519/2.147* “SECTION 1261k.** 30.203 of the statutes is renumbered 23.178.”.

4 ***b1519/2.148* 669.** Page 498, line 6: after that line insert:

5 ***b1519/2.148* “SECTION 1261p.** 30.24 of the statutes is renumbered 23.0942.

6 ***b1519/2.148* SECTION 1261r.** 30.26 of the statutes is renumbered 23.43.

7 ***b1519/2.148* SECTION 1261u.** 30.27 of the statutes is renumbered 23.432.

8 ***b1519/2.148* SECTION 1261w.** 30.275 of the statutes is renumbered 23.434.

9 ***b1519/2.148* SECTION 1261y.** 30.277 of the statutes is renumbered 23.0944.”.

10 ***b1669/2.1* 670.** Page 498, line 6: after that line insert:

11 ***b1669/2.1* “SECTION 1261p.** 30.265 of the statutes is created to read:

12 **30.265 Adopt a river program.** The department shall establish an adopt a
13 river program to encourage program volunteers to clean up a specified portion of a
14 lake, river, wetland, or ravine. The department shall supply to the volunteers
15 educational support and necessary supplies. The department shall keep records of
16 information related to the program, including the pounds of rubbish collected, the
17 number of volunteer hours provided, and descriptions of the debris found. The
18 department shall publicly recognize volunteers who participate in the program.”.

19 ***b1737/2.3* 671.** Page 498, line 6: after that line insert:

20 ***b1737/2.3* “SECTION 1261q.** 30.208 of the statutes is created to read:

21 **30.208 Lakeshore basin procedures. (1)** The department shall submit each
22 application for a permit that it receives under this chapter for a project or activity
23 at a site located in Brown, Door, or Kewaunee county to the Lakeshore basin council
24 for its recommendations regarding the issuance of the permit. The Lakeshore basin

1 council shall submit its recommendations to the department. Subsections (2) to (8)
2 only apply to permit applications and permits that are for projects or activities sites
3 that are located in Brown, Door, or Kewaunee county.

4 (2) The department shall give the Lakeshore basin council notice of any
5 hearing that is scheduled or ordered on the issuance of a permit.

6 (3) Any application for a permit for a pier or a dredging activity that is part of
7 a noncommercial project shall be treated by the department as Type III action under
8 ch. NR 150, Wis. Adm. Code, and the person applying for the permit is exempt from
9 the requirement of preparing an environmental assessment under s. 1.11 unless the
10 department provides written determination that an environmental assessment is
11 required under ch. NR 150, Wis. Adm. Code. The determination shall state the
12 specific reasons supporting the department's determination.

13 (4) Any person who submits a substantive written objection in response to a
14 permit application shall pay the department a fee of \$25 at the time the substantive
15 written objection is submitted. The person shall also submit a supporting affidavit
16 within 30 days after submitting the substantive written objection. The person who
17 submits the substantive written objection shall have the burden at the hearing to
18 prove that the department should not issue the permit.

19 (5) If a person objects to the issuance of a permit, the hearing examiner or court
20 hearing the objection may order the objecting party to pay the costs, including
21 reasonable attorney fees, incurred by the permit applicant if the examiner or court
22 finds that the objection was frivolous, as described in s. 814.025 (3).

23 (6) The division of hearings and appeals shall randomly assign hearing
24 examiners to conduct hearings regarding permit applications. If the department
25 does not agree to schedule the hearing within 120 days after the department has

1 denied a permit and the applicant has requested a hearing, the applicant may
2 request that the division of hearings and appeals schedule the hearing at the earliest
3 date available to the division.

4 (7) If a person other than the department seeks judicial review of any permit
5 application hearing, venue shall be in the county where the plaintiff resides, the
6 county where the property that is involved in the permit is located, or a county chosen
7 by the plaintiff. If the department seeks judicial review of any permit application
8 hearing, venue shall be in the county where the office is located that issued the
9 original decision regarding the permit.

10 (8) The department may permit the use of alternate dispute resolution
11 procedures to resolve a permit application dispute in place of a hearing. The
12 department shall promulgate rules to establish requirements and procedures for the
13 use of alternate dispute resolution procedures to resolve permit application
14 disputes.”.

15 *b1519/2.149* **672.** Page 498, line 12: after that line insert:

16 *b1519/2.149* “SECTION 1263c. 30.40 (3e) of the statutes is created to read:
17 30.40 (3e) “Department” means the department of fish, wildlife, parks, and
18 forestry.

19 *b1519/2.149* SECTION 1263e. 30.40 (15m) of the statutes is created to read:
20 30.40 (15m) “Secretary” means the secretary of fish, wildlife, parks, and
21 forestry.

22 *b1519/2.149* SECTION 1263g. 30.41 (1) of the statutes is amended to read:
23 30.41 (1) There is created a Lower Wisconsin State Riverway consisting of land
24 as designated by the natural resources fish, wildlife, parks, and forestry board.”.

1 ***b1519/2.150* 673.** Page 499, line 3: after that line insert:

2 ***b1519/2.150*** “SECTION 1265m. 30.50 (3m) of the statutes is created to read:

3 30.50 (3m) “Department” means the department of fish, wildlife, parks, and
4 forestry.”.

5 ***b1519/2.151* 674.** Page 499, line 7: after that line insert:

6 ***b1519/2.151*** “SECTION 1267m. 30.50 (11g) of the statutes is created to read:

7 30.50 (11g) “Secretary” means the secretary of fish, wildlife, parks, and
8 forestry.”.

9 ***b1519/2.152* 675.** Page 502, line 17: after that line insert:

10 ***b1519/2.152*** “SECTION 1283m. 30.52 (1m) (e) of the statutes, as affected by
11 2001 Wisconsin Act (this act), is amended to read:

12 30.52 (1m) (e) *Receipt of fees.* All fees remitted to or collected by the department
13 under par. (ar) shall be credited to the appropriation account under s. 20.370 (9) ~~(hu)~~
14 (1) (hw).”.

15 ***b1519/2.153* 676.** Page 503, line 7: after that line insert:

16 ***b1519/2.153*** “SECTION 1286m. 30.52 (3m) (b) of the statutes is amended to
17 read:

18 30.52 (3m) (b) All moneys collected under par. (a) shall be deposited into the
19 account under s. 20.370 (3) (1) (is).”.

20 ***b1519/2.154* 677.** Page 507, line 23: after that line insert:

21 ***b1519/2.154*** “SECTION 1306m. 30.71 (4) of the statutes is amended to read:

22 30.71 (4) Any rules necessary to carry out the purposes of this section shall be
23 promulgated jointly by the department of commerce and the department of ~~natural~~
24 resources fish, wildlife, parks, and forestry.”.

1 ***b1519/2.155* 678.** Page 509, line 25: after that line insert:

2 ***b1519/2.155* “SECTION 1319m.** 30.773 (2) of the statutes is amended to read:

3 30.773 (2) PROCEDURES. A municipality authorized to establish a bulkhead line
4 under s. 30.11 may establish a designated mooring area in the same manner as it is
5 authorized to establish the bulkhead line except that the municipality is required to
6 obtain the approval of the department of fish, wildlife, parks, and forestry, rather
7 than the department of environmental management, and if the municipality created
8 a board of harbor commissioners, the municipality is also required to obtain the
9 approval of that board ~~in addition to the approval of the department.”.~~

10 ***b1519/2.156* 679.** Page 511, line 2: after that line insert:

11 ***b1519/2.156* “SECTION 1331m.** 30.92 (6) (b) of the statutes is amended to
12 read:

13 30.92 (6) (b) The department shall assign staff to the commission for
14 management of the program under this section. All staff activities, including but not
15 limited to budgeting, program coordination and related administrative management
16 functions, shall be consistent with the policies of the department and the ~~natural~~
17 resources fish, wildlife, parks, and forestry board.”.

18 ***b1488/3.4* 680.** Page 511, line 25: after that line insert:

19 ***b1488/3.4* “SECTION 1339m.** 31.01 (2m) of the statutes is created to read:

20 31.01 (2m) “Duck Creek Drainage District” has the meaning given in s. 30.01
21 (1nm).”.

22 ***b1519/2.157* 681.** Page 511, line 25: after that line insert:

23 ***b1519/2.157* “SECTION 1339m.** 30.95 of the statutes is created to read:

1 **30.95 General provision for notice and hearing.** (1) In any proceeding
2 under this subchapter or subch. IV in which public notice is required, the department
3 shall follow the procedures in subs. (3) and (4).

4 (2) In any proceeding under this subchapter or subch. IV in which public notice
5 is not required, the department shall follow the procedures in subs. (3) and (4) if it
6 determines that substantial interests of any party may be adversely affected by the
7 proceeding.

8 (3) Upon receipt of a complete permit application, the department shall either
9 schedule a hearing or provide notice stating that it will proceed on the application
10 or request without a hearing if, within 30 days after the publication of the notice, no
11 substantive written objection to issuance of the permit is received. The notice shall
12 be provided to the clerk of each municipality in which the project is located and to
13 any other person required by law to receive notice. The department may provide
14 notice to other persons as it deems appropriate. The department shall provide a copy
15 of the notice to the applicant, who shall publish it as a class 1 notice under ch. 985
16 in a newspaper designated by the department that is likely to give notice in the area
17 affected. The applicant shall file proof of publication with the department.

18 (4) (a) If a public hearing is ordered, the division of hearings and appeals shall
19 mail a written notice at least 10 days before the hearing to each person given notice
20 under sub. (3) and, in the case of an application for a permit, to any person who
21 submitted a substantive written objection to issuance of the permit.

22 (b) The applicant shall publish a class 1 notice under ch. 985 of the hearing in
23 a newspaper designated by the department that is likely to give notice in the area
24 affected. The applicant shall file proof of publication under this paragraph with the
25 hearing examiner at or prior to the hearing.

1 ***b1519/2.157* SECTION 1339u.** 31.01 (2) of the statutes is amended to read:

2 31.01 (2) “Department” means the department of ~~natural resources~~
3 environmental management.

4 ***b1519/2.157* SECTION 1340m.** 31.02 (4) (c) of the statutes is amended to read:

5 31.02 (4) (c) With good and sufficient fishways or fish ladders, or in lieu thereof,
6 the department of environmental management may permit the owner may be
7 permitted to enter into an agreement with the department of fish, wildlife, parks,
8 and forestry to pay for or to supply to the state of Wisconsin annually such quantities
9 of game fish for stocking purposes as may be agreed upon by the owner and the
10 department of fish, wildlife, parks, and forestry.”.

11 ***b1703/3.2* 682.** Page 511, line 25: after that line insert:

12 ***b1703/3.2* “SECTION 1339m.** 31.01 (7) of the statutes is created to read:

13 31.01 (7) “Professional engineering firm” means a private professional
14 engineering firm, partnership, or corporation that has been granted a certificate of
15 authorization under s. 443.08 (3).

16 ***b1703/3.2* SECTION 1340m.** 31.02 (2) of the statutes is amended to read:

17 31.02 (2) The department may investigate and determine all reasonable
18 methods of construction, operation, maintenance, and equipment for any dam so as
19 to conserve and protect all public rights in navigable waters and so as to protect life,
20 health and property; and the construction, operation, maintenance and equipment,
21 or any or all thereof, of dams in navigable waters shall be subject to the supervision
22 of the department and to the orders and regulations of the department made or
23 promulgated under this chapter. Except as provided in s. 31.19 (6) (b), any inspection

1 conducted as part of an investigation under this subsection shall be conducted by a
2 professional engineering firm.

3 *b1703/3.2* SECTION 1340n. 31.02 (3) of the statutes is amended to read:

4 31.02 (3) The department ~~or~~, any member or any agent or employe thereof of
5 the department and any professional engineering firm shall at all times be accorded
6 free access to any ~~and all parts~~ part of any dam and ~~appurtenances to any~~
7 appurtenance constructed or maintained in navigable waters ~~and in order to conduct~~
8 an inspection or investigation as authorized or required under this chapter. The
9 department may enter upon any property to investigate a waterway or use of water
10 from any lake or stream.”.

11 *b1488/3.5* **683.** Page 512, line 3: after that line insert:

12 *b1488/3.5* “SECTION 1341d. 31.02 (7) of the statutes is amended to read:

13 31.02 (7) The department of natural resources shall confer with the
14 department of agriculture, trade and consumer protection and the drainage
15 commissioners in each drainage district on the formation of policies for the operation
16 and maintenance of the dams; ~~in districts. In a district~~ having no commissioners, the
17 department of natural resources shall confer in like manner with the department of
18 agriculture, trade and consumer protection and with ~~the~~ any committee appointed
19 by the county board, ~~if any,~~ to represent ~~either such~~ the drainage district, ~~or in. In~~
20 the event that ~~the~~ a drainage district is dissolved, ~~to represent~~ the department of
21 natural resources shall confer with any committee appointed by the county board to
22 represent the interests of the county in all matters whatsoever pertaining to water
23 conservation and control within the area which theretofore constituted ~~such~~ the

1 drainage district. ~~This subsection does not apply to the Duck Creek Drainage~~
2 ~~District.~~

3 *b1488/3.5* SECTION 1341h. 31.02 (7m) of the statutes is amended to read:

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

13 *b1488/3.5* SECTION 1341p. 31.02 (8) of the statutes is amended to read:

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

19 *b1488/3.5* SECTION 1341t. 31.02 (9) of the statutes is amended to read:

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

1 ***b1519/2.158* 684.** Page 512, line 3: after that line insert:

2 ***b1519/2.158*** “SECTION 1340rp. 31.02 (4r) of the statutes is amended to read:

3 31.02 (4r) The department of environmental management shall promulgate
4 rules specifying the rights held by the public in navigable waters that are dammed.
5 The rules shall include provisions on the rights held by the public that affect the
6 placement of fishways or fish ladders in navigable waters that are dammed. The
7 department of environmental management shall consult with the department of
8 fish, wildlife, parks, and forestry concerning the rules under this subsection.

9 ***b1519/2.158* SECTION 1342b.** 31.02 (7m) of the statutes is amended to read:

10 31.02 (7m) The drainage board for the Duck Creek Drainage District shall
11 operate, repair and maintain dams, dikes and other structures in district drains that
12 the board operates in the Duck Creek Drainage District in compliance with ch. 88
13 and any rules promulgated by the department of agriculture, trade and consumer
14 protection under ch. 88. If a county drainage board fails to perform its duties under
15 this subsection, the department of ~~natural resources~~ fish, wildlife, parks, and
16 forestry may exercise its authority under subs. (6), (8) and (9).

17 ***b1519/2.158* SECTION 1344b.** 31.06 (1) of the statutes is amended to read:

18 31.06 (1) Upon receipt of an application for a permit under s. 31.05 the
19 department of environmental management may order a hearing or it may mail a
20 notice that it will proceed on the application without public hearing unless a request
21 for a public hearing is filed as provided in this section. The notice shall be mailed
22 to the clerk of each municipality directly affected by the proposed dam and to the
23 department of fish, wildlife, parks, and forestry. The department of environmental
24 management may give further or other notice as it considers proper. The department

1 of environmental management shall mail a copy of the notice to the applicant who
2 shall cause the notice to be published in each county in which affected riparian lands
3 are located as a class 1 notice, under ch. 985. If a hearing is not requested in writing
4 within 30 days after mailing of the notice, the department of environmental
5 management may waive the hearing.

6 *b1519/2.158* SECTION 1344c. 31.06 (3) (b) of the statutes is amended to read:

7 31.06 (3) (b) If it appears, after consulting with the department of fish, wildlife,
8 parks, and forestry, that the construction, operation or maintenance of the proposed
9 dam is in the public interest, considering ecological, aesthetic, economic and
10 recreational values, the department of environmental management shall so find and
11 grant a permit to the applicant, provided the department of environmental
12 management also finds that the applicant has complied with s. 31.14 (2) or (3) and,
13 where applicable, with s. 31.05 (3), based on the ~~department's own~~ estimate of the
14 department of environmental management of the area of the flowage.

15 *b1519/2.158* SECTION 1344d. 31.187 (2) of the statutes is amended to read:

16 31.187 (2) Whenever the department of environmental management
17 determines, after consultation with the department of fish, wildlife, parks, and
18 forestry, that the conservation of any species or variety of wild animals will be
19 promoted thereby, the department may maintain and repair any dam located wholly
20 upon lands the title to which is in the state either as proprietor or in trust for the
21 people after giving due consideration to fixing the level and regulating the flow of the
22 public waters.

23 *b1519/2.158* SECTION 1344f. 31.307 (4) of the statutes is repealed.

24 *b1519/2.158* SECTION 1344g. 31.309 (1) (a) and (am) of the statutes are
25 repealed.

1 ***b1519/2.158* SECTION 1344h.** 31.309 (1) (b) of the statutes is renumbered
2 31.309 (1) and amended to read:

3 31.309 (1) When the department determines that the renovation and repair
4 described under ~~par. (a) s. 31.309 (1) (a), 1999 stats.,~~ are complete, the city of Portage
5 shall assume the maintenance of the city of Portage levee in the Portage levee system
6 in a manner that will best protect the surrounding area from the overflow of the
7 Wisconsin River.

8 ***b1519/2.158* SECTION 1344j.** 31.309 (2) (a) of the statutes is renumbered
9 31.309 (2).

10 ***b1519/2.158* SECTION 1344m.** 31.309 (2) (b) of the statutes is repealed.

11 ***b1519/2.158* SECTION 1344p.** 31.34 of the statutes is amended to read:

12 **31.34 Flow of water regulated.** Each person, firm or corporation
13 maintaining a dam on any navigable stream shall pass at all times at least 25% of
14 the natural low flow of water of such stream, except as otherwise provided by law.
15 This section, however, shall not apply to a plant or dam where the water is discharged
16 directly into a lake, mill pond, storage pond or cranberry marsh, nor shall it apply
17 to cases ~~where in the opinion of~~ in which the department of environmental
18 management determines, after consultation with the department of fish, wildlife,
19 parks, and forestry, that such minimum discharge is not necessary for the protection
20 of fish life. Any person, firm or corporation violating this section shall be fined not
21 less than \$50 nor more than \$1,000.”.

22 ***b1649/2.1* 685.** Page 512, line 3: after that line insert:

23 ***b1649/2.1* “SECTION 1344g.** 31.309 (1) (ag) of the statutes is created to read:

1 31.309 (1) (ag) The department shall provide a grant of \$350,000 in fiscal year
2 2001–2002 and a grant of \$350,000 in fiscal year 2002–2003 from the appropriation
3 under s. 20.370 (5) (cq) to the city of Portage for the renovation and repair of the
4 Portage canal.”.

5 ***b1703/3.3* 686.** Page 512, line 3: after that line insert:

6 ***b1703/3.3* “SECTION 1344c.** 31.18 (1) of the statutes is amended to read:

7 31.18 (1) The grantee of any permit, the owner of any dam constructed before
8 permits were required by law, and the owner of any bridge at the city of Portage or
9 at any point above that city, over the Wisconsin River, shall maintain and operate all
10 such dams, slides, chutes, piers, booms, guide booms, weirs, tunnels, races, flumes,
11 sluices, pits, fishways, locks, boat hoists, marine railways and all other equipment
12 required by the department for the protection of public rights in such waters, and for
13 the preservation of life, health and property, in good repair and condition, and shall
14 not wilfully, or otherwise, injure, remove or destroy the same, or any part thereof,
15 unless the department shall have approved such removal or destruction in writing.
16 In the event of emergency the department shall have power, pending investigation
17 and hearing, to order the repair of any dam without notice and hearing. Except as
18 provided in s. 31.19 (6) (b), any inspection conducted as part of an investigation under
19 this subsection shall be conducted by a professional engineering firm.

20 ***b1703/3.3* SECTION 1344e.** 31.18 (3) of the statutes is amended to read:

21 31.18 (3) Except when emergency shall require the same for the protection of
22 life, health or property, no substantial alteration or addition shall be made to any
23 dam heretofore or hereafter constructed without obtaining an order therefor from
24 the department, which order may be issued only after an investigation and upon a

1 finding that the proposed alterations or additions will not impair the sufficiency of
2 such dam or any existing public rights in such waters. Except as provided in s. 31.19
3 (6) (b), any inspection conducted as part of an investigation under this subsection
4 shall be conducted by a professional engineering firm.

5 *b1703/3.3* SECTION 1344g. 31.185 (4) of the statutes is amended to read:

6 31.185 (4) Prior to the hearing the department shall ~~have its staff make its own~~
7 conduct an investigation of the dam and, on the basis of such investigation, shall
8 make recommendations as to the type of requirements, if any, which it would impose
9 on the applicant under sub. (5) as a condition to granting the permit. Such
10 recommendations shall be presented at the hearing. If no one registers opposition
11 to the application at the hearing, the department shall grant the permit, subject to
12 such conditions as it deems necessary under sub. (5). If someone registers opposition
13 to the abandonment at the hearing and such opposition is not withdrawn, the
14 department shall defer action on the application for a period of 120 days after the
15 hearing. Within a reasonable time after the expiration of such period, the
16 department shall deny the permit, or grant the permit, subject to such conditions as
17 it imposes under sub. (5), unless, within such 120-day period, one or more
18 municipalities or other persons or associations have agreed to acquire ownership of
19 the dam and have furnished satisfactory proof of intent to comply with s. 31.14 (2)
20 or (3). Except as provided in s. 31.19 (6) (b), any inspection conducted as part of an
21 investigation under this subsection shall be conducted by a professional engineering
22 firm.

23 *b1703/3.3* SECTION 1344j. 31.19 (2) (a) of the statutes is amended to read:

24 31.19 (2) (a) *Requirement.* Except as provided under par. (b), at least once every
25 10 years ~~the department shall conduct a detailed inspection~~ the owner of each large

1 dam which is maintained or operated in or across navigable waters shall employ or
2 contract with a professional engineering firm to conduct a detailed inspection of the
3 dam.

4 *b1703/3.3* SECTION 1344L. 31.19 (3) of the statutes is amended to read:

5 31.19 (3) INSPECTION UPON COMPLAINT. If the department receives a complaint
6 in writing from the mayor of a city, supervisor of a town or the president or trustee
7 of a village which alleges that a dam maintained or operated in or across any
8 navigable or nonnavigable waters or a reservoir is in an unsafe condition or if the
9 department receives a complaint in writing from a person which alleges that the
10 person's property or any property under the person's control is endangered by a dam
11 or reservoir, the department shall investigate or cause an investigation to be made
12 of the complaint. Except as provided in sub. (6) (b), any inspection conducted as part
13 of an investigation under this subsection shall be conducted by a professional
14 engineering firm.

15 *b1703/3.3* SECTION 1344n. 31.19 (4) of the statutes is amended to read:

16 31.19 (4) DISCRETIONARY INSPECTION. The department may ~~inspect or~~ cause an
17 inspection to be made of any dam ~~or reservoir~~. The dam inspection shall be made by
18 a professional engineering firm. The department may inspect or cause an inspection
19 to be made of any reservoir.

20 *b1703/3.3* SECTION 1344p. 31.19 (5) of the statutes is amended to read:

21 31.19 (5) ORDER; REDUCTION IN WATER LEVEL. If the department finds pursuant
22 to an inspection or investigation that a dam or reservoir is not sufficiently strong or
23 is unsafe and that the dam or reservoir is dangerous to life or property, it shall
24 determine what alterations, additions or repairs are necessary and shall order the
25 owner or person having control of the dam or reservoir to cause those alterations,

1 additions or repairs to be made within a time specified in the order. If the department
2 finds pursuant to an inspection or investigation that a dam or reservoir is not
3 sufficiently strong or is unsafe and that the dam or reservoir is dangerous to life or
4 property, it may cause to be drawn off, in whole or in part, the water in the reservoir
5 or impounded by the dam if it determines that this action is necessary to prevent
6 impending danger to persons or property.

7 *b1703/3.3* SECTION 1344r. 31.19 (6) of the statutes is created to read:

8 31.19 (6) REVIEW BY DEPARTMENT. (a) Each professional engineering firm
9 conducting an inspection under this chapter shall prepare a report of the inspection,
10 and the owner of the dam shall submit the report to the department within 6 months
11 after the inspection is completed. The department shall review the report and if the
12 department finds that the inspection is adequate to determine the strength and
13 safety of the dam and if the dam has potential to endanger life or property, the
14 department shall certify that the inspection is complete. If the department
15 determines that the inspection was not adequate to make these determinations, the
16 department shall reject the inspection. The department shall give written
17 notification of the reasons for the rejection to the owner of the dam and the
18 professional engineering firm.

19 (b) The department may conduct its own inspection of a dam for which an
20 inadequate report was submitted under par. (a) if any of the following apply:

21 1. The owner or professional engineering firm fails to inform the department
22 within 90 days of the date after receipt of the written notification from the
23 department as to the steps that will be taken for the inspection to be completed.

1 2. The owner fails to submit a report containing an adequate inspection, as
2 determined by the department, within 200 days of the date of the receipt of the
3 written notification from the department.

4 ***b1703/3.3* SECTION 1344t.** 31.19 (7) of the statutes is created to read:

5 31.19 (7) LIST OF ENGINEERING FIRMS. The department shall maintain a list of
6 professional engineering firms suitable for the purpose of conducting inspections
7 under this chapter. The department shall make the list available to dam owners
8 upon request.

9 ***b1703/3.3* SECTION 1344v.** 31.19 (8) of the statutes is created to read:

10 31.19 (8) INTERNET BIDDING PROCESS. The department of natural resources shall
11 post requests by dam owners for inspections under this chapter on an Internet site
12 maintained by the department of agriculture, trade and consumer protection. The
13 department of natural resources shall ensure that the Internet site provides a means
14 by which professional engineering firms may electronically post bids in response to
15 the posted requests for inspections under this chapter and by which professional
16 engineering firms may view the bids posted by other professional engineering firms.

17 ***b1703/3.3* SECTION 1344x.** 31.385 (2) (c) 1. of the statutes is amended to read:

18 31.385 (2) (c) 1. The department conducts an investigation of a dam or conducts
19 or causes an inspection of ~~the~~ a dam under this chapter and the owner of the dam
20 requests financial assistance under this section within 6 months after having
21 received department directives, based on the ~~department's~~ investigation or
22 inspection of the dam, for the repair, modification or abandonment and removal of
23 the dam or for another activity to increase the safety of the dam.”.

24 ***b1519/2.159* 687.** Page 512, line 6: after that line insert:

1 ***b1519/2.159*** “SECTION 1345g. 32.02 (16) of the statutes is amended to read:

2 32.02 (16) The department of ~~natural resources~~ fish, wildlife, parks, and
3 forestry with the approval of the appropriate standing committees of each house of
4 the legislature as determined by the presiding officer thereof and as authorized by
5 law, for acquisition of lands.

6 ***b1519/2.159*** SECTION 1345h. 32.035 (3) of the statutes is amended to read:

7 32.035 (3) PROCEDURE. The condemnor shall notify the department of any
8 project involving the actual or potential exercise of the powers of eminent domain
9 affecting a farm operation. If the condemnor is the department of ~~natural resources~~
10 fish, wildlife, parks, and forestry, the notice required by this subsection shall be given
11 at the time that permission of the senate and assembly committees on natural
12 resources is sought under s. 23.09 (2) (d) or 27.01 (2) (a). To prepare an agricultural
13 impact statement under this section, the department may require the condemnor to
14 compile and submit information about an affected farm operation. The department
15 shall charge the condemnor a fee approximating the actual costs of preparing the
16 statement. The department may not publish the statement if the fee is not paid.

17 ***b1519/2.159*** SECTION 1345n. 33.01 (2) of the statutes is amended to read:

18 33.01 (2) “Department” means the department of ~~natural resources~~
19 environmental management.

20 ***b1519/2.159*** SECTION 1345p. 33.265 of the statutes is amended to read:

21 **33.265 Notice, filing and recording requirements.** If a district is created
22 or its boundaries altered, the board of commissioners shall record the authorizing
23 document, including a legal description of the boundary, with the register of deeds
24 in each county where the district is situated, and file the document and legal

1 description with the department of ~~natural resources~~ environmental management
2 and the department of revenue.

3 ***b1519/2.159* SECTION 1346e.** 33.457 (4) (intro.) of the statutes is amended
4 to read:

5 33.457 (4) (intro.) Within 3 months after the implementation plan is developed
6 and submitted under sub. (1), the department of environmental management, the
7 department of fish, wildlife, parks, and forestry, and the designated planning agency
8 under s. 281.51 that covers the county shall evaluate the implementation plan to
9 determine whether it is consistent with the criteria for water quality planning under
10 s. 281.51 and whether the plan is adequate to:

11 ***b1519/2.159* SECTION 1346f.** 33.55 (1) (o) of the statutes is amended to read:

12 33.55 (1) (o) One nonvoting representative from the department of ~~natural~~
13 ~~resources~~ environmental management, who shall be appointed by the secretary of
14 ~~natural resources~~ environmental management.

15 ***b1519/2.159* SECTION 1346g.** 33.55 (1) (p) of the statutes is created to read:

16 33.55 (1) (p) One nonvoting representative from the department of fish,
17 wildlife, parks, and forestry, who shall be appointed by the secretary of fish, wildlife,
18 parks, and forestry.

19 ***b1519/2.159* SECTION 1346h.** 33.59 (1) of the statutes is amended to read:

20 33.59 (1) The board of commissioners shall develop an implementation plan by
21 April 1, 1998, and shall submit the plan to the department of ~~natural resources~~
22 environmental management, fish, wildlife, parks, and forestry, the county planning
23 agency, the chairperson of the county board and the county executive of the county
24 by April 1, 1998.

1 ***b1519/2.159* SECTION 1346i.** 33.59 (3) (intro.) of the statutes is amended to
2 read:

3 33.59 (3) (intro.) Within 3 months after the implementation plan is developed
4 and submitted under sub. (1), the department of environmental management, the
5 department of fish, wildlife, parks, and forestry and the designated planning
6 agencies under s. 281.51 that cover each county shall evaluate the implementation
7 plan to determine whether it is consistent with the criteria for water quality
8 planning under s. 281.51 and whether the plan is adequate to:”.

9 ***b1599/2.8* 688.** Page 512, line 6: after that line insert:

10 ***b1599/2.8* “SECTION 1345m.** 32.72 (1) of the statutes is amended to read:

11 32.72 (1) Sections 32.50 to 32.71 do not take effect in any city until the following
12 question is submitted to the electors of the city at a ~~special election~~ referendum called
13 in accordance with s. 8.065 and adopted by a majority vote of the electors voting:
14 “Shall subchapter II of chapter 32, Wisconsin Statutes, be effective in the city of
15, thus allowing the city to acquire and condemn property for street
16 widening and similar purposes, financed through assessments of benefits and
17 damages?”. The question shall be filed as provided in s. 8.37.”.

18 ***b1731/1.5* 689.** Page 512, line 6: after that line insert:

19 ***b1731/1.5* “SECTION 1345cm.** 31.387 of the statutes is created to read:

20 **31.387 Dam rehabilitation projects.** The department shall establish and
21 administer a grant program under which the department shall provide grants to
22 counties to rehabilitate dams located in those counties. The department may only
23 provide a grant for a project under this section to match federal funds provided for
24 the project under the federal Watershed Protection and Flood Prevention Act of 1953

1 (Public Law 83–566). The department shall promulgate rules necessary to
2 implement this section.”.

3 *b1364/1.1* **690.** Page 514, line 6: after that line insert:

4 *b1364/1.1* “SECTION 1349u. 36.11 (27) of the statutes is created to read:

5 36.11 (27) CONDITION ON FINANCIAL ASSISTANCE. The board may not provide any
6 state financial assistance under this chapter to any person during the period that the
7 person is required to register with the selective service system under 50 USC,
8 Appendix, sections 451 to 473 if the person has not so registered.”.

9 *b1553/3.7* **691.** Page 514, line 6: after that line insert:

10 *b1553/3.7* “SECTION 1349t. 36.11 (1) (cg) of the statutes is created to read:

11 36.11 (1) (cg) The board shall ensure that each institution and college campus
12 establishes a written policy regarding the use of classrooms and facilities by local
13 organizations and businesses for employment–related training. The policy may
14 condition access on payment of a reasonable fee, the availability of space, and the
15 appropriateness of the training. The policy may limit access to activities that are
16 consistent with the mission of the institution or college campus.”.

17 *b1381/1.1* **692.** Page 515, line 23: after that line insert:

18 *b1381/1.1* “SECTION 1351z. 36.11 (46) of the statutes is created to read:

19 36.11 (46) UNDERGRADUATE DEGREE PROGRAMS. The board shall ensure that at
20 least 70% of undergraduate degree programs may be completed with no more than
21 124 credits.”.

22 *b1508/1.1* **693.** Page 515, line 23: after that line insert:

23 *b1508/1.1* “SECTION 1351x. 36.11 (47m) of the statutes is created to read:

1 **36.11 (47m) TRANSFER OF CREDIT.** (a) The board shall ensure that all
2 institutions and college campuses accept credits transferred from the technical
3 college system and from within the system for general education courses and for
4 courses included in the plan required by 1999 Wisconsin Act 9, section 9154 (4g).

5 (b) Notwithstanding par. (a), the board may, on a case-by-case basis, request
6 that the standing committees on higher education in the senate and assembly block
7 the transfer of credits. A majority vote of each committee is required to block the
8 transfer.”.

9 ***b1541/2.1* 694.** Page 515, line 23: after that line insert:

10 ***b1541/2.1* “SECTION 1351za.** 36.11 (48m) of the statutes is created to read:

11 **36.11 (48m) DOMESTIC ABUSE TRAINING.** The board shall ensure that training
12 for medical students and nursing students in dealing with the emotional and
13 psychological impact of domestic abuse on victims is increased.”.

14 ***b1690/1.1* 695.** Page 515, line 23: after that line insert:

15 ***b1690/1.1* “SECTION 1351u.** 36.11 (54) of the statutes is created to read:

16 **36.11 (54) WILDLIFE BIOLOGIST.** The board shall ensure that the job description
17 for the wildlife biologist at the University of Wisconsin–Stevens Point requires the
18 person in that position to devote a significant portion of time to bear hunting research
19 and data collection.”.

20 ***b1740/1.1* 696.** Page 515, line 23: after that line insert:

21 ***b1740/1.1* “SECTION 1351y.** 36.11 (50) of the statutes is created to read:

22 **36.11 (50) NOTICE REGARDING SEX OFFENDERS.** If the board of regents receives
23 information under s. 301.46 (2s) regarding a sex offender whom it employs or who
24 attends an institution within the University of Wisconsin System, the board of

1 regents shall provide the information that it receives, upon request, to any of the
2 following:

3 (a) A student attending an institution at which the sex offender works, if the
4 sex offender is an employee.

5 (b) A student attending the institution that the sex offender attends, if the sex
6 offender is a student.

7 (c) A parent, guardian, or legal custodian of a person entitled to receive the
8 information under par. (a) or (b).”.

9 *b1743/2.1* **697.** Page 515, line 23: after that line insert:

10 *b1743/2.1* “SECTION 1351zb. 36.11 (49) of the statutes is created to read:

11 36.11 (49) SPECIAL EDUCATION STUDY. The board shall direct the University of
12 Wisconsin–Madison School of Education and the Department of Neurology of the
13 University of Wisconsin–Madison Medical School to study methods of identifying
14 special education pupils with dyslexia and irlen syndrome and methods of
15 remediation.”.

16 *b1519/2.160* **698.** Page 517, line 8: after that line insert:

17 *b1519/2.160* “SECTION 1354f. 36.25 (8) of the statutes is amended to read:

18 36.25 (8) WATER RESOURCES RESEARCH. Funds made available to the various
19 state agencies for joint water resources research and data collection programs shall
20 be administered and coordinated by the director of the water resources center of the
21 University of Wisconsin–Madison. Such funds shall be made available, on
22 application from the state agencies concerned, when the director, after seeking the
23 advice of the department of ~~natural resources~~ fish, wildlife, parks, and forestry and
24 the department of environmental management, finds the proposed projects to be

1 consistent with other state projects and the needs of the state. The director shall
2 make biennial reports to the chief clerk of each house of the legislature, for
3 distribution to the legislature under s. 13.172 (2), at the convening of the legislature.

4 ***b1519/2.160* SECTION 1354j.** 36.25 (11) (c) of the statutes is amended to read:

5 36.25 (11) (c) The laboratory shall provide analytical support to the appropriate
6 state agencies charged with water system evaluation. The support service shall
7 include an evaluation from a public health standpoint and analytical support to
8 ascertain the water's suitability for manufacturing, commercial and recreational
9 purposes as determined by the rules promulgated by the department of health and
10 family services, the department of ~~natural resources~~ environmental management
11 and the department of agriculture, trade and consumer protection.

12 ***b1519/2.160* SECTION 1354k.** 36.25 (11) (d) of the statutes is amended to
13 read:

14 36.25 (11) (d) The laboratory shall be operated to furnish a complete laboratory
15 service to the department of health and family services, the department of
16 environmental management, and the department of ~~natural resources~~ fish, wildlife,
17 parks, and forestry in the areas of water quality, air quality, public health and
18 contagious diseases and to make available to the system, the department of health
19 and family services, the department of environmental management, and the
20 department of ~~natural resources~~ fish, wildlife, parks, and forestry such facilities for
21 teaching in the fields of public health and environmental protection as may be
22 derived from such a laboratory.

23 ***b1519/2.160* SECTION 1355d.** 36.25 (12m) (f) of the statutes is amended to
24 read:

1 36.25 (12m) (f) Assist the department of ~~natural resources~~ fish, wildlife, parks,
2 and forestry in its work as the state representative of the U.S. geographic board and
3 its other functions under s. 23.25.”.

4 ***b1583/2.1* 699.** Page 517, line 8: after that line insert:

5 ***b1583/2.1* “SECTION 1354w.** 36.25 (11) (f) of the statutes is amended to read:

6 36.25 (11) (f) The Subject to par. (fm), the laboratory of hygiene board may
7 impose a fee for each test conducted by the laboratory. Any test conducted for a local
8 unit of government is exempt from the fee unless the test is outside the state public
9 health care mission or is required under 42 USC 300f to 300j, as determined by the
10 laboratory of hygiene board. The laboratory may charge state agencies through
11 contractual arrangements for the actual services rendered.

12 ***b1583/2.1* SECTION 1354wd.** 36.25 (11) (fm) of the statutes is created to read:

13 36.25 (11) (fm) No fee imposed by the laboratory of hygiene board for a water
14 quality test conducted by the laboratory may be less than the average fee charged
15 for the water quality test by private laboratories that are certified under s. 93.12 or
16 299.11. Annually, the laboratory of hygiene board shall consult with at least 3
17 private laboratories to determine the average fee charged for each type of water
18 quality test. Prior to conducting a water quality test, the laboratory shall notify the
19 person seeking the water quality test whether state or federal law permits a private
20 laboratory to conduct the test.”.

21 ***b1505/4.7* 700.** Page 518, line 12: after that line insert:

22 ***b1505/4.7* “SECTION 1356L.** 36.25 (20) of the statutes is repealed.”.

23 ***b1519/2.161* 701.** Page 518, line 12: after that line insert:

24 ***b1519/2.161* “SECTION 1356t.** 36.25 (30) of the statutes is amended to read:

1 36.25 (30) POLLUTION PREVENTION. The board shall maintain in the extension
2 a solid and hazardous waste education center to promote pollution prevention, as
3 defined in s. 299.13 (1) (dm). In cooperation with the department of ~~natural resources~~
4 environmental management and the department of commerce, the center shall
5 conduct an education and technical assistance program to promote pollution
6 prevention in this state.”.

7 ***b1465/2.5* 702.** Page 518, line 16: delete lines 16 to 23.

8 ***b1525/1.1* 703.** Page 518, line 24: after that line insert:

9 ***b1525/1.1* “SECTION 1358mm.** 36.27 (1) (a) of the statutes is amended to
10 read:

11 36.27 (1) (a) Subject to pars. ~~(am)~~, (b) and (c), the board may establish for
12 different classes of students differing tuition and fees incidental to enrollment in
13 educational programs or use of facilities in the system. Except as otherwise provided
14 in this section, the board may charge any student who is not exempted by this section
15 a nonresident tuition. The board may establish special rates of tuition and fees for
16 the extension and summer sessions and such other studies or courses of instruction
17 as the board deems advisable.

18 ***b1525/1.1* SECTION 1358mm.** 36.27 (1) (am) of the statutes is repealed.”.

19 ***b1510/1.1* 704.** Page 519, line 3: delete “3” and substitute “4”.

20 ***b1519/2.162* 705.** Page 519, line 5: after that line insert:

21 ***b1519/2.162* “SECTION 1359p.** 36.27 (3m) (a) 2. of the statutes is amended
22 to read:

1 36.27 (3m) (a) 2. “Law enforcement officer” has the meaning given in s. 165.85
2 (2) (c) and includes a person appointed as a conservation warden under s. 23.10 and
3 a person appointed as an environmental warden under s. 278.10.”.

4 ***b1506/2.6* 706.** Page 519, line 13: delete lines 13 to 20.

5 ***b1508/1.2* 707.** Page 520, line 9: after that line insert:

6 ***b1508/1.2* “SECTION 1370m.** 38.12 (12) of the statutes is created to read:

7 38.12 (12) TRANSFER OF CREDIT. Each district board shall accept credits
8 transferred from another district or from an institution or college campus within the
9 University of Wisconsin System for general education courses and for courses
10 included in the plan required by 1999 Wisconsin Act 9, section 9154 (4g).”.

11 ***b1541/2.2* 708.** Page 520, line 9: after that line insert:

12 ***b1541/2.2* “SECTION 1370m.** 38.12 (14) of the statutes is created to read:

13 38.12 (14) DOMESTIC ABUSE. The district board shall ensure that training for
14 nursing students in dealing with the emotional and psychological impact of domestic
15 abuse on victims is increased.”.

16 ***b1553/3.8* 709.** Page 520, line 17: after that line insert:

17 ***b1553/3.8* “SECTION 1371c.** 38.14 (2) (e) of the statutes is created to read:

18 38.14 (2) (e) Each district board shall establish a written policy regarding the
19 use of classrooms and facilities by local organizations and businesses for
20 employment-related training. The policy may condition access on payment of a
21 reasonable fee, the availability of space, and the appropriateness of the training. The
22 policy may limit access to activities that are consistent with the mission of the
23 technical college.”.

1 ***b1599/2.9* 710.** Page 521, line 2: after “referendum” insert “may be held at
2 any election authorized under s. 8.065 and”.

3 ***b1388/1.1* 711.** Page 521, line 11: after that line insert:

4 ***b1388/1.1* SECTION 1372g.** 38.16 (1) of the statutes is amended to read:

5 38.16 (1) Annually by October 31, or within 10 days after receipt of the
6 equalized valuations from the department of revenue, whichever is later, the district
7 board may levy a tax, not exceeding 1.5 mills on the full value of the taxable property
8 of the district, for the purpose of making capital improvements, acquiring equipment
9 and operating and maintaining the schools of the district, except that the mill
10 limitation is not applicable to taxes levied for the purpose of paying principal and
11 interest on valid bonds or notes now or hereafter outstanding as provided in s. 67.035
12 and except as provided under sub. (3). The district board secretary shall file with the
13 clerk of each city, village and town, any part of which is located in the district, a
14 certified statement showing the amount of the levy and the proportionate amount of
15 the tax to be spread upon the tax rolls for collection in each city, village and town.
16 Such proportion shall be ascertained on the basis of the ratio of full value of the
17 taxable property of that part of the city, village or town located in the district to the
18 full value of all taxable property in the district, as certified to the district board
19 secretary by the department of revenue. Upon receipt of the certified statement from
20 the district board secretary, the clerk of each city, village and town shall spread the
21 amounts thereof upon the tax rolls for collection. When the taxes are collected, such
22 amounts shall be paid by the treasurer of each city, village and town to the district
23 board treasurer.

24 ***b1388/1.1* SECTION 1372j.** 38.16 (3) of the statutes is created to read:

1 38.16 (3) (a) If a district board wishes to exceed the mill limit under sub. (1) in
2 any year, it shall promptly adopt a resolution specifying the excess number of mills.
3 The resolution shall be filed as provided in s. 8.37. The district board shall submit
4 the resolution to the electors of the district for approval or rejection at a referendum.
5 The referendum shall be held at the next succeeding spring primary or election or
6 September primary or general election that is to be held not sooner than 42 days after
7 the filing of the resolution of the district board. Within 10 days after adopting the
8 resolution, the district board shall notify the board of the scheduled date of the
9 referendum and submit a copy of the resolution to the board. The district board
10 secretary shall certify the results of the referendum to the board within 10 days after
11 the referendum is held.

12 (b) The district board secretary shall publish type A, B, C, D, and E notices of
13 the referendum under s. 10.01 (2). Notwithstanding s. 10.01 (2) (a), the type A notice
14 shall include a copy of the resolution under par. (a). Section 5.01 (1) applies in the
15 event of failure to comply with the notice requirements of this paragraph.

16 (c) The referendum shall be held in accordance with chs. 5 to 12. The district
17 board secretary shall provide the election officials with all necessary election
18 supplies. The form of the ballot shall correspond substantially with the standard
19 form for referendum ballots prescribed by the elections board under ss. 5.64 (2) and
20 7.08 (1) (a). The question submitted shall be whether the mill limit under sub. (1)
21 may be exceeded by a specified number of mills. The mill limit otherwise applicable
22 to the district under sub. (1) is increased by the number of mills approved by a
23 majority of those voting on the question.”

24 ***b1392/1.2* 712.** Page 521, line 11: after that line insert:

1 ***b1392/1.2*** “**SECTION 1374m.** 38.27 (2m) (f) of the statutes is created to read:
2 38.27 (2m) (f) Beginning in the 2001–02 school year, at least \$500,000 annually
3 is awarded under this section to districts with limited fiscal capacity, as defined by
4 the board by rule.”.

5 ***b1370/2.3* 713.** Page 521, line 21: after that line insert:

6 ***b1370/2.3*** “**SECTION 1375dm.** 38.305 (1) (intro.) of the statutes is amended
7 to read:

8 38.305 (1) (intro.) ~~Beginning in~~ In the 2000–01 and 2001–02 school year years,
9 the board shall award a grant of \$500 to each first–year student who satisfies all of
10 the following criteria.”.

11 ***b1368/3.3* 714.** Page 522, line 2: after that line insert:

12 ***b1368/3.3*** “**SECTION 1375r.** 38.37 of the statutes is created to read:

13 **38.37 Crime prevention resource center.** The Fox Valley Technical College
14 shall permit the Wisconsin Crime Prevention Practitioners Association or a person
15 designated by the association to establish at the college a crime prevention resource
16 center and shall operate the center in cooperation with the association or the person
17 designated by the association.”.

18 ***b1553/3.9* 715.** Page 522, line 2: after that line insert:

19 ***b1553/3.9*** “**SECTION 1375s.** 38.34 of the statutes is created to read:

20 **38.34 Job retention skills development programs.** (1) Each district
21 board shall make available, and shall offer at a frequency based upon demand in the
22 district, a job retention skills development program in order to assist employers to
23 retain new employees, build job skill levels of those employees, and assist those
24 employees in attaining higher wages and long–term careers. To the extent

1 practicable, the district board shall offer the program at employment sites. The
2 program shall emphasize job retention skills development for employees with gross
3 incomes at or below 200% of the poverty line, as defined in s. 49.001 (5), who are any
4 of the following:

5 (a) Current or former recipients of public assistance, including participants in
6 Wisconsin works employment positions under s. 49.147.

7 (b) Employees who are within the first 6 months of employment with their
8 employer.

9 (c) Entry-level employees.

10 (2) The program shall provide training in all of the following:

11 (a) Skills needed to achieve punctuality and consistency in attendance at
12 employment.

13 (b) Skills needed to effectively work in a team.

14 (c) Skills needed to effectively communicate with supervisors and coworkers.

15 (d) Skills needed to solve basic workplace-related personal and interpersonal
16 problems.

17 (3) (a) The board shall supervise, and establish minimum requirements for, the
18 program. Except as provided in sub. (2), the board shall determine the length and
19 content of the program after consultation with employers, district boards, Wisconsin
20 works agencies, as defined in s. 49.001 (9), local units of government, and labor
21 organizations.

22 (b) In consultation with employers, district boards, and the department of
23 workforce development, the board shall develop standards for assessing the job
24 retention skills, including the skills specified in sub. (2), of employees before and
25 after their participation in the program.

1 (4) To the extent practicable, the district board shall assist employers in
2 providing ongoing job retention skills development and reinforcement activities in
3 the workplace. The district board may charge employers a fee for the program and
4 services offered under this section.

5 (5) This section does not apply after December 31, 2004.”.

6 *b1435/2.2* **716.** Page 522, line 20: delete lines 20 to 24.

7 *b1364/1.2* **717.** Page 522, line 24: after that line insert:

8 *b1364/1.2* “SECTION 1380g. 39.28 (6) of the statutes is created to read:

9 39.28 (6) The board may not provide any state financial assistance under this
10 subchapter to any person during the period that the person is required to register
11 with the selective service system under 50 USC, Appendix, sections 451 to 473 if the
12 person has not so registered.”.

13 *b1541/2.3* **718.** Page 522, line 24: after that line insert:

14 *b1541/2.3* “SECTION 1379t. 39.17 of the statutes is created to read:

15 **39.17 Medical College of Wisconsin; domestic abuse training.** The
16 Medical College of Wisconsin, Inc., shall increase training of medical students in
17 dealing with the emotional and psychological impact of domestic abuse on victims.”.

18 *b1407/5.3* **719.** Page 523, line 9: after that line insert:

19 *b1407/5.3* “SECTION 1380t. 39.393 of the statutes is created to read:

20 **39.393 Nursing student loan program. (1)** The board shall establish a loan
21 program to defray the cost of tuition, fees, and expenses for persons enrolled in any
22 of the following:

23 (a) A program in this state that confers an associate degree in nursing.

24 (b) A program in this state that confers a bachelor’s degree in nursing.

1 (c) A program in this state that confers a 2nd degree that will make the person
2 eligible to sit for examination under s. 441.04 or 441.10.

3 (d) A program in this state that confers a diploma in nursing.

4 (2) Beginning in the 2002–03 fiscal year, the board shall make loans under this
5 section from the appropriation under s. 20.235 (1) (cm). The maximum amount of
6 loan for a person during any fiscal year is \$3,000. The maximum that a person may
7 receive under this section is \$15,000. The board shall ensure that the terms of the
8 loan do not require a loan recipient to repay the loan while the recipient is enrolled
9 in a program under sub. (1).

10 (3) After the recipient of a loan under sub. (1) has completed the program
11 described in sub. (1), the board shall forgive 25% of the loan's principal and interest
12 after the first full year and 25% of the loan's principal and interest after the 2nd full
13 year that the recipient has been employed full time in this state as a nurse. The board
14 may forgive loans on a prorated basis for persons who are employed less than full
15 time.

16 (4) The board shall promulgate rules to implement and administer this
17 section.”.

18 *b1734/1.15* **720.** Page 523, line 11: after that line insert:

19 *b1734/1.15* “SECTION 1381g. 39.41 (1) (bm) of the statutes is amended to
20 read:

21 39.41 (1) (bm) “Senior” means a pupil enrolled in the 12th grade in a public or
22 private high school, the school operated by the Wisconsin School Educational
23 Services Program for the Deaf and Hard of Hearing or the school operated by the
24 Wisconsin Center for the Blind and Visually Impaired.”.

1 ***b1734/1.16* 721.** Page 523, line 17: after that line insert:

2 ***b1734/1.16* “SECTION 1381p.** 39.41 (1m) (c) 2. of the statutes is amended to
3 read:

4 39.41 (1m) (c) 2. For the school operated by the Wisconsin School Educational
5 Services Program for the Deaf and Hard of Hearing, designate the senior with the
6 highest grade point average in all subjects as a scholar.

7 ***b1734/1.16* SECTION 1381r.** 39.41 (1m) (fm) of the statutes is amended to
8 read:

9 39.41 (1m) (fm) If 2 or more seniors from the school operated by the Wisconsin
10 School Educational Services Program for the Deaf and Hard of Hearing have the
11 same grade point average and, except for the limitation of one designated senior, are
12 otherwise eligible for designation under par. (c) 2., the executive secretary shall
13 make the designation under par. (c) 2. of the senior who may be eligible for a higher
14 education scholarship as a scholar and, if that senior does not qualify for a higher
15 education scholarship under sub. (2) (a) or (3) (a), shall designate one or more of the
16 remaining seniors with the same grade point average as eligible for a higher
17 education scholarship as a scholar under sub. (2) (a) or (3) (a) until the scholarship
18 may be awarded by the board.”.

19 ***b1524/1.1* 722.** Page 524, line 3: after that line insert:

20 ***b1524/1.1* “SECTION 1384m.** 39.75 (7) (d) of the statutes is amended to read:

21 39.75 (7) (d) The commission shall keep accurate accounts of all receipts and
22 disbursements. The receipts and disbursements of the commission shall be subject
23 to the audit and accounting procedures established by its bylaws. However, all
24 receipts and disbursements of funds handled by the commission shall be audited

1 yearly by a qualified certified public accountant licensed or certified under ch. 442,
2 and the report of the audit shall be included in and become part of the annual reports
3 of the commission.”.

4 *b1524/1.2* **723.** Page 524, line 16: after that line insert:

5 *b1524/1.2* “SECTION 1385m. 39.80 (5) (c) of the statutes is amended to read:

6 39.80 (5) (c) The commission shall keep accurate accounts of all receipts and
7 disbursements. The receipts and disbursements of the commission shall be subject
8 to the audit and accounting procedures established under its bylaws. However, all
9 receipts and disbursements of funds handled by the commission shall be audited
10 yearly by a certified ~~or licensed~~ public accountant licensed or certified under ch. 442
11 and the report of the audit shall be included in and become part of the annual report
12 of the commission.”.

13 *b1519/2.163* **724.** Page 533, line 2: after that line insert:

14 *b1519/2.163* “SECTION 1389p. 40.02 (48) (am) of the statutes is amended to
15 read:

16 40.02 (48) (am) “Protective occupation participant” includes any participant
17 whose name is certified to the fund as provided in s. 40.06 (1) (d) and (dm) and who
18 is a conservation warden, conservation patrol boat captain, conservation patrol boat
19 engineer, conservation pilot, conservation patrol officer, forest fire control assistant,
20 environmental warden, member of the state traffic patrol, state motor vehicle
21 inspector, police officer, fire fighter, sheriff, undersheriff, deputy sheriff, state
22 probation and parole officer, county traffic police officer, state forest ranger, fire
23 watcher employed at Wisconsin veterans facilities, state correctional–psychiatric
24 officer, excise tax investigator employed by the department of revenue, special

1 criminal investigation agent in the department of justice, assistant or deputy fire
2 marshal, or person employed under s. 61.66 (1).

3 ***b1519/2.163* SECTION 1389s.** 40.02 (48) (c) of the statutes is amended to read:

4 40.02 (48) (c) In s. 40.65, “protective occupation participant” means a
5 participating employee who is a police officer, fire fighter, an individual determined
6 by a participating employer under par. (a) or (bm) to be a protective occupation
7 participant, county undersheriff, deputy sheriff, state probation and parole officer,
8 county traffic police officer, conservation warden, state forest ranger, field
9 conservation employee of the department of natural resources fish, wildlife, parks,
10 and forestry who is subject to call for forest fire control or warden duty,
11 environmental warden, member of the state traffic patrol, state motor vehicle
12 inspector, University of Wisconsin System full-time police officer, guard or any other
13 employee whose principal duties are supervision and discipline of inmates at a state
14 penal institution, excise tax investigator employed by the department of revenue,
15 person employed under s. 61.66 (1), or special criminal investigation agent employed
16 by the department of justice.”.

17 ***b1684/1.6* 725.** Page 533, line 2: after that line insert:

18 ***b1684/1.6* “SECTION 1389t.** 40.02 (54) (a) of the statutes is repealed.”.

19 ***b1418/3.3* 726.** Page 533, line 4: after that line insert:

20 ***b1418/3.3* “SECTION 1391h.** 40.03 (2) (it) of the statutes is created to read:

21 40.03 (2) (it) Shall promulgate, with the approval of the private employer
22 health care coverage board, all rules required for the administration of the private
23 employer health care coverage program established under subch. X.”.

24 ***b1455/1.1* 727.** Page 534, line 23: after that line insert:

1 ***b1455/1.1* “SECTION 1398p.** 40.51 (8) of the statutes is amended to read:
2 40.51 (8) Every health care coverage plan offered by the state under sub. (6)
3 shall comply with ss. 631.89, 631.90, 631.93 (2), 631.95, 632.72 (2), 632.746 (1) to (8)
4 and (10), 632.747, 632.748, 632.83, 632.835, 632.85, 632.853, 632.855, 632.87 (3) to
5 (5), 632.872, 632.895 (5m) and (8) to (14), and 632.896.

6 ***b1455/1.1* SECTION 1398q.** 40.51 (8m) of the statutes is amended to read:
7 40.51 (8m) Every health care coverage plan offered by the group insurance
8 board under sub. (7) shall comply with ss. 631.95, 632.746 (1) to (8) and (10), 632.747,
9 632.748, 632.83, 632.835, 632.85, 632.853, 632.855, 632.872, and 632.895 (11) to
10 (14).”.

11 ***b1457/1.1* 728.** Page 534, line 23: after that line insert:

12 ***b1457/1.1* “SECTION 1398p.** 40.05 (4) (ag) 2. of the statutes, as affected by
13 1999 Wisconsin Act 9, is amended to read:

14 40.05 (4) (ag) 2. For eligible employees not specified in subd. 1., 90% of the gross
15 premium for the standard health insurance plan offered to state employees by the
16 group insurance board or 105% of the gross premium, ~~excluding any premium cost~~
17 ~~related to the point-of-service option plan required to be offered under s. 609.10,~~ of
18 the alternative qualifying plan offered under s. 40.03 (6) that is the least costly
19 qualifying plan within the county in which the alternate plan is located, whichever
20 is lower, but not more than the total amount of the premium. Employer contributions
21 for employees who select the standard plan shall be based on their county of
22 residence. Qualifying health insurance plans shall be determined in accordance
23 with standards established by the group insurance board.”.

24 ***b1515/4.1* 729.** Page 534, line 23: after that line insert:

1 ***b1515/4.1*** “SECTION 1398r. 40.51 (12) of the statutes is amended to read:

2 40.51 (12) Every ~~managed-care~~ defined network plan, as defined in s. 609.01
3 ~~(3e)~~ (1b), and every limited service health organization, as defined in s. 609.01 (3),
4 that is offered by the state under sub. (6) shall comply with ch. 609.

5 ***b1515/4.1*** SECTION 1398s. 40.51 (13) of the statutes is amended to read:

6 40.51 (13) Every ~~managed-care~~ defined network plan, as defined in s. 609.01
7 ~~(3e)~~ (1b), and every limited service health organization, as defined in s. 609.01 (3),
8 that is offered by the group insurance board under sub. (7) shall comply with ch.
9 609.”.

10 ***b1585/1.1*** **730.** Page 534, line 23: after that line insert:

11 ***b1585/1.1*** “SECTION 1398n. 40.05 (1) (a) (intro.) of the statutes is amended
12 to read:

13 40.05 (1) (a) (intro.) Except as provided in par. (b) ~~and sub. (2n)~~:

14 ***b1585/1.1*** SECTION 1398o. 40.05 (1) (a) 2. of the statutes is amended to read:

15 40.05 (1) (a) 2. For each participating employee whose formula rate is
16 determined under s. 40.23 (2m) (e) 2., ~~5.5%~~ 5% of each payment of earnings.

17 ***b1585/1.1*** SECTION 1398p. 40.05 (1) (a) 3. of the statutes is amended to read:

18 40.05 (1) (a) 3. For each participating employee whose formula rate is
19 determined under s. 40.23 (2m) (e) 3., ~~6%~~ 5% of each payment of earnings.

20 ***b1585/1.1*** SECTION 1398q. 40.05 (1) (a) 4. of the statutes is amended to read:

21 40.05 (1) (a) 4. For each participating employee whose formula rate is
22 determined under s. 40.23 (2m) (e) 4., ~~8%~~ 5% of each payment of earnings.

23 ***b1585/1.1*** SECTION 1398r. 40.05 (2m) of the statutes is repealed.

24 ***b1585/1.1*** SECTION 1398s. 40.05 (2n) of the statutes is repealed.

1 ***b1585/1.1* SECTION 1398t.** 40.32 (1) of the statutes is amended to read:

2 40.32 (1) The sum of all contributions allocated to a participant's account under
3 each defined contribution plan sponsored by the employer, including all employer
4 contributions and picked-up contributions credited with interest at the effective rate
5 under ss. 40.04 (4) (a) and (5) (b) and 40.05 (2) (g) and all employee contributions
6 made under ss. 40.02 (17) and 40.05 (1) and ~~(2m)~~, may not in any calendar year
7 exceed the maximum contribution limitation established under section 415 (c) of the
8 Internal Revenue Code.”.

9 ***b1588/1.1* 731.** Page 534, line 23: after that line insert:

10 ***b1588/1.1* “SECTION 1398r.** 40.05 (4) (a) 1. of the statutes is amended to read:
11 40.05 (4) (a) 1. For health insurance, each insured employec shall contribute
12 \$5 per month and shall contribute the balance of the required premium amounts
13 after applying required employer contributions, if any, and each insured retired
14 employee shall contribute the balance of the required premium amounts after
15 applying required employer contributions, if any.”.

16 ***b1589/1.1* 732.** Page 534, line 23: after that line insert:

17 ***b1589/1.1* “SECTION 1398s.** 40.05 (4) (b) of the statutes is amended to read:
18 40.05 (4) (b) Except as provided under pars. (bc) and (bp), accumulated unused
19 sick leave under ss. 13.121 (4), 36.30, 230.35 (2), 233.10, and 757.02 (5) and subch.
20 I or V of ch. 111 of any eligible employee shall, at the time of death, upon qualifying
21 for an immediate annuity or for a lump sum payment under s. 40.25 (1) or upon
22 termination of creditable service and qualifying as an eligible employee under s.
23 40.02 (25) (b) 6. or 10., be converted, at the employee's current basic pay rate, to
24 credits for payment of health insurance premiums on behalf of the employee or the

1 employee's surviving insured dependents. Any supplemental compensation that is
2 paid to a state employee who is classified under the state classified civil service as
3 a teacher, teacher supervisor, or education director for the employee's completion of
4 educational courses that have been approved by the employee's employer is
5 considered as part of the employee's basic pay for purposes of this paragraph. The
6 full premium for any eligible employee who is insured at the time of retirement, or
7 for the surviving insured dependents of an eligible employee who is deceased, shall
8 be deducted from the credits until the credits are exhausted and paid from the
9 account under s. 40.04 (10), and then deducted from annuity payments, if the
10 annuity is sufficient. The department shall provide for the direct payment of
11 premiums by the insured to the insurer if the premium to be withheld exceeds the
12 annuity payment. ~~Except as provided in par. (bd), upon~~ Upon conversion of an
13 employee's unused sick leave to credits under this paragraph or par. (bf), the
14 employee or, if the employee is deceased, the employee's surviving insured
15 dependents may initiate deductions from those credits or may elect to delay
16 initiation of deductions from those credits ~~for any period of time, but only~~ if the
17 employee or surviving insured dependents are covered by a comparable health
18 insurance plan or policy during the period beginning on the date of the conversion
19 and ending on the ~~last day of the 2nd month after~~ the date on which the employee
20 or surviving insured dependents later elect to initiate deductions from those credits.
21 If an employee or an employee's surviving insured dependents elect to delay
22 initiation of deductions from those credits, an employee or the employee's surviving
23 insured dependents may only later elect to initiate deductions from those credits
24 during the annual enrollment period under par. (be). A health insurance plan or
25 policy is considered comparable if it provides hospital and medical benefits that are

1 substantially equivalent to the standard health insurance plan established under s.
2 40.52 (1).

3 *b1589/1.1* **SECTION 1398t.** 40.05 (4) (bd) of the statutes is repealed.

4 *b1589/1.1* **SECTION 1398u.** 40.05 (4) (be) of the statutes is repealed and
5 recreated to read:

6 40.05 (4) (be) The department shall establish an annual enrollment period
7 during which an employee or, if the employee is deceased, an employee's surviving
8 insured dependents may elect to initiate or delay continuation of deductions from the
9 employee's sick leave credits under par. (b). An employee or surviving insured
10 dependent may elect to continue or delay continuation of such deductions any
11 number of times. If an employee or surviving insured dependent has initiated the
12 deductions but later elects to delay continuation of the deductions, the employee or
13 surviving insured dependent must be covered by a comparable health insurance plan
14 or policy during the period beginning on the date on which the employee or surviving
15 insured dependent delays continuation of the deductions and ending on the date on
16 which the employee or surviving insured dependent later elects to continue the
17 deductions. A health insurance plan or policy is considered comparable if it provides
18 hospital and medical benefits that are substantially equivalent to the standard
19 health insurance plan established under s. 40.52 (1).”.

20 *b1418/3.4* **733.** Page 535, line 6: after that line insert:

21 *b1418/3.4* **SECTION 1400b.** 40.98 (1) (bm) of the statutes is created to read:
22 40.98 (1) (bm) “Eligible employee” has the meaning given in s. 632.745 (5) (a).

23 *b1418/3.4* **SECTION 1400c.** 40.98 (1) (d) of the statutes is amended to read:

1 40.98 (1) (d) “Employer” means any person doing business or operating an
2 organization in this state and employing at least 2 eligible employees, except that for
3 a person operating a farm business the person must employ at least one eligible
4 employee. “Employer” does not include an employer as defined in s. 40.02 (28).

5 ***b1418/3.4* SECTION 1400d.** 40.98 (2) (a) 3. of the statutes is amended to read:

6 40.98 (2) (a) 3. ~~The administrator selected under subd. 2., or the department~~
7 ~~if no administrator has been selected under subd. 2.,~~ shall enter into contracts with
8 insurers who are to provide health care coverage under the health care coverage
9 program.

10 ***b1418/3.4* SECTION 1400e.** 40.98 (2) (a) 4. of the statutes is amended to read:

11 40.98 (2) (a) 4. The department or the administrator selected under subd. 2.
12 shall solicit and accept bids and shall enter into a contract for marketing the health
13 care coverage program.

14 ***b1418/3.4* SECTION 1400em.** 40.98 (2) (a) 5. of the statutes is amended to
15 read:

16 40.98 (2) (a) 5. The department or the administrator selected under subd. 2.
17 shall maintain a toll-free telephone number to provide information on the health
18 care coverage program.

19 ***b1418/3.4* SECTION 1400f.** 40.98 (2) (d) of the statutes is amended to read:

20 40.98 (2) (d) All insurance rates for health care coverage under the program
21 shall be ~~published annually in a single publication that is~~ made available to
22 employers and employees in a manner determined by the board. Rates that apply
23 to coverage for small employers, as defined in s. 635.02 (7), shall be published at least
24 annually, as required in s. 635.12. The rates may be listed by county or by any other
25 regional factor that the board considers appropriate. Annually, the board shall

1 submit a report to the appropriate standing committees under s. 13.172 (3)
2 specifying the average insurance rate for health care coverage under the program by
3 county or by any other regional factor the board considers appropriate.

4 *b1418/3.4* SECTION 1400g. 40.98 (3) (a) of the statutes is amended to read:

5 40.98 (3) (a) Offer health care coverage under one or more plans to all of its
6 ~~permanent eligible employees who have a normal work week of 30 or more hours and,~~
7 if permitted by any plan offered by an insurer under the health care coverage
8 program, may offer health care coverage under ~~one or more plans~~ such a plan to any
9 of its other employees.

10 *b1418/3.4* SECTION 1400h. 40.98 (3) (b) of the statutes is amended to read:

11 40.98 (3) (b) Provide health care coverage under one or more plans to at least
12 50% of its ~~permanent eligible employees who have a normal work week of 30 or more~~
13 ~~hours and~~ who do not otherwise receive health care coverage as a dependent under
14 any other plan that is not offered by the employer or a percentage of such employees
15 specified by the board, whichever percentage is greater.

16 *b1418/3.4* SECTION 1400i. 40.98 (3) (c) of the statutes is amended to read:

17 40.98 (3) (c) Pay for each eligible employee at least 50% ~~but not more than 100%~~
18 ~~of the lowest premium rate that would be~~ of the lowest premium rate for single
19 coverage that is available to the employer for that employee's coverage under the
20 health care coverage program.

21 *b1418/3.4* SECTION 1400j. 40.98 (5) of the statutes is renumbered 40.98 (5)

22 (am).

23 *b1418/3.4* SECTION 1400k. 40.98 (5) (bm) of the statutes is created to read:

1 40.98 (5) (bm) Notwithstanding par. (am), the department, in consultation
2 with the board, may limit the requirement under par. (am) to compliance with s.
3 635.19.

4 ***b1418/3.4* SECTION 1400L.** 40.98 (6) (b) of the statutes is amended to read:

5 40.98 (6) (b) An insurance agent may not sell any health care coverage under
6 the health care coverage program on behalf of an insurer unless he or she is ~~employed~~
7 ~~by the insurer or has a contract with the insurer to sell the health care coverage on~~
8 ~~behalf of~~ listed by the insurer under s. 628.11.

9 ***b1418/3.4* SECTION 1400m.** 40.98 (6) (d) of the statutes is repealed and
10 recreated to read:

11 40.98 (6) (d) The board may establish training requirements that an insurance
12 agent must satisfy, in addition to any requirements under s. 628.04 (3), to sell health
13 care coverage under the health care coverage program.

14 ***b1418/3.4* SECTION 1400n.** 40.98 (6m) of the statutes is created to read:

15 40.98 (6m) The secretary of administration shall lapse from the appropriation
16 under s. 20.515 (2) (g) to the general fund the amounts necessary to repay the loan
17 from the state life insurance fund under s. 607.25 when the secretary of
18 administration, after consulting with the board, determines that funds in the
19 appropriation under s. 20.515 (2) (g) are sufficient to make the lapse. The amounts
20 that are required to be lapsed under s. 20.515 (2) (g) shall equal the amount necessary
21 to pay all principal and interest costs on the loan, less any amount that is lapsed to
22 the general fund under s. 20.515 (2) (a) at the end of the 2001–03 fiscal biennium.
23 The secretary of administration may lapse the amounts under s. 20.515 (2) (g) in
24 installments.”.

1 ***b1836/1.1* 734.** Page 535, line 6: after that line insert:

2 ***b1836/1.1* “SECTION 1400m.** 41.11 (4) of the statutes is amended to read:

3 41.11 (4) ADVERTISING. The department shall plan and conduct a program of
4 advertising and promotion designed to attract interested persons to this state and
5 to stimulate the enjoyment of its recreational opportunities by residents and
6 nonresidents alike. Any contracts engaging a private agency to conduct an
7 advertising or promotion program under this subsection shall reserve to the
8 department the right to terminate the contract if the service is unsatisfactory to the
9 department. The department shall encourage and coordinate the efforts of public
10 and private organizations to publicize the facilities and attractions of the state for
11 the purpose of stimulating their enjoyment by residents and tourists. The
12 department shall advertise historic sites and state parks with funding from the same
13 appropriation account or accounts.”.

14 ***b1519/2.164* 735.** Page 535, line 12: after that line insert:

15 ***b1519/2.164* “SECTION 1404c.** 41.41 (4) (c) of the statutes is amended to read:

16 41.41 (4) (c) The department of agriculture, trade and consumer protection, the
17 department of ~~natural resources~~ fish, wildlife, parks, and forestry, the department
18 of transportation, the department of commerce, the department of administration,
19 the state historical society and the University of Wisconsin–Extension shall
20 cooperate with and assist the board in matters related to its functions.

21 ***b1519/2.164* SECTION 1404d.** 41.41 (5) (e) of the statutes is amended to read:

22 41.41 (5) (e) Consult and cooperate with the department of agriculture, trade
23 and consumer protection, the department of ~~natural resources~~ fish, wildlife, parks,
24 and forestry, the department of transportation, the department of commerce, the

1 department of administration, the state historical society, the University of
2 Wisconsin—Extension, any federally recognized American Indian tribe or band in
3 this state that appoints a liaison representative to the board regarding the
4 management of the Kickapoo valley reserve.

5 ***b1519/2.164* SECTION 1404e.** 41.41 (9) of the statutes is amended to read:

6 41.41 (9) STATE NATURAL AREAS. The board shall dedicate as a state natural area
7 under s. 23.27 any land that is a part of the Kickapoo valley reserve and any land that
8 has been acquired by the board if the department of ~~natural resources~~ fish, wildlife,
9 parks, and forestry identifies the land as appropriate for dedication.”.

10 ***b1645/2.6* 736.** Page 535, line 12: delete that line and substitute:

11 ***b1645/2.6* “SECTION 1404.** 41.19 (1) (b) of the statutes is created to read:

12 41.19 (1) (b) “Nonprofit organization” has the meaning given in s. 108.02 (19).

13 ***b1645/2.6* SECTION 1405.** 41.19 (2m) (c) (intro.) of the statutes is amended
14 to read:

15 41.19 (2m) (c) (intro.) Subject to par. (d), from the ~~appropriation~~ appropriations
16 under s. 20.380 (1) (bm) and (kg), the department shall, in the fiscal biennium in
17 which an area is selected under par. (a), award a grant to the applicant on behalf of
18 ~~an~~ the area of the state selected under par. (a) if all of the following apply:

19 ***b1645/2.6* SECTION 1403.** 41.19 (2m) (d) of the statutes is amended to read:

20 41.19 (2m) (d) The department may not, under par. (c), award to an applicant
21 on behalf of an area selected under par. (a) more than one grant per fiscal year ~~to an~~
22 ~~applicant on behalf of an area under par. (e) and may not~~ or award grants to the
23 applicant for more than 2 fiscal years. Grants awarded to an applicant under par.

1 (c) may not exceed \$25,000 in the first fiscal year, or \$15,000 in the 2nd fiscal year,
2 in which the applicant receives a grant under par. (c).

3 *b1645/2.6* SECTION 1404. 41.19 (2r) of the statutes is created to read:

4 41.19 (2r) From the appropriations under s. 20.380 (1) (bm) and (kg), the
5 department may award to a nonprofit organization that is located in an area of the
6 state that was selected under sub. (2m) (a) grants of up to \$5,000 in any fiscal year
7 after the fiscal biennium in which the area was selected under sub. (2m) (a). Grant
8 proceeds must be used to promote historic and prehistoric attractions in the area,
9 and may be used for such purposes as interpretive or directional signs, website
10 development, advertising, and public relations. The department may award grants
11 under this subsection to a nonprofit organization that received grants under sub.
12 (2m) (c) as an applicant on behalf of an area of the state selected under sub. (2m) (a).”.

13 *b1519/2.165* 737. Page 535, line 24: after that line insert:

14 *b1519/2.165* “SECTION 1404b. 41.41 (13) (intro.) of the statutes, as created
15 by 2001 Wisconsin Act ... (this act), is amended to read:

16 41.41 (13) REPORT ON GENERATING REVENUE AND RESUBMITTING BUILDING PLANS.
17 (intro.) After consulting with the department of ~~natural resources~~ fish, wildlife,
18 parks, and forestry and any tribal government with whom the Kickapoo reserve
19 management board or the Lower Wisconsin State Riverway board has entered into
20 a memorandum of understanding, the Kickapoo reserve management board, in
21 conjunction with the Lower Wisconsin State Riverway board, shall prepare and
22 submit to the building commission and to the joint committee on finance a report that
23 includes all of the following:”.

24 *b1519/2.166* 738. Page 536, line 14: after that line insert:

1 ***b1519/2.166*** “SECTION 1405k. 42.09 (2) of the statutes is amended to read:

2 42.09 (2) (a) The state fair park board may not alter or renovate any building,
3 appurtenance, fixture, exhibit or other structure or facility at state fair park that is
4 owned by the board but that was owned by the former department of natural
5 resources on July 29, 1995, without the permission of the department of fish, wildlife,
6 parks, and forestry, but the board may provide routine maintenance without the
7 department’s permission.

8 (b) The state fair park board shall allow the department of ~~natural resources~~
9 fish, wildlife, parks, and forestry access to and use of the buildings, appurtenances,
10 fixtures, exhibits and other structures and facilities described in par. (a) so that the
11 department may prepare, display and dismantle exhibits during events occurring at
12 state fair park.”.

13 ***b1519/2.167* 739.** Page 537, line 19: after that line insert:

14 ***b1519/2.167*** “SECTION 1409s. 44.02 (5) of the statutes is amended to read:

15 44.02 (5) Keep its main library and museum rooms open at all reasonable hours
16 on business days for the reception of the residents of this state who may wish to visit
17 the library or museum. Except as provided under subs. (5g) and (5m), the historical
18 society may collect a fee from residents and shall collect a fee from nonresidents for
19 admission to historic sites or buildings acquired, leased or operated by the historical
20 society, including areas within state parks or on other state-owned lands which
21 incorporate historic buildings, restorations, museums or remains and which are
22 operated by the historical society by agreement with the department of ~~natural~~
23 ~~resources~~ fish, wildlife, parks, and forestry or other departments, or for lectures,
24 pageants or similar special events, or for admission to defray the costs of special

1 exhibits in its several buildings of documents, objects or other materials not part of
2 the historical society's regular collections but brought in on loan from other sources
3 for such special exhibitions or for use of the main library. The historical society shall
4 take action on a continuing basis to raise funds from private sources for the operation
5 of its main library. The historical society may procure and sell or otherwise dispose
6 of postcards, souvenirs and other appropriate merchandise to help defray the costs
7 of operating its several plants and projects.”.

8 *b1519/2.168* **740.** Page 537, line 21: after that line insert:

9 *b1519/2.168* “SECTION 1412. 44.12 (1) of the statutes is amended to read:
10 44.12 (1) The state farm and craft museum, located at Nelson Dewey ~~state park~~
11 State Park, may be developed by cooperation of the department of ~~natural resources~~
12 fish, wildlife, parks, and forestry, the society, and such other agencies as may be
13 interested therein in accordance with such arrangements as the department of
14 ~~natural resources~~ fish, wildlife, parks, and forestry and society agree upon.”.

15 *b1519/2.169* **741.** Page 538, line 5: after that line insert:

16 *b1519/2.169* “SECTION 1414c. 44.47 (5m) (a) of the statutes is amended to
17 read:

18 44.47 (5m) (a) There is established, to be administered by the historical society
19 and department of ~~natural resources~~ fish, wildlife, parks, and forestry, a program for
20 submerged cultural resources of this state.

21 *b1519/2.169* SECTION 1414d. 44.47 (5m) (b) of the statutes is amended to
22 read:

23 44.47 (5m) (b) The historical society, in consultation with the department of
24 ~~natural resources~~ fish, wildlife, parks, and forestry, shall coordinate the activities of

1 the state relating to the preservation, management and public use of submerged
2 cultural resources. The historical society may enter into agreements with federal
3 and state agencies, political subdivisions and nonprofit organizations regarding the
4 preservation, management and use of submerged cultural resources and the
5 management of bottomland preserves. On or before February 1 of each
6 odd-numbered year, the historical society shall submit a report to the governor and
7 to the chief clerk of each house of the legislature, for distribution to the appropriate
8 standing committees under s. 13.172 (3), on submerged cultural resources activities
9 and implementation of this subsection.

10 *b1519/2.169* SECTION 1414e. 44.47 (5m) (c) of the statutes is amended to
11 read:

12 44.47 (5m) (c) The historical society and department of ~~natural resources~~ fish,
13 wildlife, parks, and forestry may by rule designate areas of the bed of any stream or
14 lake as bottomland preserves, for the purpose of enhancing preservation,
15 management and public use of any submerged cultural resources within the
16 bottomland preserve. A bottomland preserve may encompass more than one object
17 or archaeological site.

18 *b1519/2.169* SECTION 1414f. 44.47 (5m) (e) of the statutes is amended to
19 read:

20 44.47 (5m) (e) The historical society and department of ~~natural resources~~ fish,
21 wildlife, parks, and forestry may promulgate rules relating to the access, use,
22 stewardship, management, protection and recreational development of bottomland
23 preserves, and the preservation, conservation, curation and display of submerged
24 cultural resources and objects removed from underwater archaeological sites.

25 *b1519/2.169* SECTION 1414g. 44.57 (1) (c) of the statutes is amended to read:

1 44.57 (1) (c) Game farms, fish hatcheries, nurseries and other production
2 facilities operated by the department of ~~natural resources~~ fish, wildlife, parks, and
3 forestry.”

4 ***b1734/1.17* 742.** Page 538, line 17: delete lines 17 to 18 and substitute:

5 “board, the Wisconsin Center for the Blind and Visually Impaired, or the
6 Wisconsin ~~School~~ Educational Services Program for the Deaf and Hard of Hearing.”

7 ***b1547/3.3* 743.** Page 538, line 18: after that line insert:

8 ***b1547/3.3* SECTION 708d.** 20.435 (4) (ib) of the statutes is created to read:

9 20.435 (4) (ib) *Refund of medical relief and general relief.* 1. All moneys
10 received from counties as provided under s. 49.45 (53), to be expended for the state
11 share of medical assistance program benefits administered under s. 49.45 and for
12 relief block grants to counties under ss. 49.025 and 49.027. Notwithstanding s.
13 20.002 (1), the department of health and family services may transfer funds from this
14 appropriation to the appropriation under par. (b) or to the appropriation under par.
15 (bt).

16 2. This paragraph does not apply after June 30, 2005.

17 ***b1547/3.3* SECTION 708e.** 20.435 (4) (ic) of the statutes is created to read:

18 20.435 (4) (ic) *Medical relief and general relief refund administrative costs.* 1.
19 All moneys received from entities for additional departmental administrative costs
20 to process claims under s. 49.45 (2) (a) 2m., to be used for administrative contract
21 costs for the medical assistance program.

22 2. This paragraph does not apply after June 30, 2005.”

23 ***b1745/1.2* 744.** Page 546, line 4: after that line insert:

24 ***b1745/1.2* SECTION 1440m.** 44.73 (6) (c) of the statutes is created to read:

1 44.73 (6) (c) A recipient of a grant awarded under this subsection may use grant
2 moneys only for educational technology purposes, as defined by the board by rule.
3 A recipient of a grant awarded under this subsection may not use grant moneys for
4 sectarian worship, sectarian instruction, or proselytization.

5 ***b1745/1.2* SECTION 1440ma.** 44.73 (6) (d) of the statutes is created to read:

6 44.73 (6) (d) A private school that receives a grant under this subsection shall
7 do all of the following:

8 1. File an expenditure report with the board by January 15 of the calendar year
9 following the year the grant is awarded.

10 2. Segregate grant moneys received under this subsection in a separate account
11 that the board or the legislative audit bureau may audit.

12 ***b1745/1.2* SECTION 1440mb.** 44.73 (6) (e) of the statutes is created to read:

13 44.73 (6) (e) If a private school uses grant moneys awarded under this
14 subsection for any purpose prohibited under par. (c), the private school shall
15 reimburse the board in an amount equal to the grant moneys expended for the
16 prohibited purpose. A private school that uses grant moneys for a prohibited purpose
17 is ineligible for additional grants under this subsection.”.

18 ***b1520/1.1* 745.** Page 549, line 4: delete “5” and substitute “8”.

19 ***b1524/1.3* 746.** Page 551, line 20: after that line insert:

20 ***b1524/1.3* “SECTION 1457m.** 45.353 (3) of the statutes is amended to read:

21 45.353 (3) Application by any such state veterans organization shall be filed
22 annually with the department for the 12-month period commencing on April 1 and
23 ending on March 31 of the year in which it is filed. An application shall contain a
24 statement of salaries and travel expenses paid to employees engaged in veterans

1 claims service maintained at the regional office by such state veterans organization
2 covering the period for which application for a grant is made, which statement has
3 been certified as correct by ~~an~~ a certified public accountant licensed or certified under
4 ch. 442 and sworn to as correct by the adjutant or principal officer of the state
5 veterans organization. The application shall also contain the state organization's
6 financial statement for its last completed fiscal year and such evidence of claims
7 service activity as the department requires. Sufficient evidence shall be submitted
8 with an initial application to establish that the state veterans organization, or its
9 national organization, or both, has maintained a full-time service office at the
10 regional office without interruption throughout 5 years out of the 10-year period
11 immediately preceding such application. Subsequent applications must be
12 accompanied by an affidavit by the adjutant or principal officer of such state veterans
13 organization stating that a full-time service office was maintained at the regional
14 office by such state veterans organization, or by such state organization and its
15 national organization, for the entire 12-month period for which application for a
16 grant is made.”.

17 *b1523/3.2* **747.** Page 552, line 6: after that line insert:

18 *b1523/3.2* “**SECTION 1461x.** 45.365 (1) (am) of the statutes is amended to
19 read:

20 45.365 (1) (am) The department shall operate the home, and employ a
21 commandant and the officers, nurses, attendants, and other personnel necessary for
22 the proper conduct of the home. The department may employ a commandant for the
23 southeastern facility. In compliance with the compensation plan established
24 pursuant to s. 230.12 (3), ~~the~~ a commandant may recommend to the director of

1 personnel charges for meals, living quarters, laundry, and other services furnished
2 to employees and members of the employees' family maintained at the home and the
3 southeastern facility. Complete personal maintenance and medical care to include
4 programs and facilities that promote comfort, recreation, well-being, or
5 rehabilitation shall be furnished to all members of the home under the policy of the
6 department.

7 *b1523/3.2* SECTION 1461xf. 45.365 (3) of the statutes is amended to read:

8 45.365 (3) ~~The~~ A commandant and employees designated by the commandant
9 may summarily arrest all persons within or upon the grounds of the home or
10 southeastern facility who are guilty of any offense against the laws of this state or
11 the rules and regulations governing the home or southeastern facility. For this
12 purpose ~~the, a~~ commandant and deputies have the power of constables.”.

13 *b1523/3.3* 748. Page 552, line 22: after that line insert:

14 *b1523/3.3* SECTION 1464g. 45.37 (10) (a) of the statutes is amended to read:

15 45.37 (10) (a) Except as otherwise provided in this subsection, the application
16 and admission of any applicant admitted under this section shall constitute a valid
17 and binding contract between such a member and the department. If a member dies
18 leaving a relative that is entitled to an interest in the property of the member under
19 the rules of intestate succession or a will the existence of which is made known to the
20 commandant of the home within 60 days of such the member's death, the member's
21 property shall constitute a part of the member's estate, except that personal effects
22 of nominal monetary value of such a deceased member who is not survived by a
23 member spouse may be distributed by the commandant of the home or the