

1           **\*b1495/1.25\* “SECTION 2308n.** 84.205 (2) (intro.) of the statutes, as created by  
2 2001 Wisconsin Act .... (this act), is amended to read:

3           84.205 (2) (intro.) From funds appropriated and available to the department  
4 under s. 20.395 (3) in the state and local highways account, the department shall pay,  
5 in whole or in part, any claims submitted to the department by a political  
6 subdivision, on a form prescribed by the department, for damage to any gravel road  
7 maintained by the political subdivision that is determined by the department to be  
8 caused by reason of the road’s use as a detour incident to the maintenance, repair,  
9 or construction by the department of any state trunk highway, if the gravel road is  
10 not part of a detour route designated by the department. The political subdivision  
11 shall include with the claim a description of the nature and cause of the alleged  
12 damage, the asserted value of the claim, and all known evidence in support of the  
13 claim. In making its determination after submittal of the claim, the department  
14 shall consider each of the following factors:

15           **\*b1495/1.25\* SECTION 2308t.** 84.30 (17) of the statutes is amended to read:

16           84.30 (17) TRANSPORTATION FUND. All fees collected for the issuance of permits  
17 provided for under this section shall be paid into the state and local highways  
18 account in the transportation fund.”.

19           **\*b1519/2.198\* 1324.** Page 868, line 2: after that line insert:

20           **\*b1519/2.198\* “SECTION 2308t.** 84.28 of the statutes is amended to read:

21           **84.28 State park, forest and riverway roads.** (1) Moneys from the  
22 appropriation under s. 20.370 (7) (mc) may be expended for the renovation, marking  
23 and maintenance of a town or county highway located within the boundaries of any  
24 state park, state forest or other property under the jurisdiction of the department of

1 ~~natural resources~~ fish, wildlife, parks, and forestry. Moneys from the appropriation  
2 under s. 20.370 (7) (mc) may be expended for the renovation, marking and  
3 maintenance of a town or county highway located in the lower Wisconsin state  
4 riverway as defined in s. 30.40 (15). Outside the lower Wisconsin state riverway as  
5 defined in s. 30.40 (15), or outside the boundaries of these parks, forests or property,  
6 moneys from the appropriation under s. 20.370 (7) (mc) may be expended for the  
7 renovation, marking and maintenance of roads which the department of ~~natural~~  
8 ~~resources~~ fish, wildlife, parks, and forestry certifies are utilized by a substantial  
9 number of visitors to state parks, state forests or other property under the  
10 jurisdiction of the department of ~~natural resources~~ fish, wildlife, parks, and forestry.

11 The department of ~~natural resources~~ fish, wildlife, parks, and forestry shall  
12 authorize expenditures under this subsection. The department of ~~natural resources~~  
13 fish, wildlife, parks, and forestry shall rank projects eligible for assistance under a  
14 priority system and funding may be restricted to those projects with highest priority.

15 (2) The department may administer a program for the construction,  
16 maintenance and marking of roads, including fire roads, service areas, trailer or  
17 vehicle parking stalls or parking areas and other facilities consistent with highway  
18 construction and for the marking of scenic routes in the state parks, state forests, the  
19 ~~lower~~ Lower Wisconsin state riverway State Riverway as defined under s. 30.40 (15),  
20 state fish hatcheries, other public used areas under the jurisdiction of the  
21 department of ~~natural resources~~ fish, wildlife, parks, and forestry and other public  
22 lands as defined in ch. 24, for highways or fire roads leading from the most  
23 convenient state trunk highways to such lands, and for the relocation and  
24 construction of state trunk highways in or near state parks when required in the  
25 interests of public safety. Within the limitations and for the purposes of this section,

1 work may be performed by or under the supervision or authority or with the approval  
2 of the department, upon the request for such work filed by the department of ~~natural~~  
3 ~~resources~~ fish, wildlife, parks, and forestry as to the ~~lower~~ Lower Wisconsin state  
4 ~~riverway~~ State Riverway, as defined in s. 30.40 (15), or as to state park or forest lands,  
5 or by the board of commissioners of the public lands as to other classes of public lands.  
6 Outside the ~~lower~~ Lower Wisconsin state ~~riverway~~ State Riverway, as defined in s.  
7 30.40 (15), and outside the limits of the park, state forest and public land areas, direct  
8 connections to the most convenient state trunk highway may be built or maintained  
9 under this section. Roads in unincorporated areas within 5 miles of the boundaries  
10 of the Horicon national wildlife refuge or the Horicon ~~marsh~~ Marsh wildlife area may  
11 be built or maintained under this section upon request of the town board, if the  
12 department of transportation certifies that such roads are or will be used by a  
13 substantial number of visitors to such area. Costs incurred under this section shall  
14 be the responsibility of the department of ~~natural resources~~ fish, wildlife, parks, and  
15 forestry, commissioners of public lands or town board, as appropriate.”.

16 \*b1495/1.26\* **1325.** Page 868, line 10: after that line insert:

17 \*b1495/1.26\* “SECTION 2309m. 84.59 (3) of the statutes is amended to read:  
18 84.59 (3) The secretary may pledge revenues received or to be received in the  
19 fund established in sub. (2) to secure revenue obligations issued under this section.  
20 The pledge shall provide for the transfer to this state of all pledged revenues,  
21 including any interest earned on the revenues, which are in excess of the amounts  
22 required to be paid under s. 20.395 (6) (as). The pledge shall provide that the  
23 transfers be made at least twice yearly, that the transferred amounts be deposited  
24 in the transportation fund and that the transferred amounts are free of any prior

1 pledge. The secretary shall deposit any amounts transferred under this subsection  
2 in the state and local highways account in the transportation fund.”.

3 \*b1491/1.2\* **1326.** Page 868, line 24: after that line insert:

4 \*b1491/1.2\* “SECTION 2310m. 85.027 of the statutes is created to read:

5 **85.027 Highway corridor planning grant program. (1)** In this section:

6 (a) “Highway corridor” means the area up to 10 miles on either side of a state  
7 trunk highway that is expected by the department to need additional capacity for  
8 vehicular traffic or to have possible safety or operational problems resulting from  
9 pressure for development adjacent to the highway.

10 (b) “Local governmental unit” means a city, village, town, county, regional  
11 planning commission, or metropolitan planning organization, as defined in s. 85.243  
12 (1) (c).

13 (2) The department shall administer a highway corridor planning grant  
14 program. From the appropriation under s. 20.395 (3) (bq), the department shall  
15 award grants to local governmental units for highway corridor planning activities.  
16 In any fiscal year, the department may not expend more than \$500,000 for grants  
17 under this subsection.”.

18 \*b1495/1.27\* **1327.** Page 868, line 24: after that line insert:

19 \*b1495/1.27\* “SECTION 2310m. 85.028 of the statutes is amended to read:

20 **85.028 Milwaukee east-west transportation corridor.** Upon  
21 implementation of a funding source to provide local funds for a Milwaukee east-west  
22 transportation corridor project, local units of government that will be affected by  
23 such a project shall reimburse the transportation fund for 50% of the nonfederal  
24 share of preliminary engineering costs relating to a Milwaukee east-west

1 transportation corridor project. The department shall deposit any moneys received  
2 under this section in the state and local highways account in the transportation  
3 fund.”

4 \*b1443/1.1\* **1328.** Page 868, line 25: after that line insert:

5 \*b1443/1.1\* “SECTION 2311p. 85.103 (6) of the statutes is amended to read:

6 85.103 (6) The department may disclose the personal identifier of any person  
7 who has made a designation under sub. (2) or (3) if the department discloses the  
8 personal identifier under s. 341.17 (9), 343.234, 343.235, 343.24 (3) and (4), or  
9 343.245 (3m).”.

10 \*b1493/2.1\* **1329.** Page 868, line 25: after that line insert:

11 \*b1493/2.1\* “SECTION 2311g. 85.061 (3) (b) of the statutes is repealed and  
12 recreated to read:

13 85.061 (3) (b) The department may not use any proceeds from the bond issue  
14 authorized under s. 20.866 (2) (up) unless the use of the proceeds is specifically  
15 enumerated in a list under par. (c) and state funds are used for not more than 20%  
16 of the cost of an enumerated project.

17 \*b1493/2.1\* SECTION 2311j. 85.061 (3) (c) of the statutes is created to read:

18 85.061 (3) (c) The department may use proceeds from the bond issue authorized  
19 under s. 20.866 (2) (up) for the following purposes:

20 1. No purposes enumerated under this subdivision as of the effective date of  
21 this subdivision .... [revisor inserts date].”.

22 \*b1495/1.28\* **1330.** Page 868, line 25: after that line insert:

23 \*b1495/1.28\* “SECTION 2311m. 85.09 (4i) of the statutes is amended to read:

1           85.09 (4i) DISPOSAL OF RAIL PROPERTY. The department shall sell at public or  
2 private sale rail property acquired under sub. (4) when the department determines  
3 that the rail property is not necessary for a public purpose and, if real property, the  
4 real property is not the subject of a petition under s. 16.375 (2). Upon receipt of the  
5 full purchase price, the department shall, by appropriate deed or other instrument,  
6 transfer the rail property to the purchaser. The funds derived from sales under this  
7 subsection shall be deposited in the public transportation account in the  
8 transportation fund, and the expense incurred by the department in connection with  
9 the sale shall be paid from the appropriation under s. 20.395 (2) (bq).”.

10           **\*b1484/1.2\* 1331.** Page 870, line 22: after that line insert:

11           **\*b1484/1.2\*** “SECTION 2321p. 85.12 (5) of the statutes is created to read:

12           85.12 (5) Beginning with fiscal year 2001–02, from the appropriations under  
13 s. 20.395 (5) (dk) of moneys received by the department from the department and  
14 under s. 20.395 (5) (dq), the amount provided by the department in any fiscal year  
15 for the statewide public safety radio management program under this section may  
16 not exceed 50% of the costs of the statewide public safety radio management program  
17 or \$138,000, whichever is less.”.

18           **\*b1519/2.199\* 1332.** Page 870, line 22: after that line insert:

19           **\*b1519/2.199\*** “SECTION 2321mb. 85.12 (4) of the statutes, as created by 2001  
20 Wisconsin Act ... (this act), is amended to read:

21           85.12 (4) Beginning with fiscal year 2001–02, if the department of  
22 transportation provides radio services under this section to the department of  
23 ~~natural resources fish, wildlife, parks, and forestry~~ in any fiscal year, the department  
24 of ~~natural resources fish, wildlife, parks, and forestry~~ shall make quarterly

1 payments from the appropriation under s. 20.370 ~~(8) (mu)~~ (1) (su) of \$111,450 to the  
2 department of transportation.

3 \*b1519/2.199\* SECTION 2321p. 85.19 (1) of the statutes is amended to read:  
4 85.19 (1) STANDARDS. The department, in consultation with the department of  
5 ~~natural resources~~ environmental management, shall, by rule, establish standards  
6 for the control of soil erosion related to highway and bridge construction that is  
7 funded in whole or in part with state or federal funds. At a minimum, the standards  
8 shall require the use of best management practices.

9 \*b1519/2.199\* SECTION 2321q. 85.19 (2) (c) of the statutes is amended to read:  
10 85.19 (2) (c) The department shall establish the training program in  
11 consultation with the department of ~~natural resources~~ environmental  
12 management.”.

13 \*b1494/2.1\* 1333. Page 873, line 18: after that line insert:

14 \*b1494/2.1\* “SECTION 2330g. 85.205 (title) of the statutes is amended to read:  
15 85.205 (title) **Prohibited expenditures and construction for light rail.**

16 \*b1494/2.1\* SECTION 2330h. 85.205 of the statutes is renumbered 85.205 (1)  
17 and amended to read:

18 85.205 (1) Notwithstanding ss. 85.022, 85.062 and 85.063, the department may  
19 not encumber or expend any federal funds received under P.L. 102–240, section 1045,  
20 or P.L. 105–277, section 373, or state funds for any purpose related to a light rail mass  
21 transit system. This section Notwithstanding any other provision of ch. 59, 60, 61,  
22 62, or 66, no governing body of any city, village, town, or county and no agency,  
23 corporation, instrumentality, or subunit of a city, village, town, or county may enter  
24 into a contract for any purpose related to a light rail mass transit system if the cost

1 of any of the contracted items would be paid for by, or reimbursed with, federal funds  
2 received under P.L. 102–240, section 1045, or P.L. 105–277, section 373, or any funds  
3 received from the state. This subsection does not apply to any light rail mass transit  
4 system that is being constructed on October 29, 1999. This ~~section~~ subsection does  
5 not apply to any funds expended or activity related to a mass transit system that is  
6 done under the memorandum of agreement concerning USH 12 between Middleton  
7 and Lake Delton, Wisconsin, that was executed by the governor, the secretary of  
8 transportation, the secretary of natural resources, the county executive of Dane  
9 County, the administrative coordinator of Sauk County, and others, and that became  
10 effective on April 22, 1999. ~~This section does not apply after June 30, 2001.~~

11 **\*b1494/2.1\* SECTION 2330j.** 85.205 (2) of the statutes is created to read:

12 85.205 (2) A light rail mass transit system may not be constructed in  
13 Milwaukee County after the effective date of this subsection .... [revisor inserts date],  
14 unless the Milwaukee County board authorizes construction of the light rail mass  
15 transit system by resolution and the resolution is ratified by the electors of  
16 Milwaukee County at a referendum held at the next general election.”.

17 **\*b1495/1.29\* 1334.** Page 873, line 18: after that line insert:

18 **\*b1495/1.29\* “SECTION 2330m.** 85.21 (3) (c) of the statutes is amended to read:

19 85.21 (3) (c) To make and execute contracts with counties to ensure the  
20 provision of specialized transportation service. Payments under such contracts to  
21 eligible applicants shall not exceed the county proportionate share, except as  
22 supplemented under par. (e) or (f). A contract under this section shall require the  
23 county to make a matching contribution of 20% of the contract amount and to furnish  
24 information determined necessary by the department for periodic program



1 monitoring and year-end auditing and evaluation. A contract may permit a county  
2 to hold aids received under this section on or after July 2, 1983, in trust, according  
3 to rules promulgated by the department, for the exclusive purpose of acquiring or  
4 maintaining equipment used for services authorized under this section. All aids held  
5 in trust, as well as any accumulated interest, not expended for the authorized  
6 purposes, shall be returned to the department for deposit in the public  
7 transportation account in the transportation fund. Nothing in this paragraph  
8 entitles a county to any investment interest accumulated prior to the time the aid  
9 payment is actually received by the county.”.

10 \*b1495/1.30\* **1335.** Page 875, line 21: after that line insert:

11 \*b1495/1.30\* “SECTION 2337d. 85.25 (5) of the statutes is amended to read:

12 85.25 (5) MORAL OBLIGATION. Recognizing its moral obligation to do so, the  
13 legislature expresses its expectation and aspiration that, if ever called upon to do so,  
14 it shall make an appropriation from the state and local highways account in the  
15 transportation fund to meet all demands for funds relating to defaulted mobilization  
16 loans and deficiencies under this section.”.

17 \*b1519/2.200\* **1336.** Page 875, line 21: after that line insert:

18 \*b1519/2.200\* “SECTION 2337c. 85.245 (1) of the statutes is renumbered  
19 85.245.

20 \*b1519/2.200\* SECTION 2337d. 85.245 (2) of the statutes is repealed.

21 \*b1519/2.200\* SECTION 2337f. 86.255 (2) (a) of the statutes is amended to read:

22 86.255 (2) (a) The purchase of any land that is acquired as compensatory  
23 mitigation for another wetland, as defined in s. ~~23.32~~ 278.32 (1), that will suffer an  
24 adverse impact by degradation or destruction as part of a highway project.”.

1           **\*b1495/1.31\* 1337.** Page 878, line 10: after that line insert:

2           **\*b1495/1.31\* “SECTION 2340m.** 85.52 (3) (cm) of the statutes is renumbered  
3           85.52 (3) (cm) 1. and amended to read:

4           85.52 (3) (cm) 1. The joint committee on finance may transfer moneys, at the  
5           request of the department, in amounts not to exceed the amounts necessary to meet  
6           the requirements under P.L. 104–59, section 350, from the state and local highways  
7           account in the transportation fund to the highway account in the transportation  
8           infrastructure loan fund. The department shall submit to the joint committee on  
9           finance for its review and approval proposed reductions among the transportation  
10          fund appropriations to the department equal to the amount transferred under this  
11          ~~paragraph~~ subdivision. The joint committee on finance may approve, disapprove or  
12          modify the proposed reductions. Upon approval of the proposed reductions, as may  
13          be modified by the committee, an amount equivalent to each approved reduction is  
14          lapsed from the appropriation account for each reduced appropriation to the state  
15          and local highways account in the transportation fund.

16          **\*b1495/1.31\* SECTION 2340n.** 85.52 (3) (cm) 2. of the statutes is created to  
17          read:

18          85.52 (3) (cm) 2. The joint committee on finance may transfer moneys, at the  
19          request of the department, in amounts not to exceed the amounts necessary to meet  
20          the requirements under P.L. 104–59, section 350, from the public transportation  
21          account in the transportation fund to the transit account in the transportation  
22          infrastructure loan fund. The department shall submit to the joint committee on  
23          finance for its review and approval proposed reductions among the transportation  
24          fund appropriations to the department equal to the amount transferred under this

1 subdivision. The joint committee on finance may approve, disapprove, or modify the  
2 proposed reductions. Upon approval of the proposed reductions, as may be modified  
3 by the committee, an amount equivalent to each approved reduction is lapsed from  
4 the appropriation account for each reduced appropriation to the public  
5 transportation account in the transportation fund.”.

6 \*b1294/3.1\* **1338**. Page 878, line 23: after that line insert:

7 \*b1294/3.1\* “SECTION 2340vg. 86.03 (5m) of the statutes is created to read:

8 86.03 (5m) TREES AND OTHER VEGETATION BLOCKING VIEW OF BUSINESS OR SIGN.

9 (a) In this subsection, “vegetation” means any tree, shrub, hedge, or other foliage.

10 (b) Notwithstanding any other provision of this section, if any vegetation  
11 located in a highway right-of-way prevents the operator of a vehicle traveling on a  
12 highway at the posted speed limit from viewing for 6 uninterrupted seconds a  
13 business premises located adjacent to the highway right-of-way, a sign located on  
14 a business premises adjacent to the highway right-of-way that advertises the  
15 business to motorists on the adjacent highway, or any sign erected under this chapter  
16 or s. 84.30 that is permitted to be located in or adjacent to the highway right-of-way,  
17 any person who maintains a majority ownership interest in the business adjacent to  
18 the highway right-of-way or who owns a sign identified in this paragraph may trim  
19 or remove any obstructing vegetation located in the highway right-of-way if all of  
20 the following requirements are met:

21 1. The person obtains a permit from the department under par. (c).

22 2. The person pays for the cost of trimming or removing the obstructing  
23 vegetation, including the cost of cleanup and disposal, and for replacing any removed

1 vegetation, including the cost of purchasing and planting the replacement  
2 vegetation.

3 3. If the person has removed vegetation, the person replaces the removed  
4 vegetation with comparable vegetation along the same highway right-of-way,  
5 provided that the person may not locate replacement vegetation in a manner that  
6 obstructs, or will obstruct in the foreseeable future, the view from the highway of  
7 another existing business or sign identified in this paragraph.

8 (c) The department shall issue permits to eligible applicants for the trimming  
9 or removal of vegetation located in a highway right-of-way under par. (b). Any  
10 permit issued under this paragraph shall specify the vegetation or the portion of the  
11 highway right-of-way to which the permit applies. The department shall grant or  
12 deny an application for a permit within 30 days of receipt of the application.”.

13 \*b1812/2.1\* **1339.** Page 878, line 24: delete that line.

14 \*b1812/2.2\* **1340.** Page 879, line 1: delete lines 1 to 6 and substitute:

15 \*b1812/2.2\* “SECTION 2340y. 86.193 of the statutes is created to read:

16 **86.193 Agricultural tourism signs.** (1) In this section, “agricultural  
17 tourism facility” means a facility located in this state that is open to the public at  
18 least 4 days a week for a minimum of 3 months and which does any of the following:

19 (a) Markets Wisconsin farm products.

20 (b) Processes and markets agricultural products, of which at least 50% are  
21 grown and produced in this state.

22 (c) Promotes tourism by providing tours and on-site sales or samples of  
23 Wisconsin agricultural products.

1           (2) The department shall develop and, no later than March 1, 2002, implement  
2 a plan, consistent with federal and state laws, to promote and maximize the erection  
3 of agricultural tourism signs on highways in this state to identify and provide  
4 directional information to any agricultural tourism facility.

5           (3) (a) Except as provided in par. (b), the department may assess and collect  
6 from an agricultural tourism facility the actual costs of erection of any agricultural  
7 tourism sign that identifies and provides directional information to the facility.

8           (b) A local authority shall permit erection of a trailblazer sign that identifies  
9 and provides directional information to an agricultural tourism facility on a highway  
10 under the jurisdiction of the local authority if the facility is located more than 5 miles  
11 from the highway and the local authority assesses and collects from the facility the  
12 actual costs of erection of the trailblazer sign. The department shall promulgate  
13 rules defining “trailblazer sign” for purposes of this paragraph.

14           (4) In developing and implementing the plan under sub. (2), the department  
15 shall consult with the department of agriculture, trade and consumer protection.”.

16           **\*b1599/2.22\* 1341.** Page 879, line 6: after that line insert:

17           **\*b1599/2.22\* “SECTION 2340zg.** 86.21 (2) (a) of the statutes is amended to read:

18           86.21 (2) (a) Before any such toll bridge is constructed or acquired under this  
19 section, a resolution authorizing the construction or acquisition thereof, and  
20 specifying the method of payment therefor, shall be adopted by a majority of the  
21 members of the governing body of such county, town, village or city at a regular  
22 meeting, after publication of said resolution, as a class 2 notice, under ch. 985. The  
23 resolution shall include a general description of the property it is proposed to acquire  
24 or construct. Any county, town, village or city constructing or acquiring a toll bridge

1 under this section may provide for the payment of the same or any part thereof from  
2 the general fund, from taxation, or from the proceeds of either municipal bonds,  
3 revenue bonds or as otherwise provided by law. Such resolution shall not be effective  
4 until 15 days after its passage and publication. If within said 15 days a petition  
5 conforming to the requirements of s. 8.40 is filed with the clerk of such municipality,  
6 and filed as provided in s. 8.37, signed by at least 20% of the electors thereof  
7 requesting that the question of acquiring such toll bridge be submitted to the said  
8 electors, such question shall be submitted at ~~any general or regular municipal~~ the  
9 next election authorized under s. 8.065 (2) or an election authorized under s. 8.065  
10 (3) that is held not sooner than 42 days from the date of filing such petition. In case  
11 ~~no such general or regular municipal election is to be held within such stated period,~~  
12 ~~then the governing body of such municipality shall order a special election to be held~~  
13 ~~within 30 days from the filing of such petition upon the question of whether such toll~~  
14 ~~bridge shall be acquired by said municipality.~~ The question submitted to the electors  
15 shall specify the method of payment for such toll bridge as provided in the resolution  
16 for the acquisition thereof. If no such petition is filed, or if the majority of votes cast  
17 at such referendum election are in favor of the acquisition of such toll bridge, then  
18 the resolution of the governing body for the acquisition of such toll bridge shall be in  
19 effect.”.

20 \*b1488/3.6\* **1342.** Page 881, line 4: after that line insert:

21 \*b1488/3.6\* “SECTION 2348g. 88.01 (8m) of the statutes is repealed.

22 \*b1488/3.6\* SECTION 2348r. 88.11 (1) (f) of the statutes is amended to read:

23 88.11 (1) (f) Assist districts in applying for permits under ~~s. 88.31~~ chs. 30 and  
24 31.”.

1           **\*b1519/2.201\* 1343.** Page 881, line 4: after that line insert:

2           **\*b1519/2.201\* “SECTION 2349c.** 86.315 (1) of the statutes is amended to read:

3           86.315 (1) From the appropriation under s. 20.395 (1) (fu), the department  
4 shall annually, on March 10, pay to counties having county forests established under  
5 ch. 28, for the improvement of public roads within the county forests which are open  
6 and used for travel and which are not state or county trunk highways or town roads  
7 and for which no aids are paid under s. 86.30, the amount of \$336 per mile of road  
8 designated in the comprehensive county forest land use plan as approved by the  
9 county board and the department of ~~natural resources~~ fish, wildlife, parks, and  
10 forestry. If the amount appropriated under s. 20.395 (1) (fu) is insufficient to make  
11 the payments required under this subsection, the department shall prorate the  
12 amount appropriated in the manner it considers desirable.

13           **\*b1519/2.201\* SECTION 2349g.** 87.01 (1) of the statutes is amended to read:

14           87.01 (1) “Department” means the department of ~~natural resources~~  
15 environmental management.

16           **\*b1519/2.201\* SECTION 2349n.** 87.02 (intro.) of the statutes is amended to  
17 read:

18           **87.02 Powers of department.** (intro.) To accomplish the purposes of ss. 87.01  
19 to 87.17, the department of ~~natural resources~~ is hereby authorized and empowered:

20           **\*b1519/2.201\* SECTION 2349r.** 87.14 of the statutes is amended to read:

21           **87.14 Operation and maintenance.** The flood control board is authorized  
22 to sell, lease, or lease with power to purchase, any reservoir proposed to be  
23 constructed, in the process of construction or completed, to a duly organized river  
24 improvement company as defined by s. 182.016, on such terms and conditions as are

1 approved by the department of ~~natural resources~~ as hereinafter provided. Unless so  
2 leased or sold it shall be the duty of the flood control board to maintain and operate  
3 said improvement. The cost of operation and maintenance during the period  
4 intervening between the completion of said improvement and the date when funds  
5 provided under this section become available shall be paid from the funds provided  
6 for maintenance pursuant to the estimate made by the department as provided in s.  
7 87.07 (3). Prior to the first day of November in each year the flood control board shall  
8 certify to the clerk of each town, village and city in which lands to be benefited by the  
9 improvement are located an estimated budget, detailed as far as practicable, of the  
10 cost of operation and maintenance of said improvement for the succeeding calendar  
11 year, together with the amount due upon any judgments outstanding against the  
12 board, except those judgments from which the board has appealed or intends to  
13 appeal, and shall certify at the same time the portion of such cost to be borne by each  
14 such town, village and city. This shall be determined in the same manner and  
15 according to the same proportions as provided in s. 87.10 (1) (c). It shall thereupon  
16 become the duty of each such town, village and city to include in its next succeeding  
17 tax levy the amount so certified and to forward such amount, on or before March 15  
18 following, to the flood control board.

19 **\*b1519/2.201\* SECTION 2349w.** 87.18 of the statutes is amended to read:

20 **87.18 Lease, sale and lease with option to purchase the project.**

21 Whenever the flood control project consists of a storage reservoir and authority to  
22 create, operate and maintain a reservoir on the river affected by such storage  
23 reservoir is vested in a duly organized river improvement company as defined by s.  
24 182.016, and the petitioners file with the department of ~~natural resources~~ a petition  
25 and a proposed contract with such improvement company for a lease, sale, or lease



1 with option to purchase said reservoir, and the department finds the terms and  
2 conditions of such contract are sufficient to assure the payment of the amount the  
3 board will be obligated to pay for the cost of the reservoir and the maintenance and  
4 operation of the same, and the project will secure effective flood control and  
5 promotion of the public welfare, then notices, proceedings and assessments provided  
6 by ss. 87.04 to 87.12 are not required. The department, however, shall make findings  
7 as required by s. 87.05 and shall order that the flood control board be appointed and  
8 shall so certify to the governor as provided by s. 87.12. The governor shall thereupon  
9 appoint the board as provided in said s. 87.12. The proposed contract filed with the  
10 department by petitioners for the sale, lease, or lease with option to purchase said  
11 reservoir property shall not be binding upon the board so appointed unless the board  
12 approves such contract. Upon approval the board shall so report to the department  
13 and file with it a final contract executed by the board and lessee or purchaser. The  
14 department has authority to approve or disapprove such contract. If the department  
15 approves such contract, then it shall be final and the department shall thereupon  
16 order the board to proceed with the work. When such reservoir property is sold and  
17 the purchase price has been fully paid and any indebtedness assumed by the  
18 purchaser has been paid and discharged, including the fees and expenses of the  
19 board, and the department so finds, the said board shall thereupon be dissolved by  
20 order of the department.

21 \*b1519/2.201\* SECTION 2350e. 88.05 (4) (a) of the statutes is amended to read:

22 88.05 (4) (a) The chairperson of the county highway committee except in a  
23 county with a highway commissioner appointed under s. 83.01 (1) (c), the highway  
24 commissioner; the chairperson of the county land conservation committee in the  
25 county involved; the secretary of ~~natural resources~~ environmental management; the

1 state drainage engineer; and, where a railroad company is involved, the person  
2 specified in sub. (6).

3 \*b1519/2.201\* SECTION 2350v. 88.11 (1) (e) of the statutes is amended to read:

4 88.11 (1) (e) Coordinate district activities with the department of ~~natural~~  
5 ~~resources~~ environmental management.

6 \*b1519/2.201\* SECTION 2351c. 88.11 (1) (i) of the statutes is amended to read:

7 88.11 (1) (i) Establish, by rule, performance standards for drainage district  
8 structures, ditches, maintenance and operations, in order to minimize adverse  
9 effects on water quality. The performance standards shall be consistent with any  
10 requirements imposed by the department of ~~natural resources~~ environmental  
11 management under s. 88.31.

12 \*b1519/2.201\* SECTION 2351e. 88.11 (2) of the statutes is amended to read:

13 88.11 (2) The state drainage engineer shall provide technical assistance to  
14 improve district operations on the request of the department of ~~natural resources~~  
15 environmental management, drainage board, landowners in the district or the  
16 judge.”.

17 \*b1488/3.7\* **1344.** Page 881, line 10: after that line insert:

18 \*b1488/3.7\* “SECTION 2353b. 88.31 (title) of the statutes is amended to read:

19 **88.31** (title) ~~Special procedure in cases affecting~~ Drainage work in  
20 navigable waters.

21 \*b1488/3.7\* SECTION 2353e. 88.31 (1) to (7m) of the statutes are repealed.

22 \*b1488/3.7\* SECTION 2353g. 88.31 (8) (intro.) of the statutes is amended to  
23 read:

1           88.31 (8) (intro.) Subject to other restrictions imposed by this chapter, a  
2 drainage board which has obtained all of the permits as required under ~~this chapter~~  
3 ~~and~~ ch. 30 may:

4           **\*b1488/3.7\* SECTION 2353i.** 88.35 (5m) of the statutes is repealed.

5           **\*b1488/3.7\* SECTION 2353k.** 88.35 (6) (intro.) of the statutes is amended to  
6 read:

7           88.35 (6) (intro.) Upon the completion of its duties under subs. (1) to ~~(5m)~~ (5),  
8 the board shall prepare a written report, including a copy of any maps, plans or  
9 profiles that it has prepared. The assessment of benefits and awards of damages  
10 shall be set forth in substantially the following form:

11           **\*b1488/3.7\* SECTION 2353m.** 88.62 (3) (a) of the statutes is renumbered 88.62  
12 (3) and amended to read:

13           88.62 (3) If drainage work is undertaken in navigable waters, the drainage  
14 board shall obtain ~~a permit under s. 30.20 or 88.31 or ch. 31, as directed by the~~  
15 ~~department of natural resources, except as provided in par. (b)~~ any permit that is  
16 required under ch. 30 or 31.

17           **\*b1488/3.7\* SECTION 2353p.** 88.62 (3) (b) of the statutes is repealed.

18           **\*b1488/3.7\* SECTION 2353r.** 88.72 (3) of the statutes is amended to read:

19           88.72 (3) At the hearing on the petition, any interested person may appear and  
20 contest its sufficiency and the necessity for the work. If the drainage board finds that  
21 the petition has the proper number of signers and that to afford an adequate outlet  
22 it is necessary to remove dams or other obstructions from waters and streams which  
23 may be navigable, or to straighten, clean out, deepen, or widen any waters or streams  
24 either within or beyond the limits of the district, the board shall obtain any permit  
25 that is required under ~~this chapter or~~ ch. 30 or 31.

1           **\*b1488/3.7\* SECTION 2353t.** 88.72 (4) of the statutes is amended to read:

2           88.72 (4) Within 30 days after the department of natural resources has issued  
3 all of the permits as required under ~~this chapter~~ and chs. 30 and 31, the board shall  
4 proceed to estimate the cost of the work, including the expenses of the proceeding  
5 together with the damages that will result from the work, and shall, within a  
6 reasonable time, award damages to all lands damaged by the work and assess the  
7 cost of the work against the lands in the district in proportion to the assessment of  
8 benefits then in force.

9           **\*b1488/3.7\* SECTION 2378m.** 88.95 of the statutes is created to read:

10           **88.95 Geographic information system maps.** If a county prepares a  
11 geographic information system map in preliminary form and the map includes a  
12 stream, ditch, dike, or levee, the county shall furnish each drainage district in which  
13 the land is located with a copy of the map. No later than 120 days after the drainage  
14 district receives the map, the drainage district shall provide notice to the county if  
15 the drainage district determines that there is an error or omission in the map. If the  
16 drainage district provides such notice, the county shall correct the error or omission  
17 on the map. If the county does not correct the error or omission because it does not  
18 concur with the drainage district, the county shall notify the drainage district and  
19 the land information board and the land information board shall resolve the  
20 conflict.”.

21           **\*b1519/2.202\* SECTION 2357b.** 88.62 (3) of the statutes is amended to read:

22           88.62 (3) (a) If drainage work is undertaken in navigable waters, the drainage  
23 board shall obtain a permit under s. 30.20 or 88.31 or ch. 31, as directed by the  
24 department of ~~natural resources~~ environmental management, except as provided in  
25 par. (b).

1 (b) If drainage work is undertaken in navigable waters located in the Duck  
2 Creek Drainage District, the board for that district shall obtain a permit under s.  
3 30.20 or ch. 31, as directed by the department of ~~natural resources~~ environmental  
4 management.

5 \*b1519/2.202\* SECTION 2360b. 88.72 (4) of the statutes is amended to read:

6 88.72 (4) Within 30 days after the department of ~~natural resources~~  
7 environmental management has issued all of the permits as required under this  
8 chapter and chs. 30 and 31, the board shall proceed to estimate the cost of the work,  
9 including the expenses of the proceeding together with the damages that will result  
10 from the work, and shall, within a reasonable time, award damages to all lands  
11 damaged by the work and assess the cost of the work against the lands in the district  
12 in proportion to the assessment of benefits then in force.

13 \*b1519/2.202\* SECTION 2360f. 91.01 (6) of the statutes is amended to read:

14 91.01 (6) “Eligible farmland” means a parcel of 35 or more acres of contiguous  
15 land which is devoted primarily to agricultural use, including land designated by the  
16 department of ~~natural resources~~ fish, wildlife, parks, and forestry as part of the ice  
17 age trail under s. 23.17, which during the year preceding application for a farmland  
18 preservation agreement produced gross farm profits, as defined in s. 71.58 (4), of not  
19 less than \$6,000 or which, during the 3 years preceding application produced gross  
20 farm profits, as defined in s. 71.58 (4), of not less than \$18,000, or a parcel of 35 or  
21 more acres of which at least 35 acres, during part or all of the year preceding  
22 application, were enrolled in the conservation reserve program under 16 USC 3831  
23 to 3836.

24 \*b1519/2.202\* SECTION 2378e. 92.04 (2) (e) of the statutes is amended to read:

1           92.04 (2) (e) *Review joint evaluation plan.* The board shall review the  
2 evaluation plan prepared under s. 92.14 (13). After its review, the board shall make  
3 recommendations on the plan to the department and to the department of natural  
4 resources environmental management.

5           **\*b1519/2.202\* SECTION 2378h.** 92.05 (1) of the statutes is amended to read:

6           92.05 (1) CENTRAL AGENCY. The department is the central agency of this state  
7 responsible for setting and implementing statewide soil and water conservation  
8 policies and administering the state's soil and water conservation programs. The  
9 department shall coordinate its soil and water conservation program with the  
10 nonpoint source water pollution abatement program established under s. 281.65, the  
11 inland lake protection and rehabilitation program established under ch. 33 and other  
12 programs with objectives related to soil and water conservation administered by the  
13 department of natural resources environmental management or by other state or  
14 federal agencies.

15           **\*b1519/2.202\* SECTION 2379k.** 92.10 (6) (a) 1. of the statutes is amended to  
16 read:

17           92.10 (6) (a) 1. Includes an assessment of water quality and soil erosion  
18 conditions throughout the county, including any assessment available from the  
19 department of natural resources environmental management.

20           **\*b1519/2.202\* SECTION 2379n.** 92.10 (8) of the statutes is amended to read:

21           92.10 (8) DUTIES OF THE DEPARTMENT OF ~~NATURAL RESOURCES~~ ENVIRONMENTAL  
22 MANAGEMENT. The department of ~~natural resources~~ environmental management  
23 shall provide counties with assistance in land and water resource management  
24 planning, including providing available water quality data and information,

1 providing training and support for water resource assessments and appraisals and  
2 providing related program information.

3 \*b1519/2.202\* SECTION 2379t. 92.14 (2) (j) of the statutes is amended to read:

4 92.14 (2) (j) Enhancing the administration and coordination of state nonpoint  
5 source water pollution abatement activities by the department and the department  
6 of ~~natural resources~~ environmental management, including providing a single  
7 process for grant application, funding allocation, reporting and evaluation.”.

8 \*b1634/2.1\* 1345. Page 881, line 25: delete “; equal to at least” and  
9 substitute “by rule, equal to”.

10 \*b1634/2.2\* 1346. Page 882, line 1: delete “at least”.

11 \*b1461/3.10\* 1347. Page 882, line 11: after that line insert:

12 \*b1461/3.10\* “SECTION 2382. 93.06 (8) of the statutes is amended to read:

13 93.06 (8) PRESCRIBE CONDITIONS OF LICENSES. Except as provided in s. 93.135,  
14 issue any permit, certificate, registration or license on a temporary or conditional  
15 basis, contingent upon pertinent circumstances or acts. If the temporary or  
16 conditional permit, certificate, registration or license is conditioned upon compliance  
17 with chs. 93 to 100, ch. ~~127~~ 126, a rule promulgated by the department or a regulation  
18 adopted under s. 97.41 (7) within a specified period of time and the condition is not  
19 met within the specified period, the permit, certificate, registration or license shall  
20 be void.”.

21 \*b1519/2.203\* 1348. Page 882, line 11: after that line insert:

22 \*b1519/2.203\* “SECTION 2380c. 92.14 (6) (b) of the statutes is amended to read:

23 92.14 (6) (b) The department and the department of ~~natural resources~~  
24 environmental management shall prepare an annual grant allocation plan

1 identifying the amounts to be provided to counties under this section and ss. 281.65  
2 and 281.66. In the allocation plan, the departments shall attempt to provide funding  
3 under this section for an average of 3 staff persons per county with full funding for  
4 the first staff person, 70% funding for the 2nd staff person and 50% funding for any  
5 additional staff persons and to provide an average of \$100,000 per county for  
6 cost-sharing grants. The department shall submit that plan to the board.

7 **\*b1519/2.203\* SECTION 2380d.** 92.14 (6) (d) of the statutes is amended to read:

8 92.14 (6) (d) The board shall review the annual allocation plan submitted to  
9 it under par. (b) and make recommendations to the department of agriculture, trade  
10 and consumer protection and the department of ~~natural resources~~ environmental  
11 management on approval, modification or disapproval of the plan.

12 **\*b1519/2.203\* SECTION 2380e.** 92.14 (6) (h) 3. of the statutes is amended to  
13 read:

14 92.14 (6) (h) 3. Nothing in this paragraph affects the authority of the  
15 department of ~~natural resources~~ environmental management to act under ch. 283.

16 **\*b1519/2.203\* SECTION 2380f.** 92.14 (6) (m) of the statutes is amended to read:

17 92.14 (6) (m) The department of agriculture, trade and consumer protection  
18 and the department of ~~natural resources~~ environmental management shall assist  
19 counties in conducting the activities for which grants under sub. (3) may be used.

20 **\*b1519/2.203\* SECTION 2380g.** 92.14 (8) of the statutes is amended to read:

21 92.14 (8) RULES. In consultation with the department of ~~natural resources~~  
22 environmental management, the department shall promulgate rules to administer  
23 this section and the department's duties under s. 281.65.

24 **\*b1519/2.203\* SECTION 2380h.** 92.14 (12) of the statutes is amended to read:



1           92.14 (12) ANNUAL REPORT. Annually, the department, in cooperation with the  
2 department of ~~natural resources~~ environmental management, shall submit a report  
3 on the progress of the program under this section and s. 281.65 to the board.

4           **\*b1519/2.203\* SECTION 2380j.** 92.14 (13) of the statutes is amended to read:

5           92.14 (13) EVALUATION PLAN. The department, jointly with the department of  
6 ~~natural resources~~ environmental management, shall prepare a plan, which includes  
7 water quality monitoring and analysis, for evaluating the program administered  
8 under this section and s. 281.65 and submit the plan to the board. The board shall  
9 make recommendations to the department and the department of ~~natural resources~~  
10 environmental management on the plan. The department shall review and approve  
11 or disapprove the plan and shall notify the board of its final action on the plan. The  
12 department shall implement any part of the plan for which the plan gives it  
13 responsibility.

14           **\*b1519/2.203\* SECTION 2380k.** 92.14 (14) of the statutes is amended to read:

15           92.14 (14) APPLICATION, ALLOCATION, REPORTING AND EVALUATION. The  
16 department, jointly with the department of ~~natural resources~~ environmental  
17 management, shall develop a single set of grant application, reporting and  
18 evaluation forms for use by counties receiving grants under this section and ss.  
19 281.65 and 281.66. The department, jointly with the department of ~~natural~~  
20 ~~resources~~ environmental management, shall implement a single process for grant  
21 application, funding allocation, reporting and evaluation for counties receiving  
22 grants under this section and ss. 281.65 and 281.66.

23           **\*b1519/2.203\* SECTION 2380L.** 92.14 (14m) of the statutes is amended to read:

24           92.14 (14m) COORDINATION. The department of agriculture, trade and  
25 consumer protection and the department of ~~natural resources~~ environmental

1 management, jointly, shall review applications from counties for grants under sub.  
2 (5r) and, for projects and activities selected to receive funding shall determine  
3 whether to provide funding under this section or under s. 281.65 or 281.66.

4 **\*b1519/2.203\* SECTION 2380n.** 92.14 (15) of the statutes is amended to read:

5 92.14 (15) FINANCIAL INFORMATION. The department shall consult with the  
6 department of ~~natural resources~~ environmental management when it prepares the  
7 information which it submits to the department of administration under s. 16.42.

8 **\*b1519/2.203\* SECTION 2380p.** 92.15 (3) of the statutes is amended to read:

9 92.15 (3) (a) Notwithstanding ss. 92.11 and 92.17, a local governmental unit  
10 may enact regulations of livestock operations that exceed the performance  
11 standards, prohibitions, conservation practices and technical standards under s.  
12 281.16 (3) only if the local governmental unit demonstrates to the satisfaction of the  
13 department of agriculture, trade and consumer protection or the department of  
14 ~~natural resources~~ environmental management that the regulations are necessary to  
15 achieve water quality standards under s. 281.15.

16 (b) The department of agriculture, trade and consumer protection and the  
17 department of ~~natural resources~~ environmental management shall, by rule, specify  
18 procedures for review and approval of proposed local governmental unit regulations  
19 under par. (a).

20 **\*b1519/2.203\* SECTION 2380r.** 92.18 (4) of the statutes is amended to read:

21 92.18 (4) The department shall promulgate rules under this section in  
22 consultation with the department of ~~natural resources~~ environmental management.

23 **\*b1519/2.203\* SECTION 2380s.** 92.18 (5) of the statutes is amended to read:

1           92.18 (5) Any training required under this section may be conducted by the  
2 department or the department of ~~natural resources~~ environmental management or  
3 by another person with the approval of the department.”.

4           **\*b1527/1.1\* 1349.** Page 882, line 11: after that line insert:

5           **\*b1527/1.1\* SECTION 2381.** 93.01 (1m) of the statutes is amended to read:

6           93.01 (1m) “Business” includes any business, except that of banks, savings  
7 banks, credit unions, savings and loan associations, and insurance companies.  
8 “Business” includes public utilities and telecommunications carriers to the extent  
9 that their activities, beyond registration, notice, and reporting activities, are not  
10 regulated by the public service commission and includes public utility and  
11 telecommunications carrier methods of competition or trade and advertising  
12 practices that are exempt from regulation by the public service commission under s.  
13 196.195, 196.196, 196.202, 196.203, 196.219, or 196.499 or by other action of the  
14 commission.”.

15           **\*b1459/1.1\* 1350.** Page 882, line 13: delete the material beginning with  
16 “From” and ending with “provide” on line 14 and substitute “Provide”.

17           **\*b1461/3.11\* 1351.** Page 882, line 16: after that line insert:

18           **\*b1461/3.11\* SECTION 2385.** 93.135 (1) (rm) of the statutes is amended to  
19 read:

20           93.135 (1) (rm) A ~~registration certificate~~ license under s. ~~100.03(2)~~ 126.56.

21           **\*b1461/3.11\* SECTION 2386.** 93.135 (1) (s) of the statutes is amended to read:

22           93.135 (1) (s) A license under s. ~~127.02(1)~~ 126.26.

23           **\*b1461/3.11\* SECTION 2387.** 93.135 (1) (sm) of the statutes is amended to read:

24           93.135 (1) (sm) A license under s. ~~127.03(1)~~ 126.11.

1           **\*b1461/3.11\* SECTION 2388.** 93.20 (1) of the statutes is amended to read:

2           93.20 (1) DEFINITION. In this section, “action” means an action that is  
3 commenced in court by, or on behalf of, the department of agriculture, trade and  
4 consumer protection to enforce chs. 88, 91 to 100 or ~~127~~ 126.

5           **\*b1461/3.11\* SECTION 2389.** 93.21 (5) (a) of the statutes is amended to read:

6           93.21 (5) (a) In this subsection, “license” means a permit, certificate,  
7 registration or license issued by the department under chs. 91 to 100 or ch. ~~127~~ 126.”.

8           **\*b1519/2.204\* 1352.** Page 882, line 16: after that line insert:

9           **\*b1519/2.204\* “SECTION 2384g.** 93.12 (5) of the statutes is amended to read:

10           93.12 (5) The department shall establish uniform minimum standards to be  
11 used in the evaluation and certification of laboratory examinations. The department  
12 shall submit any rules proposed under this subsection which affect the laboratory  
13 certification program under s. 299.11 to the department of ~~natural resources~~  
14 environmental management and to the state laboratory of hygiene for review and  
15 comment. These rules may not take effect unless they are approved by the  
16 department of ~~natural resources~~ environmental management within 6 months after  
17 submission.

18           **\*b1519/2.204\* SECTION 2384j.** 93.12 (8) of the statutes is amended to read:

19           93.12 (8) The department shall enter into a memorandum of understanding  
20 with the department of ~~natural resources~~ environmental management setting forth  
21 the responsibilities of each department in administering the laboratory certification  
22 programs under sub. (5) and s. 299.11. The memorandum of understanding shall  
23 include measures to be taken by each department to avoid duplication of application  
24 and compliance procedures for laboratory certification.

1           **\*b1519/2.204\* SECTION 2384L.** 93.12 (9) of the statutes is amended to read:

2           93.12 (9) The department shall recognize the certification or registration of a  
3           laboratory by the department of ~~natural resources~~ environmental management  
4           under s. 299.11 and shall accept the results of any test conducted by a laboratory  
5           certified or registered to conduct that category of test under that section.”.

6           **\*b1366/1.3\* 1353.** Page 882, line 17: after that line insert:

7           **\*b1366/1.3\* “SECTION 2390p.** 93.32 of the statutes is created to read:

8           **93.32 Agriculture in the classroom program.** From the appropriation  
9           account under s. 20.115 (4) (q), the department shall provide grants to the  
10          organization that conducts an agriculture in the classroom program in cooperation  
11          with the federal department of agriculture to help teachers educate students about  
12          agriculture.”.

13          **\*b1502/1.4\* 1354.** Page 882, line 17: after that line insert:

14          **\*b1502/1.4\* “SECTION 2390v.** 93.45 of the statutes is created to read:

15          **93.45 Wisconsin agricultural research and development initiative. (1)**  
16          From the appropriation account under s. 20.115 (4) (am), the department shall  
17          provide funds to a nonprofit corporation for grants for agricultural research and  
18          development projects and administrative costs associated with making those grants  
19          if all of the following apply:

20               (a) The nonprofit corporation is described in section 501 (c) of the Internal  
21          Revenue Code, as defined in s. 71.22 (4), and is exempt from federal taxation under  
22          section 501 (a) of the Internal Revenue Code.

1           (b) The nonprofit corporation has as its primary purpose the promotion and  
2 funding of agricultural research and development projects to benefit agricultural  
3 producers in this state.

4           (c) The board of directors of the nonprofit corporation consists of persons  
5 selected by organizations that represent agricultural production in this state.

6           (d) The board of directors of the nonprofit corporation selects agricultural  
7 research and development projects for funding based on research priorities  
8 identified by the board of directors and recommendations by technical advisory  
9 groups established by the board of directors.

10           **(1m)** A nonprofit corporation that receives funds under this section may make  
11 a grant only pursuant to an agreement with the recipient. The nonprofit corporation  
12 shall submit a final draft of any proposed agreement between the nonprofit  
13 corporation and a grant recipient to the department for review. The department  
14 shall either approve or disapprove the proposed agreement within 30 days after  
15 receiving it. The decision of the department approving or disapproving a proposed  
16 agreement is final and is not subject to judicial review under ch. 227. A proposed  
17 agreement, a final agreement between the nonprofit corporation and a grant  
18 recipient, and any amendments to an agreement are public records.

19           **(2)** A nonprofit corporation that receives funds under this section shall do all  
20 of the following:

21           (a) Require each recipient of a grant to submit a final research report to the  
22 nonprofit corporation and require an annual report for each project funded for more  
23 than 12 months.

24           (b) Require each recipient of a grant to convey research findings to potential  
25 users of those findings.

1 (c) Submit an annual report to the legislature, under s. 13.172 (2), and to the  
2 governor describing expenditures of funds received under this section and the  
3 progress and results of research and development projects funded under this section.

4 (3) A nonprofit corporation that receives funds under this section may do any  
5 of the following:

6 (a) Require a person receiving a grant for an agricultural research and  
7 development project to obtain a portion of the funds needed for the project from other  
8 sources.

9 (b) Use funds received under this section to purchase administrative services  
10 from any public or private entity.

11 (4) The department shall promulgate rules for the implementation of this  
12 section.”.

13 \*b1519/2.205\* **1355**. Page 882, line 17: after that line insert:

14 \*b1519/2.205\* “SECTION 2390p. 93.46 (1m) (a) 2. of the statutes is amended  
15 to read:

16 93.46 (1m) (a) 2. Coordinating the aquaculture activities of the department  
17 with the aquaculture activities of the department of ~~natural resources~~ fish, wildlife,  
18 parks, and forestry and the University of Wisconsin System.

19 \*b1519/2.205\* SECTION 2390q. 93.46 (1m) (a) 3. of the statutes is amended to  
20 read:

21 93.46 (1m) (a) 3. Conducting meetings on a quarterly basis between  
22 representatives of the department, the department of ~~natural resources~~ fish,  
23 wildlife, parks, and forestry and the University of Wisconsin System to exchange

1 information regarding the progress of their efforts to promote commercial  
2 aquaculture in this state.

3 \*b1519/2.205\* SECTION 2390t. 93.46 (1m) (b) of the statutes is amended to  
4 read:

5 93.46 (1m) (b) The department of ~~natural resources~~ fish, wildlife, parks, and  
6 forestry and the department of environmental management shall assist persons in  
7 obtaining any license or approval required by any state or federal agency to conduct  
8 a commercial aquaculture operation.”.

9 \*b1461/3.12\* **1356.** Page 882, line 24: after that line insert:

10 \*b1461/3.12\* “SECTION 2394. 93.50 (1) (g) of the statutes is amended to read:

11 93.50 (1) (g) “Procurement contract” has the meaning given for “vegetable  
12 procurement contract” in s. ~~100.03 (1) (vm)~~ 126.55 (15).”.

13 \*b1468/2.1\* **1357.** Page 882, line 24: after that line insert:

14 \*b1468/2.1\* “SECTION 2394p. 93.80 of the statutes is created to read:

15 **93.80 Arsenic in wood.** (1) The department, jointly with the department of  
16 commerce, shall review scientific evidence to determine whether there is a  
17 substantial likelihood that wood treated with copper, chromium, and arsenic is  
18 harmful to the environment. The departments shall report the results of their review  
19 to the legislature under s. 13.172 (2) no later than June 30, 2002.

20 (2) If the department and the department of commerce determine under sub.  
21 (1) that there is a substantial likelihood that wood treated with copper, chromium,  
22 and arsenic is harmful to the environment, the departments jointly shall promulgate  
23 rules that phase in restrictions on the use of wood treated with copper, chromium,  
24 and arsenic. The departments may not prohibit the use of wood treated with copper,



1 chromium, and arsenic for a purpose unless there is a substitute wood preservative  
2 that may be used for that purpose and that is less harmful.

3 (3) Any person who violates a rule promulgated under sub. (2) may be required  
4 to forfeit not more than \$500 for each violation.”.

5 \*b1519/2.206\* **1358.** Page 882, line 24: after that line insert:

6 \*b1519/2.206\* “SECTION 2395b. 94.02 (4) of the statutes is amended to read:  
7 94.02 (4) This section pertains to the abatement of pests on agricultural lands  
8 and on agricultural business premises. This section does not affect the authority of  
9 the department of ~~natural resources~~ fish, wildlife, parks, and forestry under ch. 26.

10 \*b1519/2.206\* SECTION 2395t. 94.65 (3) (a) 3. of the statutes is amended to  
11 read:

12 94.65 (3) (a) 3. No permit is required for the landspreading of sewage sludge  
13 under a pollutant discharge elimination system permit issued by the department of  
14 ~~natural resources~~ environmental management under s. 283.31 or 283.35.”.

15 \*b1465/2.6\* **1359.** Page 882, line 25: delete the material beginning with that  
16 line and ending with page 888, line 10.

17 \*b1519/2.207\* **1360.** Page 888, line 10: after that line insert:

18 \*b1519/2.207\* “SECTION 2397c. 94.73 (1) (b) of the statutes is amended to read:  
19 94.73 (1) (b) “Corrective action” means action that is taken in response to a  
20 discharge and that is necessary to restore the environment to the extent practicable  
21 and to minimize the harmful effects of the discharge to the air, lands or waters of this  
22 state. “Corrective action” includes action taken or ordered by the department of  
23 ~~natural resources~~ environmental management under s. 292.11 (7) in response to a  
24 discharge, but does not include action ordered by the department of ~~natural~~

1 ~~resources~~ environmental management under s. 291.37 (2) or 291.95. “Corrective  
2 action” does not include action taken, or ordered to be completed, before  
3 January 1, 1989.

4 \*b1519/2.207\* SECTION 2397e. 94.73 (2) (a) of the statutes is amended to read:

5 94.73 (2) (a) The department may issue an order requiring a responsible person  
6 to take corrective action. Except as provided in a memorandum of understanding  
7 under sub. (12), if a discharge involves a hazardous substance that may also become  
8 a hazardous waste, the department and the department of ~~natural resources~~  
9 environmental management shall consult to determine whether corrective action  
10 should be taken under this section or s. 291.37 (2), 291.95 (1) or 292.31 (3).

11 \*b1519/2.207\* SECTION 2397f. 94.73 (2m) (intro.) of the statutes is amended  
12 to read:

13 94.73 (2m) CORRECTIVE ACTION ORDERED BY THE DEPARTMENT OF NATURAL  
14 RESOURCES ENVIRONMENTAL MANAGEMENT. (intro.) The department of ~~natural~~  
15 ~~resources~~ environmental management may take action under s. 292.11 (7) (a) or may  
16 issue an order under s. 292.11 (7) (c) in response to a discharge only if one or more  
17 of the following apply:

18 \*b1519/2.207\* SECTION 2397g. 94.73 (2m) (b) of the statutes is amended to  
19 read:

20 94.73 (2m) (b) The department of agriculture, trade and consumer protection  
21 requests the department of ~~natural resources~~ environmental management to take  
22 the action or issue the order.

23 \*b1519/2.207\* SECTION 2397h. 94.73 (2m) (c) of the statutes is amended to  
24 read:

1           94.73 (2m) (c) The secretary of ~~natural resources~~ environmental management  
2 approves the action or order in advance after notice to the secretary of agriculture,  
3 trade and consumer protection.

4           **\*b1519/2.207\* SECTION 2397i.** 94.73 (2m) (d) of the statutes is amended to  
5 read:

6           94.73 (2m) (d) The department of ~~natural resources~~ environmental  
7 management takes action under s. 292.11 (7) (a) after the responsible person fails to  
8 comply with an order that was issued under s. 292.11 (7) (c) in compliance with this  
9 subsection.

10          **\*b1519/2.207\* SECTION 2397j.** 94.73 (2m) (e) of the statutes is amended to  
11 read:

12          94.73 (2m) (e) The department of ~~natural resources~~ environmental  
13 management takes the action or issues the order in compliance with a memorandum  
14 of understanding under sub. (12) between the department of agriculture, trade and  
15 consumer protection and the department of ~~natural resources~~ environmental  
16 management

17          **\*b1519/2.207\* SECTION 2397k.** 94.73 (3) (d) of the statutes is amended to read:

18          94.73 (3) (d) The applicant has complied with every corrective action order  
19 issued to the applicant by the department under sub. (2) or the department of ~~natural~~  
20 ~~resources~~ environmental management under s. 292.11 (7) (c).

21          **\*b1519/2.207\* SECTION 2397L.** 94.73 (3) (f) of the statutes is amended to read:

22          94.73 (3) (f) The applicant, upon discovery of the discharge, promptly reported  
23 the discharge to the department or, if the applicant was required to report the  
24 discharge under s. 292.11 (2), to the department of ~~natural resources~~ environmental  
25 management.

1           **\*b1519/2.207\* SECTION 2397n.** 94.73 (3m) (a) of the statutes is amended to  
2 read:

3           94.73 (3m) (a) Costs for corrective action taken in response to a discharge that  
4 is an intentional use of an agricultural chemical for agricultural purposes, unless the  
5 corrective action is ordered by the department under sub. (2) or by the department  
6 of ~~natural resources~~ environmental management under s. 292.11 (7) (c).

7           **\*b1519/2.207\* SECTION 2397p.** 94.73 (3m) (b) of the statutes is amended to  
8 read:

9           94.73 (3m) (b) Costs of reimbursing the department of ~~natural resources~~  
10 environmental management for action taken under s. 292.11 (7) (a) or 292.31 (1), (3)  
11 or (7) because the applicant failed to respond adequately to a discharge.

12           **\*b1519/2.207\* SECTION 2397q.** 94.73 (3m) (e) of the statutes is amended to  
13 read:

14           94.73 (3m) (e) Costs for corrective action taken in response to a discharge from  
15 a facility that is required to be licensed under s. 289.31 or that would be required to  
16 be licensed except that the department of ~~natural resources~~ environmental  
17 management has issued a specific exemption under s. 289.43 or rules promulgated  
18 under s. 289.05 (1) or (2).

19           **\*b1519/2.207\* SECTION 2397r.** 94.73 (3m) (r) of the statutes is amended to  
20 read:

21           94.73 (3m) (r) The cost of providing alternative sources of drinking water,  
22 except that, subject to sub. (6) (b) to (f), the department may reimburse a responsible  
23 person who applies for reimbursement a total of not more than \$20,000 for the  
24 replacement of private wells if the department or the department of ~~natural~~

1 ~~resources~~ environmental management orders the well replacement in response to a  
2 discharge.

3 \*b1519/2.207\* SECTION 2397s. 94.73 (4) (b) of the statutes is amended to read:

4 94.73 (4) (b) Except as agreed under sub. (12), the department of agriculture,  
5 trade and consumer protection shall promptly furnish the department of ~~natural~~  
6 ~~resources~~ environmental management with a copy of each work plan submitted to  
7 the department of agriculture, trade and consumer protection under par. (a) for  
8 comment by the department of ~~natural resources~~ environmental management.  
9 Within 14 days after it receives a copy of a work plan or within a different time period  
10 agreed to under sub. (12), the department of ~~natural resources~~ environmental  
11 management may provide the department of agriculture, trade and consumer  
12 protection with any comments of the department of ~~natural resources~~ environmental  
13 management on the work plan. If the department of ~~natural resources~~  
14 environmental management timely submits written comments on a proposed work  
15 plan, the department of agriculture, trade and consumer protection shall either  
16 incorporate those comments into the approved work plan or give the department of  
17 ~~natural resources~~ environmental management a written explanation of why the  
18 comments were not incorporated.

19 \*b1519/2.207\* SECTION 2397t. 94.73 (9) of the statutes is amended to read:

20 94.73 (9) SAMPLING REQUIREMENTS. The department, in cooperation with the  
21 department of ~~natural resources~~ environmental management, shall establish a  
22 program for the collection and analysis of soil and other environmental samples at  
23 sites where discharges may have occurred, including sites required to be registered  
24 according to rules promulgated by the department of agriculture, trade and  
25 consumer protection under sub. (11).

1           **\*b1519/2.207\* SECTION 2397u.** 94.73 (12) of the statutes is amended to read:

2           94.73 (12) MEMORANDUM OF UNDERSTANDING. The department and the  
3 department of ~~natural resources~~ environmental management shall enter into a  
4 memorandum of understanding establishing their respective functions in the  
5 administration of this section. The memorandum of understanding shall establish  
6 procedures to ensure that corrective actions taken under this section are consistent  
7 with actions taken under s. 292.11 (7). The department and the department of  
8 ~~natural resources~~ environmental management may request that the secretary of  
9 administration provide assistance in accomplishing the memorandum of  
10 understanding.”.

11           **\*b1519/2.208\* 1361.** Page 888, line 11: after that line insert:

12           **\*b1519/2.208\* “SECTION 2398g.** 95.60 (2) (d) of the statutes is amended to read:

13           95.60 (2) (d) The department of ~~natural resources~~ fish, wildlife, parks, and  
14 forestry is exempt from par. (a).

15           **\*b1519/2.208\* SECTION 2398h.** 95.60 (4s) (a) of the statutes is amended to  
16 read:

17           95.60 (4s) (a) In consultation with the department of ~~natural resources~~ fish,  
18 wildlife, parks, and forestry, promulgate rules specifying requirements for the  
19 labeling and identification, in commerce, of fish reared in fish farms.

20           **\*b1519/2.208\* SECTION 2398i.** 95.60 (4s) (b) of the statutes is amended to read:

21           95.60 (4s) (b) In consultation with the department of ~~natural resources~~ fish,  
22 wildlife, parks, and forestry, promulgate rules specifying fish health standards and  
23 requirements for certifying that fish meet those standards for the purpose of s.  
24 29.736.

1           **\*b1519/2.208\* SECTION 2398j.** 95.60 (4s) (c) of the statutes is amended to read:

2           95.60 (4s) (c) In consultation with the department of ~~natural resources~~ fish,  
3 wildlife, parks, and forestry, promulgate rules specifying the qualifications that a  
4 person who is not a veterinarian must satisfy in order to issue fish health certificates.

5           **\*b1519/2.208\* SECTION 2398k.** 95.60 (4s) (d) of the statutes is amended to  
6 read:

7           95.60 (4s) (d) In consultation with the department of ~~natural resources~~ fish,  
8 wildlife, parks, and forestry, promulgate rules specifying diseases and requirements  
9 for certifying that fish are free of those diseases for the purposes of sub. (2) (b).

10           **\*b1519/2.208\* SECTION 2398L.** 95.60 (6) of the statutes is amended to read:

11           95.60 (6) (a) No person, except the department of ~~natural resources~~ fish,  
12 wildlife, parks, and forestry, may rear lake sturgeon in a fish farm.

13           (c) The department, in consultation with the department of ~~natural resources~~  
14 fish, wildlife, parks, and forestry, shall study regulatory options that would enable  
15 commercial rearing of lake sturgeon while protecting the wild lake sturgeon  
16 population. The department shall submit the results of the study to the legislature  
17 under s. 13.172 (2) no later than December 31, 2000.”.

18           **\*b1461/3.13\* 1362.** Page 888, line 15: after that line insert:

19           **\*b1461/3.13\* “SECTION 2400.** 97.20 (2) (d) 2. of the statutes is amended to read:

20           97.20 (2) (d) 2. The license applicant has filed all financial information required  
21 under s. 126.44 and any security required under s. ~~100.06~~ 126.47. If an applicant has  
22 not filed all financial information under s. 126.44 and any security required under  
23 s. ~~100.06~~ 126.47, the department may issue a conditional dairy plant license under  
24 s. 93.06 (8) which prohibits the licensed operator from purchasing milk or fluid milk

1 products from milk producers or their agents, but allows the operator to purchase  
2 milk or fluid milk products from other sources.

3 **\*b1461/3.13\* SECTION 2401.** 97.20 (3m) of the statutes is amended to read:

4 97.20 (3m) CONFIDENTIALITY. Any information kept by the department under  
5 this section or s. 97.24 that identifies individual milk producers who deliver milk to  
6 a dairy plant licensed under this section and that is a composite list for that dairy  
7 plant is not subject to inspection under s. 19.35 unless inspection is required under  
8 s. ~~100.06 (4)~~ 126.70 or unless the department determines that inspection is necessary  
9 to protect the public health, safety or welfare.

10 **\*b1461/3.13\* SECTION 2402.** 97.22 (10) of the statutes is amended to read:

11 97.22 (10) CONFIDENTIALITY. Any information obtained and kept by the  
12 department under this section, under s. 97.24 or 97.52, or under rules promulgated  
13 under those sections, that pertains to individual milk producer production, milk fat  
14 and other component tests and quality records is not subject to inspection under s.  
15 19.35 except as required under s. ~~100.06 (4)~~ 126.70 or except as the department  
16 determines is necessary to protect the public health, safety or welfare.

17 **\*b1461/3.13\* SECTION 2403.** 97.29 (4) of the statutes is amended to read:

18 97.29 (4) FOOD PROCESSING PLANTS BUYING VEGETABLES FROM PRODUCERS. The  
19 department may not issue or renew a license to operate a food processing plant to any  
20 applicant who is a vegetable contractor, as defined in s. ~~100.03 (1) (f)~~ 126.55 (14),  
21 unless the applicant has filed all financial information required under s. 126.58 and  
22 any security that is required under s. ~~100.03~~ 126.61. If an applicant has not filed all  
23 financial information required under s. 126.58 and any security that is required  
24 under s. ~~100.03~~ 126.61, the department may issue a conditional license under s. 93.06  
25 (8) that prohibits the licensed operator from procuring vegetables from a producer



1 or a producer's agent, but allows the operator to procure vegetables from other  
2 sources.”.

3 \*b1467/2.1\* **1363.** Page 888, line 15: after that line insert:

4 \*b1467/2.1\* “SECTION 2403c. 97.42 (3) (d) of the statutes is amended to read:

5 97.42 (3) (d) *Custom service slaughtering.* This subsection shall not apply to  
6 animals and poultry slaughtered as a custom service for the owner ~~exclusively for use~~  
7 ~~by the owner and members of the owner's household and the owner's nonpaying~~  
8 ~~guests and employees if the slaughterer is not involved with the sale of the meat,~~  
9 unless department inspection is specifically requested and performed at  
10 establishments where examinations before and after slaughter are required. The  
11 rules of the department shall make provision for the furnishing of such inspection  
12 service, subject to availability of inspector personnel, and for the identification of all  
13 animals and poultry custom slaughtered for the owners thereof without department  
14 inspection.

15 \*b1467/2.1\* SECTION 2403cp. 97.42 (6) (a) (intro.) of the statutes is amended  
16 to read:

17 97.42 (6) (a) (intro.) ~~No~~ Except as provided in par. (am), no person shall  
18 slaughter any animals or poultry for the purpose of selling the meat products or  
19 poultry products thereof for human food, or sell, offer for sale or have in his or her  
20 possession with intent to sell such meat products or poultry products for human food,  
21 unless such animals and poultry and the carcasses thereof have been first inspected  
22 and approved as provided by any of the following:

23 \*b1467/2.1\* SECTION 2403cs. 97.42 (6) (am) of the statutes is created to read:

1           97.42 (6) (am) Paragraph (a) does not prohibit the slaughter for the purpose  
2 of sale or the sale of animals or poultry without inspection or approval if the sale is  
3 by the person who raised the animals or poultry to an individual and is not for  
4 resale.”.

5           **\*b1519/2.209\* 1364.** Page 888, line 15: after that line insert:

6           **\*b1519/2.209\*** “SECTION 2402g. 97.34 (2) (b) of the statutes is amended to read:

7           97.34 (2) (b) No person may manufacture or bottle bottled drinking water for  
8 sale or distribution in this state unless the bottled drinking water complies with  
9 state drinking water standards adopted by the department of ~~natural resources~~  
10 environmental management under s. 280.11, 281.15 or 281.17 (8) and with  
11 health-related enforcement standards adopted by the department of ~~natural~~  
12 ~~resources~~ environmental management under ch. 160.

13           **\*b1519/2.209\*** SECTION 2402i. 97.34 (2) (d) of the statutes is amended to read:

14           97.34 (2) (d) No person may manufacture or bottle bottled drinking water for  
15 sale or distribution in this state unless the water system used by the manufacturer  
16 or bottler complies with ch. 280 and rules promulgated by the department of ~~natural~~  
17 ~~resources~~ environmental management under that chapter.”.

18           **\*b1461/3.14\* 1365.** Page 889, line 1: after that line insert:

19           **\*b1461/3.14\*** “SECTION 2404. 100.03 of the statutes as affected by 2000  
20 Wisconsin Act .... (this act) is repealed.

21           **\*b1461/3.14\*** SECTION 2405. 100.06 of the statutes is repealed.”.

22           **\*b1524/1.6\* 1366.** Page 889, line 1: after that line insert:

23           **\*b1524/1.6\*** “SECTION 2404g. 100.03 (1) (bm) of the statutes is amended to  
24 read:

1           100.03 (1) (bm) “Audited financial statement” means a financial statement  
2 that, in the accompanying opinion of an independent certified public accountant ~~or~~  
3 ~~a public accountant holding a certificate of authority~~ licensed or certified under ch.  
4 442, fairly and in all material respects represents the financial position of the  
5 contractor, the results of the contractor’s operations and the contractor’s cash flows  
6 in conformity with generally accepted accounting principles.

7           **\*b1524/1.6\* SECTION 2404r.** 100.03 (1) (ym) 2. of the statutes is amended to  
8 read:

9           100.03 (1) (ym) 2. Reviewed according to generally accepted accounting  
10 principles by an independent certified public accountant ~~or a public accountant~~  
11 ~~holding a certificate of authority~~ licensed or certified under ch. 442.

12           **\*b1524/1.6\* SECTION 2405m.** 100.06 (1g) (c) of the statutes is amended to read:

13           100.06 (1g) (c) The department shall require the applicant to file a financial  
14 statement of his or her business operations and financial condition that meets the  
15 requirements of par. (d). The licensee, during the term of his or her license, may be  
16 required to file such statements periodically. All such statements shall be  
17 confidential and shall not be open for public inspection, except that the department  
18 shall provide the name and address of an individual, the name and address of the  
19 individual’s employer and financial information related to the individual contained  
20 in such statements if requested under s. 49.22 (2m) by the department of workforce  
21 development or a county child support agency under s. 59.53 (5). The department  
22 may require such statements to be certified by a certified public accountant licensed  
23 or certified under ch. 442. Such statements and audits, when made by the  
24 department, shall be paid for at cost.”.

1           **\*b1605/1.4\* 1367.** Page 889, line 1: after that line insert:

2           **\*b1605/1.4\* SECTION 2406.** 100.18 (11) (d) of the statutes is amended to read:

3           100.18 (11) (d) ~~The department or the department of justice, after consulting~~  
4 ~~with the department,~~ or any district attorney, upon informing the department, may  
5 commence an action in circuit court in the name of the state to restrain by temporary  
6 or permanent injunction any violation of this section. The court may in its discretion,  
7 prior to entry of final judgment, make such orders or judgments as may be necessary  
8 to restore to any person any pecuniary loss suffered because of the acts or practices  
9 involved in the action, provided proof thereof is submitted to the satisfaction of the  
10 court. The department ~~and the department of justice~~ may subpoena persons and  
11 require the production of books and other documents, ~~and the department of justice~~  
12 ~~may request the department to exercise its authority under par. (c) to aid in the~~  
13 ~~investigation of alleged violations of this section.~~

14           **\*b1605/1.4\* SECTION 2407.** 100.18 (11) (e) of the statutes is amended to read:

15           100.18 (11) (e) In lieu of instituting or continuing an action pursuant to this  
16 section, the department ~~or the department of justice~~ may accept a written assurance  
17 of discontinuance of any act or practice alleged to be a violation of this section from  
18 the person who has engaged in such act or practice. The acceptance of such assurance  
19 by ~~either the department or the department of justice~~ shall be deemed acceptance by  
20 the other state officials enumerated in par. (d) if the terms of the assurance so  
21 provide. An assurance entered into pursuant to this section shall not be considered  
22 evidence of a violation of this section, provided that violation of such an assurance  
23 shall be treated as a violation of this section, and shall be subjected to all the  
24 penalties and remedies provided therefor.”.

1           **\*b1461/3.15\* 1368.** Page 889, line 8: after that line insert:

2           **\*b1461/3.15\*** “SECTION 2414. 100.235 (1) (b) of the statutes is amended to read:

3           100.235 (1) (b) “Contractor” has the meaning given for “vegetable contractor”

4 under s. ~~100.03 (1) (f)~~ 126.55 (14).

5           **\*b1461/3.15\* SECTION 2415.** 100.235 (1) (em) of the statutes is renumbered

6 100.235 (1) (dm) and amended to read:

7           100.235 (1) (dm) “~~Registration License~~ License year” has the meaning given under s.

8 ~~100.03 (1) (y)~~ 126.55 (10m).

9           **\*b1461/3.15\* SECTION 2416.** 100.235 (2) of the statutes is amended to read:

10           100.235 (2) CONTRACTOR MAY NOT PAY PRODUCER LESS THAN CONTRACTOR'S COST TO  
11 GROW. If a contractor and the contractor's affiliates and subsidiaries collectively grow  
12 more than 10% of the acreage of any vegetable species grown and procured by the  
13 contractor in any ~~registration~~ license year, the contractor shall pay a producer, for  
14 vegetables of that species tendered or delivered under a vegetable procurement  
15 contract, a price not less than the contractor's cost to grow that vegetable species in  
16 the same growing region. For vegetables contracted on a tonnage basis and for  
17 open-market tonnage purchased, acreage under this subsection shall be determined  
18 using the state average yield per acre during the preceding ~~registration~~ license year.

19           **\*b1461/3.15\* SECTION 2417.** 100.235 (3) of the statutes is repealed.

20           **\*b1461/3.15\* SECTION 2418.** 100.235 (4) of the statutes is amended to read:

21           100.235 (4) COST TO GROW; REPORT TO DEPARTMENT UPON REQUEST. If the  
22 department determines that a contractor and the contractor's affiliates and  
23 subsidiaries will collectively grow more than 10% of the acreage of any vegetable  
24 species grown and procured by the contractor during a ~~registration~~ license year, the

1 department may require the contractor to file a statement of the contractor's cost to  
2 grow that vegetable species. The contractor shall file the report with the department  
3 within 30 days after the department makes its request, unless the department  
4 grants an extension of time. The department may permit the contractor to report  
5 different costs to grow for different growing regions if the contractor can define the  
6 growing regions to the department's satisfaction, and can show to the department's  
7 satisfaction that the contractor's costs to grow are substantially different between  
8 the growing regions.

9 **\*b1461/3.15\* SECTION 2420.** 100.26 (5) of the statutes is amended to read:

10 100.26 (5) Any person violating ~~s. 100.06 or any order or regulation of the~~  
11 ~~department thereunder, or~~ s. 100.18 (9), shall be fined not less than \$100 nor more  
12 than \$1,000 or imprisoned for not more than 2 years or both. Each day of violation  
13 constitutes a separate offense.”.

14 **\*b1605/1.5\* 1369.** Page 889, line 8: after that line insert:

15 **\*b1605/1.5\* “SECTION 2409.** 100.20 (4) of the statutes is amended to read:

16 100.20 (4) The ~~department of justice~~ district attorney may file a written  
17 complaint with the department alleging that the person named is employing unfair  
18 methods of competition in business or unfair trade practices in business or both.  
19 Whenever such a complaint is filed it shall be the duty of the department to proceed,  
20 after proper notice and in accordance with its rules, to the hearing and adjudication  
21 of the matters alleged, and a representative of the ~~department of justice designated~~  
22 ~~by the attorney general~~ district attorney may appear before the department in such  
23 proceedings. The ~~department of justice~~ district attorney shall be entitled to judicial  
24 review of the decisions and orders of the department under ch. 227.

1           **\*b1605/1.5\* SECTION 2410.** 100.207 (6) (b) 1. of the statutes is amended to read:

2           100.207 (6) (b) 1. The department of justice, ~~after consulting with the~~  
3 ~~department of agriculture, trade and consumer protection,~~ or any district attorney  
4 upon informing the department of agriculture, trade and consumer protection, may  
5 commence an action in circuit court in the name of the state to restrain by temporary  
6 or permanent injunction any violation of this section. Injunctive relief may include  
7 an order directing telecommunications providers, as defined in s. 196.01 (8p), to  
8 discontinue telecommunications service provided to a person violating this section  
9 or ch. 196. Before entry of final judgment, the court may make such orders or  
10 judgments as may be necessary to restore to any person any pecuniary loss suffered  
11 because of the acts or practices involved in the action if proof of these acts or practices  
12 is submitted to the satisfaction of the court.

13           **\*b1605/1.5\* SECTION 2411.** 100.207 (6) (b) 2. of the statutes is amended to read:

14           100.207 (6) (b) 2. The department may exercise its authority under ss. 93.14  
15 to 93.16 and 100.18 (11) (c) to administer this section. The department ~~and the~~  
16 ~~department of justice~~ may subpoena persons and require the production of books and  
17 other documents, ~~and the department of justice may request the department of~~  
18 ~~agriculture, trade and consumer protection to exercise its authority to aid in the~~  
19 ~~investigation of alleged violations of this section.~~

20           **\*b1605/1.5\* SECTION 2412.** 100.207 (6) (c) of the statutes is amended to read:

21           100.207 (6) (c) Any person who violates subs. (2) to (4) shall be required to  
22 forfeit not less than \$25 nor more than \$5,000 for each offense. Forfeitures under this  
23 paragraph shall be enforced by the ~~department of justice, after consulting with the~~  
24 ~~department of agriculture, trade and consumer protection,~~ or, upon informing the  
25 department, by the district attorney of the county where the violation occurs.

1           **\*b1605/1.5\* SECTION 2413.** 100.207 (6) (em) 1. of the statutes is amended to  
2 read:

3           100.207 (6) (em) 1. Before preparing any proposed rule under this section, the  
4 department shall form an advisory group to suggest recommendations regarding the  
5 content and scope of the proposed rule. The advisory group shall consist of one or  
6 more persons who may be affected by the proposed rule, ~~a representative from the~~  
7 ~~department of justice~~ and a representative from the public service commission.

8           **\*b1605/1.5\* SECTION 2419.** 100.24 of the statutes is amended to read:

9           **100.24 Revocation of corporate authority.** Any corporation, or limited  
10 liability company, foreign or domestic, ~~which~~ that violates any order issued under s.  
11 100.20 may be enjoined from doing business in this state and its certificate of  
12 authority, incorporation, or organization may be canceled or revoked. The ~~attorney~~  
13 ~~general~~ department may bring an action for this purpose in the name of the state.  
14 In any such action judgment for injunction, cancellation, or revocation may be  
15 rendered by the court, upon such terms as it deems just and in the public interest,  
16 but only upon proof of a substantial and ~~wilful~~ willful violation.

17           **\*b1605/1.5\* SECTION 2421.** 100.26 (6) of the statutes is amended to read:

18           100.26 (6) The department, ~~the department of justice, after consulting with the~~  
19 ~~department,~~ or any district attorney may commence an action in the name of the  
20 state to recover a civil forfeiture to the state of not less than \$100 nor more than  
21 \$10,000 for each violation of an injunction issued under s. 100.18, 100.182, or 100.20  
22 (6). The department of agriculture, trade and consumer protection or any district  
23 attorney may commence an action in the name of the state to recover a civil forfeiture  
24 to the state of not less than \$100 nor more than \$10,000 for each violation of an order  
25 issued under s. 100.20.”.



1           **\*b1519/2.210\* 1370.** Page 890, line 16: after that line insert:

2           **\*b1519/2.210\*** “SECTION 2429n. 100.27 (5) (d) of the statutes is amended to  
3 read:

4           100.27 (5) (d) Informs the department and the department of ~~natural resources~~  
5 environmental management of the collection site identified under par. (a) and the  
6 telephone number under par. (c).

7           **\*b1519/2.210\* SECTION 2430k.** 100.295 (1) of the statutes is amended to read:

8           100.295 (1) LABELING STANDARDS. The department shall establish standards  
9 that must be met by products in order for any person to represent that the products  
10 are recycled, recyclable or degradable. The department shall establish standards  
11 that are consistent, to the greatest extent practicable, with nationwide industry  
12 consensus standards. In developing standards, the department shall consult with  
13 the department of ~~natural resources~~ environmental management and the council on  
14 recycling and consider purchasing specifications under s. 16.72 (2) (e) and (f) and any  
15 existing federal standards. The department shall give priority to establishing  
16 standards for specific products commonly represented as being recycled, recyclable  
17 or degradable.”.

18           **\*b1605/1.6\* 1371.** Page 890, line 16: after that line insert:

19           **\*b1605/1.6\*** “SECTION 2428. 100.263 of the statutes is amended to read:

20           **100.263 Recovery.** In addition to other remedies available under this chapter,  
21 the court may award the department the reasonable and necessary costs of  
22 investigation and an amount reasonably necessary to remedy the harmful effects of  
23 the violation, and the court may award the department of ~~justice~~ the reasonable and  
24 necessary expenses of prosecution, including attorney fees, from any person who

1 violates this chapter. The department ~~and the department of justice~~ shall deposit in  
2 the state treasury for deposit in the general fund all moneys that the court awards  
3 to the department, ~~the department of justice~~ or the state under this section. ~~Ten~~  
4 ~~percent of the money deposited in the general fund that was awarded under this~~  
5 ~~section for the costs of investigation and the expenses of prosecution, including~~  
6 ~~attorney fees, shall be credited to the appropriation account under s. 20.455 (1) (gh).”.~~

7 **\*b1529/1.1\* 1372.** Page 890, line 25: after that line insert:

8 **\*b1529/1.1\* “SECTION 2446r.** 101.01 (11) of the statutes is amended to read:

9 101.01 (11) “Place of employment” includes every place, whether indoors or out  
10 or underground and the premises appurtenant thereto where either temporarily or  
11 permanently any industry, trade, or business is carried on, or where any process or  
12 operation, directly or indirectly related to any industry, trade, or business, is carried  
13 on, and where any person is, directly or indirectly, employed by another for direct or  
14 indirect gain or profit, but does not include any place where persons are employed  
15 in private domestic service which does not involve the use of mechanical power or in  
16 farming. “Farming” includes those activities specified in s. 102.04 (3), ~~and also~~  
17 ~~includes;~~ the transportation of farm products, supplies, or equipment directly to the  
18 farm by the operator of ~~said~~ the farm or employees for use thereon, if such activities  
19 are directly or indirectly for the purpose of producing commodities for market, or as  
20 an accessory to such production; and the operation of a horse boarding facility or  
21 horse training facility that does not contain an area for the public to view a horse  
22 show. When used with relation to building codes, “place of employment” does not  
23 include an adult family home, as defined in s. 50.01 (1), or, except for the purposes  
24 of s. 101.11, a previously constructed building used as a community-based

1 residential facility, as defined in s. 50.01 (1g), which serves 20 or fewer residents who  
2 are not related to the operator or administrator.

3 \*b1529/1.1\* SECTION 2447d. 101.01 (12) of the statutes is amended to read:

4 101.01 (12) “Public building” means any structure, including exterior parts of  
5 such building, such as a porch, exterior platform, or steps providing means of ingress  
6 or egress, used in whole or in part as a place of resort, assemblage, lodging, trade,  
7 traffic, occupancy, or use by the public or by 3 or more tenants. When used in relation  
8 to building codes, “public building” does not include a horse boarding facility or horse  
9 training facility that does not contain an area for the public to view a horse show or  
10 a previously constructed building used as a community–based residential facility as  
11 defined in s. 50.01 (1g) which serves 20 or fewer residents who are not related to the  
12 operator or administrator or an adult family home, as defined in s. 50.01 (1).”.

13 \*b1449/1.1\* 1373. Page 891, line 4: after that line insert:

14 \*b1449/1.1\* “SECTION 2449d. 101.10 (2) of the statutes, as created by 2001  
15 Wisconsin Act 3, is amended to read:

16 101.10 (2) RULES. The department shall promulgate rules that prescribe  
17 reasonable standards relating to the safe storage and handling of anhydrous  
18 ammonia. The rules shall prescribe standards for the design, construction, repair,  
19 alteration, location, installation, inspection, and operation of anhydrous ammonia  
20 equipment. The Except as otherwise provided in this subsection, the rules  
21 promulgated under this subsection do not apply to ammonia manufacturing plants,  
22 refrigeration plants where ammonia is used solely as a refrigerant, facilities where  
23 ammonia is used in pollution control devices or is manufactured, electric generating  
24 or cogenerating facilities where ammonia is used as a refrigerant, and ammonia

1 transportation pipelines. If ammonia is used on the premises of a facility or plant  
2 described under this subsection for a purpose or in a manner that is not related to  
3 the applicable exemption from the rules promulgated under this subsection, the  
4 exemption does not apply to that use.”.

5 \*b1519/2.211\* **1374.** Page 891, line 4: after that line insert:

6 \*b1519/2.211\* “SECTION 2449d. 101.1205 (1) of the statutes is amended to  
7 read:

8 101.1205 (1) The department, in consultation with the department of ~~natural~~  
9 ~~resources~~ environmental quality, shall establish statewide standards for erosion  
10 control at building sites for the construction of public buildings and buildings that  
11 are places of employment.”.

12 \*b1519/2.212\* **1375.** Page 892, line 24: after that line insert:

13 \*b1519/2.212\* “SECTION 2463t. 101.143 (1) (am) of the statutes is amended to  
14 read:

15 101.143 (1) (am) “Case closure letter” means a letter provided by the  
16 department of ~~natural resources~~ environmental management that states that, based  
17 on information available to the department of ~~natural resources~~ environmental  
18 management, no further remedial action is necessary with respect to a discharge.”.

19 \*b1519/2.213\* **1376.** Page 893, line 2: after that line insert:

20 \*b1519/2.213\* “SECTION 2464g. 101.143 (2) (h) (intro.) of the statutes is  
21 amended to read:

22 101.143 (2) (h) (intro.) The department of commerce and the department of  
23 ~~natural resources~~ environmental management, jointly, shall promulgate rules

1 designed to facilitate effective and cost-efficient administration of the program  
2 under this section that specify all of the following:

3 **\*b1519/2.213\* SECTION 2464j.** 101.143 (2) (h) 3. of the statutes is amended to  
4 read:

5 101.143 (2) (h) 3. Review procedures that must be followed by employees of the  
6 department of ~~natural resources~~ environmental management and the department  
7 of commerce in reviewing the information submitted under subd. 1.

8 **\*b1519/2.213\* SECTION 2464L.** 101.143 (2) (i) (intro.) of the statutes is  
9 amended to read:

10 101.143 (2) (i) (intro.) The department of commerce and the department of  
11 ~~natural resources~~ environmental management, jointly, shall promulgate rules  
12 specifying procedures for evaluating remedial action plans and procedures to be used  
13 by employees of the department of commerce and the department of ~~natural~~  
14 ~~resources~~ environmental management while remedial actions are being conducted.  
15 The departments shall specify procedures that include all of the following:

16 **\*b1519/2.213\* SECTION 2464n.** 101.143 (2) (j) (intro.) of the statutes is  
17 amended to read:

18 101.143 (2) (j) (intro.) The department of commerce and the department of  
19 ~~natural resources~~ environmental management, jointly, shall promulgate rules  
20 specifying all of the following:

21 **\*b1519/2.213\* SECTION 2464p.** 101.143 (2) (j) 1. of the statutes is amended to  
22 read:

23 101.143 (2) (j) 1. The conditions under which employees of the department of  
24 commerce and the department of ~~natural resources~~ environmental management  
25 must issue approvals under sub. (3) (c) 4.

1           **\*b1519/2.213\* SECTION 2464q.** 101.143 (2) (k) of the statutes is amended to  
2 read:

3           101.143 (2) (k) In promulgating rules under pars. (h) to (j), the department of  
4 commerce and the department of ~~natural resources~~ environmental management  
5 shall attempt to reach an agreement that is consistent with those provisions. If the  
6 department of commerce and the department of ~~natural resources~~ environmental  
7 management are unable to reach an agreement, they shall refer the matters on  
8 which they are unable to agree to the secretary of administration for resolution. The  
9 secretary of administration shall resolve any matters on which the departments  
10 disagree in a manner that is consistent with pars. (h) to (j). The department of  
11 commerce and the department of ~~natural resources~~ environmental management,  
12 jointly, shall promulgate rules incorporating any agreement between the  
13 department of commerce and the department of ~~natural resources~~ environmental  
14 management under this paragraph and any resolution of disagreements between the  
15 departments by the secretary of administration under this paragraph.

16           **\*b1519/2.213\* SECTION 2465b.** 101.143 (2e) of the statutes is amended to read:

17           101.143 (2e) RISK-BASED ANALYSIS. (a) The department of commerce and the  
18 department of ~~natural resources~~ environmental management shall attempt to agree  
19 on a method, which shall include individualized consideration of the routes for  
20 migration of petroleum product contamination at each site, for determining the risk  
21 to public health, safety and welfare and to the environment posed by discharges for  
22 which the department of commerce receives notification under sub. (3) (a) 3.

23           (b) If the department of commerce and the department of ~~natural resources~~  
24 environmental management are unable to reach an agreement under par. (a), they  
25 shall refer the matters on which they are unable to agree to the secretary of

1 administration for resolution. The secretary of administration shall resolve any  
2 matters on which the departments disagree in a manner that is consistent with par.  
3 (a). The department of commerce and the department of ~~natural resources~~  
4 environmental management, jointly, shall promulgate rules incorporating any  
5 agreement between the department of commerce and the department of ~~natural~~  
6 ~~resources~~ environmental management under par. (a) and any resolution of  
7 disagreements between the departments by the secretary of administration under  
8 this paragraph.

9 (c) The department of ~~natural resources~~ environmental management or, if the  
10 discharge is covered under s. 101.144 (2) (b), the department of commerce shall apply  
11 the method in the rules promulgated under par. (b) to determine the risk posed by  
12 a discharge for which the department of commerce receives notification under sub.  
13 (3) (a) 3.

14 \*b1519/2.213\* SECTION 2465e. 101.143 (2m) of the statutes is amended to  
15 read:

16 101.143 (2m) INTERDEPARTMENTAL COORDINATION. Whenever the department of  
17 commerce receives a notification under sub. (3) (a) 3. or the department of ~~natural~~  
18 ~~resources~~ environmental management receives a notification of a petroleum product  
19 discharge under s. 292.11, the department receiving the notification shall contact the  
20 other department and shall schedule a meeting of the owner or operator or person  
21 owning a home oil tank system and representatives of both departments.

22 \*b1519/2.213\* SECTION 2465g. 101.143 (3) (a) 5. of the statutes is amended to  
23 read:

24 101.143 (3) (a) 5. The owner or operator or the person reports the discharge in  
25 a timely manner to the division of emergency management in the department of

1 military affairs or to the department of ~~natural resources~~ environmental  
2 management, according to the requirements under s. 292.11.

3 \*b1519/2.213\* SECTION 2465k. 101.143 (3) (a) 9. of the statutes is amended to  
4 read:

5 101.143 (3) (a) 9. The owner or operator or the person follows standards for  
6 groundwater restoration in the groundwater standards in the rules promulgated by  
7 the department of ~~natural resources~~ environmental management under ss. 160.07  
8 and 160.09 and restores the environment, to the extent practicable, according to  
9 those standards at the site of the discharge from a petroleum product storage system  
10 or home oil tank system.

11 \*b1519/2.213\* SECTION 2466b. 101.143 (3) (c) 4. of the statutes is amended to  
12 read:

13 101.143 (3) (c) 4. Receive written approval from the department of ~~natural~~  
14 ~~resources~~ environmental management or, if the discharge is covered under s. 101.144  
15 (2) (b), from the department of commerce that the remedial action activities  
16 performed under subd. 3. meet the requirements of s. 292.11.

17 \*b1519/2.213\* SECTION 2467b. 101.143 (3) (cm) of the statutes is amended to  
18 read:

19 101.143 (3) (cm) *Monitoring as remedial action.* An owner or operator or person  
20 owning a home oil tank system may, with the approval of the department of ~~natural~~  
21 ~~resources~~ environmental management or, if the discharge is covered under s. 101.144  
22 (2) (b), the department of commerce, satisfy the requirements of par. (c) 2. and 3. by  
23 proposing and implementing monitoring to ensure the effectiveness of natural  
24 attenuation of petroleum product contamination.



1           **\*b1519/2.213\* SECTION 2467d.** 101.143 (3) (cp) 1. of the statutes is amended  
2 to read:

3           101.143 (3) (cp) 1. Except as provided in subds. 2. to 5., if the department of  
4 ~~natural resources~~ environmental management or, if the site is covered under s.  
5 101.144 (2) (b), the department of commerce estimates that the cost to complete a site  
6 investigation, remedial action plan and remedial action for an occurrence exceeds  
7 \$60,000, the department of commerce shall implement a competitive public bidding  
8 process to obtain information to assist in making the determination under par. (cs).

9           **\*b1519/2.213\* SECTION 2467e.** 101.143 (3) (cp) 2. of the statutes is amended  
10 to read:

11           101.143 (3) (cp) 2. The department of commerce or the department of ~~natural~~  
12 ~~resources~~ environmental management may waive the requirement under subd. 1. if  
13 an enforcement standard is exceeded in groundwater within 1,000 feet of a well  
14 operated by a public utility, as defined in s. 196.01 (5), or within 100 feet of any other  
15 well used to provide water for human consumption.

16           **\*b1519/2.213\* SECTION 2467g.** 101.143 (3) (cp) 5. of the statutes is amended  
17 to read:

18           101.143 (3) (cp) 5. The department of commerce or the department of ~~natural~~  
19 ~~resources~~ environmental management may waive the requirement under subd. 1.  
20 after providing notice to the other department.

21           **\*b1519/2.213\* SECTION 2467k.** 101.143 (3) (cs) 2. of the statutes is amended  
22 to read:

23           101.143 (3) (cs) 2. The department of ~~natural resources~~ environmental  
24 management and the department of commerce shall review the remedial action plan  
25 for a site that is classified as high risk under s. 101.144 and shall jointly determine

1 the least costly method of complying with par. (c) 3. and with enforcement standards.  
2 The departments shall notify the owner or operator of their determination of the  
3 least costly method and shall notify the owner or operator that reimbursement for  
4 remedial action under this section is limited to the amount necessary to implement  
5 that method.

6 **\*b1519/2.213\* SECTION 2467L.** 101.143 (3) (cs) 3. of the statutes is amended  
7 to read:

8 101.143 (3) (cs) 3. In making determinations under subds. 1. and 2., the  
9 department of ~~natural resources~~ environmental management and the department  
10 of commerce shall determine whether natural attenuation will achieve compliance  
11 with par. (c) 3. and with enforcement standards.

12 **\*b1519/2.213\* SECTION 2467n.** 101.143 (3) (cs) 4. of the statutes is amended  
13 to read:

14 101.143 (3) (cs) 4. The department of commerce may review and modify an  
15 amount established under subd. 1. if the department determines that new  
16 circumstances, including newly discovered contamination at a site, warrant those  
17 actions. The department of commerce and the department of ~~natural resources~~  
18 environmental management may review and modify an amount established under  
19 subd. 2. if the departments determine that new circumstances, including newly  
20 discovered contamination at a site, warrant those actions.

21 **\*b1519/2.213\* SECTION 2467q.** 101.143 (3) (cw) 2. of the statutes is amended  
22 to read:

23 101.143 (3) (cw) 2. The department of ~~natural resources~~ environmental  
24 management and the department of commerce shall conduct the annual review  
25 required under sub. (2) (i) 1. for a site that is classified as high risk under s. 101.144

1 and shall jointly determine the least costly method of completing remedial action at  
2 the site in order to comply with par. (c) 3. and with enforcement standards. The  
3 departments shall notify the owner or operator of their determination of the least  
4 costly method and shall notify the owner or operator that reimbursement under this  
5 section for remedial action conducted after the date of the notice is limited to the  
6 amount necessary to implement that method.

7 \*b1519/2.213\* SECTION 2467r. 101.143 (3) (cw) 3. of the statutes is amended  
8 to read:

9 101.143 (3) (cw) 3. In making determinations under subds. 1. and 2., the  
10 department of ~~natural resources~~ environmental management and the department  
11 of commerce shall determine whether natural attenuation will achieve compliance  
12 with par. (c) 3. and with enforcement standards.

13 \*b1519/2.213\* SECTION 2467s. 101.143 (3) (cw) 4. of the statutes is amended  
14 to read:

15 101.143 (3) (cw) 4. The department of commerce may review and modify an  
16 amount established under subd. 1. if the department determines that new  
17 circumstances, including newly discovered contamination at a site, warrant those  
18 actions. The department of commerce and the department of ~~natural resources~~  
19 environmental management may review and modify an amount established under  
20 subd. 2. if the departments determine that new circumstances, including newly  
21 discovered contamination at a site, warrant those actions.

22 \*b1519/2.213\* SECTION 2468b. 101.143 (3) (d) of the statutes is amended to  
23 read:

24 101.143 (3) (d) *Final review of remedial action activities.* The department of  
25 ~~natural resources~~ environmental management or, if the discharge is covered under

1 s. 101.144 (2) (b), the department of commerce shall complete a final review of the  
2 remedial action activities within 60 days after the claimant notifies the appropriate  
3 department that the remedial action activities are completed.

4 **\*b1519/2.213\* SECTION 2468d.** 101.143 (3) (e) of the statutes is amended to  
5 read:

6 101.143 (3) (e) *Notifications.* The department of ~~natural resources~~  
7 environmental management shall notify the department when it gives a claimant  
8 written approval under par. (c) 4.

9 **\*b1519/2.213\* SECTION 2468f.** 101.143 (3) (f) 5. of the statutes is amended to  
10 read:

11 101.143 (3) (f) 5. The written approval of the department of ~~natural resources~~  
12 environmental management or the department of commerce under par. (c) 4.

13 **\*b1519/2.213\* SECTION 2468h.** 101.143 (3) (g) of the statutes is amended to  
14 read:

15 101.143 (3) (g) *Emergency situations.* Notwithstanding pars. (a) 3. and (c) 1.  
16 and 2., an owner or operator or the person may submit a claim for an award under  
17 sub. (4) after notifying the department under par. (a) 3., without completing an  
18 investigation under par. (c) 1. and without preparing a remedial action plan under  
19 par. (c) 2. if an emergency existed which made the investigation under par. (c) 1. and  
20 the remedial action plan under par. (c) 2. inappropriate, and, before conducting  
21 remedial action, the owner or operator or person notified the department of  
22 commerce and the department of ~~natural resources~~ environmental management of  
23 the emergency and the department of commerce and the department of ~~natural~~  
24 ~~resources~~ environmental management authorized emergency action.”.