

**SENATE AMENDMENT 121,  
TO SENATE SUBSTITUTE AMENDMENT 1,  
TO 2003 SENATE BILL 44**

June 18, 2003 – Offered by Senators DARLING, WELCH, S. FITZGERALD, LAZICH,  
HARSDORF and KANAVAS.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 14, line 6: after that line insert:

3 **“SECTION 26m.** 13.48 (36) of the statutes is created to read:

4 13.48 **(36)** HMONG CULTURAL CENTER. (a) The legislature finds and determines  
5 that a significant number of Hmong people are citizens of this state, that the Hmong  
6 people have a proud heritage that needs to be recognized and preserved, and that the  
7 Hmong people have experienced difficulties assimilating in this state. The  
8 legislature finds that supporting the Hmong people in their efforts to recognize their  
9 heritage and to gain the full advantages of citizenship in this state is a statewide  
10 responsibility of statewide dimension. To better ensure that the heritage of the  
11 Hmong people is preserved and to better enable the Hmong people to gain the full  
12 advantages of citizenship in this state, the legislature finds that it will have a direct

1 and immediate effect on a matter of statewide concern for the state to construct and  
2 operate a Hmong cultural center.

3 (b) Notwithstanding s. 18.04 (1) and (2), the building commission shall  
4 authorize \$3,000,000 in general fund supported borrowing to make a grant to an  
5 organization designated by the secretary of administration that represents the  
6 cultural interests of Hmong people for construction of a Hmong cultural center at the  
7 corner of National Avenue and 16th Street in the city of Milwaukee. As a condition  
8 precedent to receipt of the grant, the organization shall enter into an agreement with  
9 the secretary guaranteeing that the center will be operated to serve the nonsectarian  
10 cultural interests of the Hmong people.

11 (c) If, for any reason, the facility that is constructed with funds from the grant  
12 under par. (b) is not used to construct a Hmong cultural center in the city of  
13 Milwaukee, or the center is not operated to serve the nonsectarian cultural interests  
14 of the Hmong people, the state shall retain an ownership interest in the facility equal  
15 to the amount of the state's grant.”.

16 **2.** Page 14, line 6: after that line insert:

17 “**SECTION 26e.** 13.48 (35) (a) of the statutes, as created by 2001 Wisconsin Act  
18 16, is renumbered 13.48 (35) (am) and amended to read:

19 13.48 (35) (am) The building commission may authorize up to \$1,500,000 in  
20 general fund supported borrowing to aid in the construction of a youth and family  
21 center ~~for to be open to the public and operated by~~ HR Academy, Inc., in the city of  
22 Milwaukee. The state funding commitment under this paragraph shall be in the  
23 form of a grant to HR Academy, Inc. Before ~~approving~~ any such state funding  
24 commitment is made, the ~~building commission~~ secretary of administration shall

1 determine that HR Academy, Inc., has secured additional funding at least equal to  
2 \$3,500,000 from nonstate donations for the purpose of constructing a youth and  
3 family center, that no part of the youth and family center will be used for the purpose  
4 of devotional activities, religious worship, or sectarian instruction, and that HR  
5 Academy, Inc., owns interests in real estate that are adequate for the siting and  
6 operation of the center.

7 **SECTION 26g.** 13.48 (35) (ah) of the statutes is created to read:

8 13.48 (35) (ah) The legislature finds and determines that deterring delinquent  
9 behavior, building strong families, and creating viable communities are statewide  
10 responsibilities of statewide dimension. The legislature finds and determines also  
11 that community centers, where youth and families may gather, deter delinquent  
12 behavior by permitting youth to gather at locations that are supervised by adults,  
13 strengthen families by offering programs and activities that increase parenting and  
14 other life skills, and increase the viability of communities by providing accessible and  
15 safe meeting places. In addition, the legislature finds and determines that HR  
16 Academy, Inc., has the expertise and commitment to successfully operate a  
17 community center in the city of Milwaukee. The legislature, therefore, finds and  
18 determines that assisting HR Academy, Inc., in the construction of a youth and  
19 family center in the city of Milwaukee will deter delinquent behavior, build strong  
20 families, and create viable communities and will have a direct and immediate effect  
21 on these state responsibilities of statewide dimension.

22 **SECTION 26i.** 13.48 (35) (b) of the statutes, as created by 2001 Wisconsin Act  
23 16, is amended to read:

24 13.48 (35) (b) If the building commission authorizes a grant to HR Academy,  
25 Inc., under par. (a) ~~and if, (am),~~ HR Academy, Inc., shall enter into a land use

1 restriction agreement limiting the use of the facilities funded by the grant to a youth  
2 and family center. The land use restriction agreement shall provide that, if for any  
3 reason, the facility that is constructed with funds from the grant is not used operated  
4 as a youth and family center that is open to the public or if it is used for the purpose  
5 of devotional activities, religious worship, or sectarian instruction, the state shall  
6 retain an ownership interest in the facility equal to the amount of the state's grant  
7 , at the option of the secretary of administration, may pursue any legal remedies  
8 available including requiring specific performance of the covenants contained in the  
9 agreement.”.

10 **3.** Page 65, line 17: after that line insert:

11 “**SECTION 221m.** 16.854 (1) (a) of the statutes is amended to read:

12 16.854 (1) (a) “Minority business” ~~has the meaning given in s. 560.036 (1) (e)~~  
13 means a business that is certified by the department of commerce under s. 560.036  
14 (2).”.

15 **4.** Page 170, line 12: delete lines 12 to 17.

16 **5.** Page 172, line 15: after “improvement” insert “and commuter rail transit  
17 system”.

18 **6.** Page 172, line 15: increase the dollar amount for fiscal year 2003–04 by  
19 \$400,000 to increase funding for the commuter rail transit system development  
20 grant program.

21 **7.** Page 172, line 17: after “improvement” insert “and commuter rail transit  
22 system”.

23 **8.** Page 172, line 19: after “service” insert “and commuter rail transit”.

24 **9.** Page 173, line 12: delete lines 12 and 13.

1           **10.** Page 178, line 6: increase the dollar amount for fiscal year 2003–04 by  
2           \$589,300 and increase the dollar amount for fiscal year 2004–05 by \$589,300 to  
3           increase funding for the purposes for which the appropriation is made.

4           **11.** Page 178, line 9: delete lines 9 and 10.

5           **12.** Page 180, line 23: delete lines 23 to 25.

6           **13.** Page 181, line 3: increase the dollar amount for fiscal year 2004–05 by  
7           \$6,321,700 to increase funding for the purpose for which the appropriation is made.

8           **14.** Page 198, line 17: increase the dollar amount for fiscal year 2003–04 by  
9           \$1,708,800 and increase the dollar amount for fiscal year 2004–05 by \$3,961,900 to  
10          increase funding for nursing home rate increases.

11          **15.** Page 208, line 16: after that line insert:

12          “(kv) Transfer of Indian gaming  
13                receipts; compulsive gambling  
14                assistance                                   PR–S    A           100,000    100,000”.

15          **16.** Page 210, line 16: increase the dollar amount for fiscal year 2003–04 by  
16          \$100,000 and increase the dollar amount for fiscal year 2004–05 by \$100,000 for the  
17          purpose of providing grants under section 49.175 (1) (zc) of the statutes, as created  
18          by this act, to an organization that provides summer and after–school recreation  
19          programs for children and families of Southeast Asian origin.

20          **17.** Page 266, line 6: after that line insert:

21          “(w) Transfer to transportation fund;  
22                petroleum inspection fund           SEG    A           –0–   6,321,700”.

23          **18.** Page 275, line 5: after that line insert:

1 “(bn) Principal repayment, interest  
2 and rebates; Hmong Cultural  
3 Center GPR S –0– –0–”.

4 **19.** Page 304, line 22: delete lines 22 to 25.

5 **20.** Page 305, line 1: delete lines 1 to 8.

6 **21.** Page 305, line 8: after that line insert:

7 “**SECTION 420c.** 20.395 (2) (ct) of the statutes is amended to read:

8 20.395 (2) (ct) *Passenger railroad station improvement and commuter rail*  
9 *transit system grants, state funds.* Biennially, the amounts in the schedule to make  
10 passenger railroad station improvement grants under s. 85.055 and commuter rail  
11 transit system development grants under s. 85.064.

12 **SECTION 420d.** 20.395 (2) (cu) of the statutes is amended to read:

13 20.395 (2) (cu) *Passenger railroad station improvement and commuter rail*  
14 *transit system grants, local funds.* All moneys received from any local unit of  
15 government or other sources for passenger railroad station improvements under s.  
16 85.055 and commuter rail transit system development under s. 85.064, for such  
17 purposes.

18 **SECTION 420e.** 20.395 (2) (cx) of the statutes is amended to read:

19 20.395 (2) (cx) *Rail passenger service and commuter rail transit, federal funds.*

20 All moneys received from the federal government for purposes of rail passenger  
21 service assistance and promotion under s. 85.06 and commuter rail transit system  
22 development under s. 85.064, for such purposes.”.

23 **22.** Page 305, line 8: after that line insert:

24 “**SECTION 420f.** 20.395 (2) (ev) of the statutes is amended to read:

1           20.395 (2) (ev) *Local bridge improvement and traffic marking enhancement*  
2 *assistance, local and transferred funds. All moneys received from any local unit of*  
3 *government or other source for improving bridges under ss. 84.12, 84.17 and 84.18,*  
4 *for such purposes, and, for traffic marking enhancements under s. 85.027, all moneys*  
5 *transferred from the appropriation account under s. 20.395 (3) (cq), as required by*  
6 *2003 Wisconsin Act .... (this act), section 9153 (4q).*”.

7           **23.** Page 305, line 9: delete lines 9 to 13.

8           **24.** Page 307, line 20: delete lines 20 to 25.

9           **25.** Page 308, line 1: delete lines 1 to 6.

10          **26.** Page 308, line 7: delete lines 7 to 10.

11          **27.** Page 308, line 24: delete that line.

12          **28.** Page 309, line 1: delete lines 1 to 5.

13          **29.** Page 309, line 12: delete “84.557” and substitute “84.595”.

14          **30.** Page 310, line 7: delete lines 7 to 25 and substitute:

15           “**SECTION 439t.** 20.410 (1) (d) of the statutes is amended to read:

16           20.410 (1) (d) *Purchased services for offenders.* The amounts in the schedule  
17 for the purchase of goods, care and services, including community-based residential  
18 care, authorized under s. 301.08 (1) (b) 1., and the halfway house program under s.  
19 301.0465, for inmates, probationers, parolees and persons on extended supervision.  
20 In addition, funds from this appropriation shall be used to reimburse programs  
21 under s. 38.04 (12).

22           **SECTION 439w.** 20.410 (1) (d) of the statutes, as affected by 2003 Wisconsin Act  
23 .... (this act), is amended to read:

1           20.410 (1) (d) *Purchased services for offenders.* The amounts in the schedule  
2 for the purchase of goods, care and services, including community-based residential  
3 care, authorized under s. 301.08 (1) (b) 1., ~~and the halfway house program under s.~~  
4 ~~301.0465,~~ for inmates, probationers, parolees and persons on extended supervision.  
5 In addition, funds from this appropriation shall be used to reimburse programs  
6 under s. 38.04 (12).”.

7           **31.** Page 328, line 20: after that line insert:

8           “**SECTION 492g.** 20.445 (1) (kv) of the statutes is created to read:

9           20.445 (1) (kv) *Transfer of Indian gaming receipts; compulsive gambling*  
10 *assistance.* The amounts in the schedule for grants under s. 103.98 to organizations  
11 that assist persons who are African American and persons of Southeast Asian origin  
12 with compulsive gambling issues. All moneys transferred from the appropriation  
13 account under s. 20.505 (8) (hm) 18dv. shall be credited to this appropriation account.  
14 Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year  
15 shall revert to the appropriation account under s. 20.505 (8) (hm).”.

16           **32.** Page 346, line 8: delete “*governor’s*” and substitute “*Governor’s*”.

17           **33.** Page 352, line 13: after that line insert:

18           “**SECTION 614g.** 20.505 (8) (hm) 18dv. of the statutes is created to read:

19           20.505 (8) (hm) 18dv. The amount transferred to s. 20.445 (1) (kv) shall be the  
20 amount in the schedule under s. 20.445 (1) (kv).”.

21           **34.** Page 363, line 7: after that line insert:

22           “**SECTION 670r.** 20.855 (4) (w) of the statutes is created to read:



1           20.855 **(4)** (w) *Transfer to transportation fund; petroleum inspection fund.*  
2 From the petroleum inspection fund, the amounts in the schedule to be transferred  
3 to the transportation fund.”.

4           **35.** Page 364, line 4: after “(bm),” insert “(bn).”.

5           **36.** Page 367, line 4: delete “*Transportation; major*” and substitute “*Major*”.

6           **37.** Page 367, line 5: delete “for the department of transportation”.

7           **38.** Page 367, line 6: delete “84.557” and substitute “84.595”.

8           **39.** Page 367, line 9: delete “*Transportation; highway*” and substitute  
9 “*Highway*”.

10          **40.** Page 367, line 10: delete “for the department of transportation”.

11          **41.** Page 367, line 11: delete “84.557” and substitute “84.595”.

12          **42.** Page 369, line 16: after that line insert:

13          “**SECTION 687p.** 20.866 (2) (zbs) of the statutes is created to read:

14          20.866 **(2)** (zbs) *Hmong cultural center.* From the capital improvement fund,  
15 a sum sufficient for the building commission to provide a grant to an organization  
16 specified in s. 13.48 (36) (b) for construction of a Hmong cultural center in the city  
17 of Milwaukee. The state may contract public debt in an amount not to exceed  
18 \$3,000,000 for this purpose.”.

19          **43.** Page 371, line 8: after that line insert:

20          “**SECTION 690q.** 20.867 (3) (bn) of the statutes is created to read:

21          20.867 **(3)** (bn) *Principal repayment, interest and rebates; Hmong cultural*  
22 *center.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal  
23 and interest costs incurred in financing the construction of a Hmong cultural center

1 in the city of Milwaukee, and to make the payments determined by the building  
2 commission under s. 13.488 (1) (m) that are attributable to the proceeds of  
3 obligations incurred in financing the construction of the center.”.

4 **44.** Page 411, line 21: after that line insert:

5 “**SECTION 842t.** 25.17 (59) of the statutes is amended to read:

6 25.17 **(59)** Invest or deposit money from the appropriation under s. 20.143 (1)  
7 (fm) in a public depository located in this state that is ~~at least 51% owned by a~~  
8 ~~minority group member or minority group members, as defined in s. 560.036 (1) (f)~~  
9 a minority business certified by the department of commerce under s. 560.036 (2).”.

10 **45.** Page 413, line 19: after that line insert:

11 “**SECTION 848j.** 25.40 (1) (cg) of the statutes is created to read:

12 25.40 **(1)** (cg) All moneys transferred to the transportation fund from the  
13 appropriation account under s. 20.855 (4) (w).”.

14 **46.** Page 427, line 20: after that line insert:

15 “**SECTION 924g.** 34.05 (4) of the statutes is amended to read:

16 34.05 **(4)** Money from the appropriation under s. 20.143 (1) (fm) shall be  
17 deposited in a public depository located in this state that is ~~at least 51% owned by~~  
18 ~~a minority group member or minority group members, as defined in s. 560.036 (1) (f)~~  
19 a minority business certified by the department of commerce under s. 560.036 (2).”.

20 **47.** Page 437, line 5: delete “the effective date of this paragraph”.

21 **48.** Page 437, line 6: delete “... [revisor inserts date]” and substitute “July 1,  
22 2003”.

23 **49.** Page 438, line 10: delete “after June 30, 2006” and substitute “beginning  
24 3 years after the effective date of the subsection ... [revisor inserts date]”.

1           **50.** Page 438, line 10: after that line insert:

2           “**SECTION 943p.** 38.18 of the statutes is amended to read:

3           **38.18 Contracts and bidding.** All contracts made by a district board for  
4 public construction in a district shall be let by the district board to the lowest  
5 responsible bidder, and may be awarded to a minority business that is certified by  
6 the department of commerce under s. 560.036 (2), in accordance with s. 62.15 (1) to  
7 (11) and (14). For purposes of this section, the district board shall possess the powers  
8 conferred by s. 62.15 on the board of public works and the common council. All  
9 contracts made under this section shall be made in the name of the district and shall  
10 be executed by the district board chairperson and district board secretary.”.

11           **51.** Page 449, line 7: after “2.” insert “and employees of the University of  
12 Wisconsin Hospitals and Clinics Authority”.

13           **52.** Page 464, line 18: after that line insert:

14           “**SECTION 1029r.** 43.17 (9) (a) of the statutes is amended to read:

15           43.17 **(9)** (a) All contracts for public construction made by a federated public  
16 library system whose territory lies within 2 or more counties or by a federated public  
17 library system whose territory lies within a single county with a population of at least  
18 500,000 shall be let by the public library system board to the lowest responsible  
19 bidder, and may be awarded to a minority business that is certified by the  
20 department of commerce under s. 560.036 (2), in accordance with s. 62.15 (1) to (11)  
21 and (14). For purposes of this section, the system board possesses the powers  
22 conferred by s. 62.15 on the board of public works and the common council. All  
23 contracts made under this section shall be made in the name of the federated public

1 library system and shall be executed by the system board president and such other  
2 board officer as the system board designates.”.

3 **53.** Page 513, line 17: after that line insert:

4 “**SECTION 1272g.** 49.175 (1) (zc) of the statutes is created to read:

5 49.175 (1) (zc) *Southeast Asian recreation programs.* For grants to an  
6 organization that provides summer and after-school recreation programs for  
7 children and families of Southeast Asian origin, \$100,000 in each fiscal year.”.

8 **54.** Page 540, line 2: substitute “49.688” for “49.668”.

9 **55.** Page 542, line 7: substitute “49.688” for “49.668”.

10 **56.** Page 542, line 13: substitute “49.688” for “49.668”.

11 **57.** Page 542, line 21: after that line insert:

12 “**SECTION 1392u.** 49.45 (49g) of the statutes is created to read:

13 49.45 (49g) MENTAL HEALTH MEDICATION REVIEW COMMITTEE. The secretary shall  
14 exercise his or her authority under s. 15.04 (1) (c) to create a mental health  
15 medication review committee to advise the department on implementation of prior  
16 authorization requirements for selective serotonin reuptake inhibitors under s.  
17 49.45 (49m) and on implementation of a process for reviewing utilization of drugs to  
18 treat mental illness under the Medical Assistance program. The secretary shall  
19 appoint at least one advocate for persons having a mental illness and at least one  
20 consumer of a drug used to treat a mental illness and advocates and consumers shall  
21 constitute a majority of the members of the committee.”.

22 **58.** Page 588, line 4: after that line insert:

23 “**SECTION 1524r.** 59.52 (29) (c) of the statutes is created to read:

1           59.52 **(29)** (c) If a county enacts an ordinance or adopts a resolution that  
2 authorizes preferences or set-asides to minority businesses in the awarding of a  
3 public work contract under par. (a), the ordinance or resolution shall require that the  
4 minority business be certified by the department of commerce under s. 560.036 (2).”.

5           **59.** Page 588, line 21: after that line insert:

6           “**SECTION 1527g.** 59.57 (1) (b) of the statutes is amended to read:

7           59.57 **(1)** (b) If a county with a population of 500,000 or more appropriates  
8 money under par. (a) to fund nonprofit agencies, the county shall have a goal of  
9 expending 20% of the money appropriated for this purpose to fund a nonprofit agency  
10 that is ~~actively managed by minority group members, as defined in s. 560.036 (1) (f),~~  
11 a minority business certified by the department of commerce under s. 560.036 (2) and  
12 that principally serves minority group members.

13           **SECTION 1528g.** 60.47 (7) of the statutes is created to read:

14           60.47 **(7)** MINORITY CONTRACTING. If a town board enacts an ordinance or adopts  
15 a resolution that authorizes preferences or set-asides to minority businesses in the  
16 awarding of a public work contract under subs. (2) and (3), the ordinance or  
17 resolution shall require that the minority business be certified by the department of  
18 commerce under s. 560.036 (2).

19           **SECTION 1528m.** 61.55 of the statutes is renumbered 61.55 (1) and amended  
20 to read:

21           61.55 **(1)** All contracts for public construction, in any ~~such~~ village, exceeding  
22 \$15,000, shall be let by the village board to the lowest responsible bidder in  
23 accordance with s. 66.0901 insofar as ~~said~~ that section ~~may be~~ is applicable. If the  
24 estimated cost of any public construction exceeds \$5,000, but is not greater than

1 \$15,000, the village board shall give a class 1 notice, under ch. 985, of the proposed  
2 construction before the contract for the construction is executed.

3 (2) This provision does not apply to public construction if the materials for such  
4 a project are donated or if the labor for such a project is provided by volunteers, and  
5 this provision and s. 281.41 are not mandatory for the repair and reconstruction of  
6 public facilities when damage or threatened damage thereto creates an emergency,  
7 as determined by resolution of the village board, in which the public health or welfare  
8 of the village is endangered. Whenever the village board by majority vote at a regular  
9 or special meeting declares that an emergency no longer exists, this exemption no  
10 longer applies.

11 **SECTION 1528n.** 61.55 (3) of the statutes is created to read:

12 61.55 (3) If a village board enacts an ordinance or adopts a resolution that  
13 authorizes preferences or set-asides to minority businesses in the awarding of a  
14 public work contract under sub. (1), the ordinance or resolution shall require that the  
15 minority business be certified by the department of commerce under s. 560.036 (2).

16 **SECTION 1528s.** 62.15 (1) of the statutes is renumbered 62.15 (1) (a) and  
17 amended to read:

18 62.15 (1) (a) All public construction, the estimated cost of which exceeds  
19 \$15,000, shall be let by contract to the lowest responsible bidder; ~~all.~~ All other public  
20 construction shall be let as the council may direct. If the estimated cost of any public  
21 construction exceeds \$5,000 but is not greater than \$15,000, the board of public  
22 works shall give a class 1 notice, under ch. 985, of the proposed construction before  
23 the contract for the construction is executed.

24 (b) This provision does not apply to public construction if the materials for such  
25 a project are donated or if the labor for such a project is provided by volunteers. The

1 council may also by a vote of three-fourths of all the members-elect provide by  
2 ordinance that any class of public construction or any part thereof may be done  
3 directly by the city without submitting the same for bids.

4 **SECTION 1528t.** 62.15 (1) (c) of the statutes is created to read:

5 62.15 (1) (c) If a council enacts an ordinance or adopts a resolution that  
6 authorizes preferences or set-asides to minority businesses in the awarding of a  
7 public work contract under par. (a), the ordinance or resolution shall require that the  
8 minority business be certified by the department of commerce under s. 560.036 (2).”.

9 **60.** Page 590, line 7: delete lines 7 and 8.

10 **61.** Page 590, line 9: delete “(e)” and substitute “(d)”.

11 **62.** Page 590, line 10: delete “(f)” and substitute “(e)”.

12 **63.** Page 596, line 10: delete “If” and substitute “Except as provided in par. (e),  
13 if”.

14 **64.** Page 596, line 18: delete “the effective date of this paragraph”.

15 **65.** Page 596, line 19: delete “... [revisor inserts date]” and substitute “July  
16 1, 2003”.

17 **66.** Page 596, line 22: after that line insert:

18 “(e) The limit otherwise applicable under this section does not apply to the  
19 amount that a county levies in that year for a county children with disabilities  
20 education board.”.

21 **67.** Page 596, line 22: after that line insert:

22 “(f) If a city or village, which has been providing services for a fee to a town for  
23 at least 10 years, annexes territory from that town, the city’s or village’s levy increase

1 limit otherwise applicable under this section is increased in the current year by an  
2 amount equal to the city's or village's mill rate applied to the current assessed value  
3 of the annexed territory and the levy increase limit otherwise applicable under this  
4 section in the current year for the town from which the territory is annexed is  
5 decreased by the town's mill rate applied to the assessed value of the annexed  
6 territory as of the last year that the territory was subject to taxation by the town, as  
7 determined by the department of revenue.”.

8 **68.** Page 598, line 6: delete “after June 30, 2006” and substitute “beginning  
9 3 years after the effective date of the subsection .... [revisor inserts date]”.

10 **69.** Page 598, line 6: after that line insert:

11 “**SECTION 1532p.** 66.0628 of the statutes is created to read:

12 **66.0628 Fees imposed by a political subdivision. (1)** In this section,  
13 “political subdivision” means a city, village, town, or county.

14 **(2)** Any fee that is imposed by a political subdivision shall bear a reasonable  
15 relationship to the service for which the fee is imposed.

16 **(3)** With regard to a fee that is first imposed, or an existing fee that is increased,  
17 on or after the effective date of this subsection .... [revisor inserts date], a political  
18 subdivision shall issue written findings that demonstrate that the fee meets the  
19 standard in sub. (2).”.

20 **70.** Page 598, line 6: after that line insert:

21 “**SECTION 1533b.** 66.0901 (6) of the statutes is amended to read:

22 **66.0901 (6) SEPARATION OF CONTRACTS; CLASSIFICATION OF CONTRACTORS.** In public  
23 contracts for the construction, repair, remodeling, or improvement of a public  
24 building or structure, other than highway structures and facilities, a municipality



1 may bid projects based on a single or multiple division of the work. Public contracts  
2 shall be awarded according to the division of work selected for bidding. The  
3 municipality may set out in any public contract reasonable and lawful conditions as  
4 to the hours of labor, wages, residence, character, and classification of workers to be  
5 employed by any contractor, classify contractors as to their financial responsibility,  
6 competency, and ability to perform work, and set up a classified list of contractors.  
7 The municipality may reject the bid of any person, if the person has not been  
8 classified for the kind or amount of work in the bid. If one of the conditions a  
9 municipality imposes under a contract that is let under this section authorizes  
10 preferences or set-asides to minority businesses in the awarding of a contract under  
11 this section, the condition shall require that the minority business be certified by the  
12 department of commerce under s. 560.036 (2).”.

13 **71.** Page 601, line 10: after “classified” insert “in whole or”.

14 **72.** Page 681, line 5: delete “participates” and substitute “participate”.

15 **73.** Page 687, line 10: delete lines 10 to 19 and substitute:

16 **“SECTION 1632ma.** 74.57 (3) of the statutes is amended to read:

17 74.57 (3) CERTIFICATE NOT TRANSFERABLE. The Except as provided under s.  
18 74.635, the county may not sell, assign, or otherwise transfer a tax certificate.  
19 However, if a city authorized to act under s. 74.87 pays delinquent taxes under an  
20 agreement entered into under s. 74.83, the county treasurer shall issue or reissue tax  
21 certificates to the city on all property for which the delinquent taxes have been paid.

22 **SECTION 1632mb.** 74.635 of the statutes is created to read:

23 **74.635 Sale of tax certificate revenues. (1) DEFINITIONS.** In this section:

24 (a) “County” includes a city that is authorized to act under s. 74.87.

1 (b) “Tax certificate” means a tax certificate issued under s. 74.57.

2 (c) “Tax certificate revenues” means, with respect to each parcel of real property  
3 included in a tax certificate, payments of real property taxes, special charges, special  
4 taxes, and special assessments indicated on a tax certificate, including interest and  
5 penalties on such amounts.

6 (2) SALE. A county may sell to any person all or a portion of the county’s right  
7 to receive tax certificate revenues. The county shall distribute the proceeds from a  
8 sale under this subsection as provided under s. 75.05.

9 (3) ADMINISTRATION. A county may enter into an agreement for the sale of the  
10 county’s right to receive tax certificate revenues. The agreement may include any  
11 provisions that the county considers necessary and may permit any person who  
12 purchases all or any portion of a county’s right to receive tax certificate revenue to  
13 sell, assign, or otherwise transfer such right, in whole or in part, to another person.”.

14 **74.** Page 699, line 17: delete “79.025 (3) (c) 3.” and substitute “79.02 (3) (c) 3.”.

15 **75.** Page 699, line 18: delete “79.025 (3) (c) 3” and substitute “79.02 (3) (c) 3”.

16 **76.** Page 719, line 25: after that line insert:

17 “**SECTION 1682d.** 84.075 (1) of the statutes is amended to read:

18 84.075 (1) In purchasing services under s. 84.01 (13), in awarding construction  
19 contracts under s. 84.06, and in contracting with private contractors and agencies  
20 under s. 84.07, the department of transportation shall attempt to ensure that 5% of  
21 the total amount expended in each fiscal year is paid to contractors, subcontractors,  
22 and vendors ~~which are minority businesses, as defined under s. 560.036 (1) (e) 1 that~~  
23 are minority businesses certified by the department of commerce under s. 560.036  
24 (2). In attempting to meet this goal, the department of transportation may award

1 any contract to a minority business that submits a qualified responsible bid that is  
2 no more than 5% higher than the low bid.

3 **SECTION 1682m.** 84.075 (2) of the statutes is amended to read:

4 84.075 (2) The contractor shall report to the department of transportation any  
5 amount of the contract paid to subcontractors and vendors ~~which~~ that are minority  
6 businesses certified by the department of commerce under s. 560.036 (2).

7 **SECTION 1683d.** 84.075 (3) of the statutes is amended to read:

8 84.075 (3) The department of transportation shall at least semiannually, or  
9 more often if required by the department of administration, report to the department  
10 of administration the total amount of money it has paid to contractors,  
11 subcontractors, and vendors ~~which~~ that are minority businesses under ss. 84.01 (13),  
12 84.06, 84.067, and 84.07 and the number of contacts with minority businesses in  
13 connection with proposed purchases and contracts. In its reports, the department  
14 of transportation shall include only amounts paid to businesses certified by the  
15 department of commerce under s. 560.036 (2) as minority businesses.

16 **SECTION 1683m.** 84.076 (1) (c) of the statutes is amended to read:

17 84.076 (1) (c) “Minority business” ~~has the meaning given under s. 560.036 (1)~~  
18 ~~(e) 1~~ means a business that is certified by the department of commerce under s.  
19 560.036 (2).”.

20 **77.** Page 724, line 8: delete lines 8 to 16.

21 **78.** Page 726, line 5: after that line insert:

22 “**SECTION 1699q.** 84.595 of the statutes is created to read:

23 **84.595 General obligation bonding for major highway and**  
24 **rehabilitation projects. (1)** Notwithstanding ss. 84.51, 84.53, 84.555, and 84.59,

1 major highway projects, as defined under s. 84.013 (1) (a), for the purposes of ss. 84.06  
2 and 84.09, may be funded with the proceeds of general obligation bonds issued under  
3 s. 20.866 (2) (uur).

4 **(2)** Notwithstanding ss. 84.51, 84.53, 84.555, and 84.59, state highway  
5 rehabilitation projects for the purposes specified in s. 20.395 (3) (cq), may be funded  
6 with the proceeds of general obligation bonds issued under s. 20.866 (2) (uut).”.

7 **79.** Page 727, line 14: delete “20.395 (2) (fg)” and substitute “20.395 (2) (ev)”.

8 **80.** Page 728, line 8: delete “(1) (dq), (dv),” and substitute “(2) (ct), (cu), and  
9 (cx),”.

10 **81.** Page 728, line 9: delete “and (dx),”.

11 **82.** Page 760, line 21: after that line insert:

12 “**SECTION 1857m.** 103.98 of the statutes is created to read:

13 **103.98 Compulsive gambling grants.** From the appropriation account  
14 under s. 20.445 (1) (kv), the department shall distribute \$50,000 in each fiscal year  
15 as grants to organizations that assist persons who are African American with  
16 compulsive gambling issues and \$50,000 in each fiscal year as grants to  
17 organizations that assist persons of Southeast Asian origin with compulsive  
18 gambling issues.”.

19 **83.** Page 793, line 17: after that line insert:

20 “**SECTION 2022b.** 119.04 (1) of the statutes is amended to read:

21 119.04 **(1)** Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c),  
22 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.361, 115.38  
23 (2), 115.45, 118.001 to 118.04, 118.045, 118.06, 118.07, 118.10, 118.12, 118.125 to  
24 118.14, 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18,

1 118.19, 118.20, 118.24 (1), (2) (c) to (f), (6) and (8), 118.245, 118.255, 118.258, 118.291,  
2 118.30 to 118.43, 118.51, 118.52, 118.55, 120.12 (5) and (15) to ~~(26)~~ (27), 120.125,  
3 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34), (35) and (37), 120.14 and  
4 120.25 are applicable to a 1st class city school district and board.”.

5 **84.** Page 795, line 3: after that line insert:

6 “**SECTION 2031p.** 120.12 (27) of the statutes is created to read:

7 120.12 **(27)** MINORITY CONTRACTING. If the school board adopts a policy that  
8 authorizes preferences or set-asides to minority businesses in the awarding of a  
9 public contract, as defined in s. 60.47 (1) (a), ensure that the policy requires that the  
10 minority business be certified by the department of commerce under s. 560.036 (2).”.

11 **85.** Page 799, line 9: delete the material beginning with “the office” and ending  
12 with “appeals” on line 10 and substitute “the tax appeals commission”.

13 **86.** Page 800, line 2: delete “the office of the commissioner of tax appeals” and  
14 substitute “the tax appeals commission”.

15 **87.** Page 801, line 2: delete “are entitled to” and substitute “are entitled to”.

16 **88.** Page 801, line 5: delete “attending public,” and substitute “attending  
17 public”.

18 **89.** Page 801, line 6: delete “charter, and private schools” and substitute “and  
19 private schools”.

20 **90.** Page 846, line 19: delete lines 19 and 20 and substitute:

21 “(1) Any intangible property distributable before January 1, 2003, in the course  
22 of a demutualization of an insurance company is”.

23 **91.** Page 847, line 8: delete lines 8 and 9 and substitute:

1           “(2) Any intangible property distributable in the course of a demutualization  
2 of an insurance company is”.

3           **92.** Page 861, line 25: after that line insert:

4           “**SECTION 2325h.** 200.49 (1) (a) of the statutes is amended to read:

5           200.49 (1) (a) “Minority business” means a ~~sole proprietorship, partnership,~~  
6 ~~limited liability company, joint venture or corporation that is at least 51% owned and~~  
7 ~~controlled by one or more minority group members and that is engaged in~~  
8 ~~construction or construction-related activities~~ business that is certified by the  
9 department of commerce under s. 560.036 (2).

10          **SECTION 2325j.** 200.49 (3) (intro.) of the statutes is amended to read:

11          200.49 (3) **REQUEST FOR PROPOSALS.** (intro.) The executive director shall request  
12 proposals for prime contracts from bondable general contractors or construction  
13 contractors that are ~~bona fide independent~~ minority businesses. Each proposal  
14 submitted shall include all of the following conditions:

15          **SECTION 2325k.** 200.49 (3) (b) of the statutes is amended to read:

16          200.49 (3) (b) A subcontracting plan that provides sufficient detail to enable  
17 the executive director to determine that the prime contractor has made or will make  
18 a good faith effort to award at least 20% of the total contract amount to ~~bona fide~~  
19 ~~independent~~ minority business subcontractors.

20          **SECTION 2325m.** 200.49 (4) of the statutes is repealed.”.

21          **93.** Page 874, line 19: after that line insert:

22          “**SECTION 2384c.** 229.46 (1) (a) of the statutes is amended to read:

1           229.46 (1) (a) “Minority business” ~~has the meaning given in s. 200.49 (1) (a)~~  
2           means a business that is certified by the department of commerce under s. 560.036  
3           (2).

4           **SECTION 2384cj.** 229.70 (1) (a) of the statutes is amended to read:

5           229.70 (1) (a) “Minority business” ~~has the meaning given in s. 560.036 (1) (e)~~  
6           means a business that is certified by the department of commerce under s. 560.036  
7           (2).

8           **SECTION 2384cm.** 229.8273 (1) (b) of the statutes is amended to read:

9           229.8273 (1) (b) “Minority business” ~~has the meaning given in s. 560.036 (1) (e)~~  
10          means a business that is certified by the department of commerce under s. 560.036  
11          (2).

12          **SECTION 2384cr.** 229.845 (1) (a) of the statutes is amended to read:

13          229.845 (1) (a) “Minority business” ~~has the meaning given in s. 560.036 (1) (e)~~  
14          means a business that is certified by the department of commerce under s. 560.036  
15          (2).”.

16          **94.** Page 910, line 16: after that line insert:

17          “**SECTION 2440m.** 232.05 (2) (d) of the statutes is amended to read:

18          232.05 (2) (d) Seek to enter into contracts for the purchase of goods and services  
19          with minority businesses that are certified by the department of commerce under s.  
20          560.036 (2).”.

21          **95.** Page 911, line 7: after that line insert:

22          “**SECTION 2442r.** 234.01 (4n) (a) 3m. d. of the statutes is amended to read:

1           234.01 **(4n)** (a) 3m. d. The facility is owned or controlled by a minority business  
2 that is certified by the department of commerce under s. 560.036 (2) or that is more  
3 than 50% owned or controlled by women or minorities.”.

4           **96.** Page 912, line 20: after that line insert:

5           “**SECTION 2448g.** 234.65 (1) (g) of the statutes is amended to read:

6           234.65 **(1)** (g) In granting loans under this section the authority shall give  
7 preference to businesses which that are minority businesses certified by the  
8 department of commerce under s. 560.036 (2) or that are more than 50% owned or  
9 controlled by women ~~or minorities~~, to businesses that, together with all of their  
10 affiliates, subsidiaries, and parent companies, have current gross annual sales of  
11 \$5,000,000 or less or that employ 25 or fewer persons, and to new businesses that  
12 have less than 50% of their ownership held or controlled by another business and  
13 have their principal business operations in this state.

14           **SECTION 2448r.** 252.12 (2) (c) 2. of the statutes is amended to read:

15           252.12 **(2)** (c) 2. From the appropriation under s. 20.435 (5) (am), the  
16 department shall award \$75,000 in each fiscal year as grants for services to prevent  
17 HIV infection and related infections, including hepatitis C virus infection. Criteria  
18 for award of the grants shall include the criteria specified under subd. 1. The  
19 department shall award 60% of the funding to applying organizations that receive  
20 funding under par. (a) 8. and 40% of the funding to applying community-based  
21 organizations that are ~~operated by minority group members, as defined in s. 560.036~~  
22 ~~(1) (f)~~ minority businesses certified by the department of commerce under s. 560.036  
23 (2).”.

24           **97.** Page 975, line 4: after that line insert:



1           **SECTION 2618v.** 560.036 (2) (a) of the statutes is amended to read:

2           560.036 **(2)** (a) For the purposes of ss. 16.75 (3m), 16.854, 16.855 (10m), 16.87  
3           (2), 18.16, 18.64, 18.77, 25.17 (59), 25.185, 34.05 (4), 38.18, 43.17 (9) (a), 59.52 (29)  
4           (c), 59.57 (1) (b), 60.47 (7), 61.55 (3), 62.15 (1) (c), 66.0901 (6), 84.075, 84.076, 119.495  
5           (2), 120.12 (27), 200.49, 200.57, 229.46, 229.70, 229.8273, 229.845, 231.27 and,  
6           232.05 (2) (d), 234.01 (4n) (a) 3m. d., 234.35, 234.65 (1) (g), 252.12 (2) (c) 2., 560.038,  
7           560.039, and 560.80 to 560.85, the department shall establish and periodically  
8           update a list of certified minority businesses, minority financial advisers, and  
9           minority investment firms. Any business, financial adviser, or investment firm may  
10          apply to the department for certification. For purposes of this paragraph, unless the  
11          context otherwise requires, a “business” includes a financial adviser or investment  
12          firm.

13          **SECTION 2618vd.** 560.036 (3) (a) of the statutes is amended to read:

14          560.036 **(3)** (a) The department shall promulgate rules establishing procedures  
15          to implement sub. (2). Those rules shall include a rule prescribing a uniform  
16          application process for certification under sub. (2).

17          **SECTION 2618vg.** 560.036 (3) (c) of the statutes is amended to read:

18          560.036 **(3)** (c) The department may promulgate rules establishing conditions  
19          with which a business, financial adviser, or investment firm must comply to qualify  
20          for certification under sub. (2), in addition to the qualifications specified under sub.  
21          (1) (e), (ep), and (fm), respectively. Those rules may not require that a business,  
22          financial adviser, or investment firm submit any income or franchise tax return or  
23          any application for certification or classification as a minority business by the federal  
24          government to the department as a condition for qualification for certification under  
25          sub. (2), but may require that a business, financial adviser, or investment firm

1 submit an affidavit signed by an owner, partner, member, manager, officer, or  
2 director of the business, financial adviser, or investment firm stating that all  
3 information submitted to the department in connection with the application for  
4 certification is true and correct.

5 **SECTION 2618vm.** 560.038 (1) (ar) of the statutes is amended to read:

6 560.038 (1) (ar) “Minority business” ~~has the meaning given in s. 560.036 (1) (e)~~  
7 means a business that is certified by the department under s. 560.036 (2).

8 **SECTION 2618vp.** 560.039 (1) (b) of the statutes is amended to read:

9 560.039 (1) (b) “Minority business” ~~has the meaning given in s. 560.036 (1) (e)~~  
10 means a business that is certified by the department under s. 560.036 (2).”.

11 **98.** Page 976, line 18: after that line insert:

12 “**SECTION 2628fg.** 560.80 (8) of the statutes is amended to read:

13 560.80 (8) “Minority business” means a ~~minority business, as defined in s.~~  
14 560.036 (1) (e), business certified by the department under s. 560.036 (2) that has its  
15 principal place of business in this state.”.

16 **99.** Page 1018, line 11: before that line insert:

17 “**SECTION 2813r.** 2001 Wisconsin Act 16, section 9123 (16rs) (a) 1. is amended  
18 to read:

19 [2001 Wisconsin Act 16] Section 9123 (16rs) (a) 1. “Administering agency”  
20 means a county department under section 46.23, 51.42, or 51.437 of the statutes or,  
21 a human services agency that administers the program under a contract with such  
22 a county department, or the department of health and family services.

23 **SECTION 2813s.** 2001 Wisconsin Act 16, section 9123 (16rs) (b) 6. is amended  
24 to read:

1 [2001 Wisconsin Act 16] Section 9123 (16rs) (b) 6. Counties Administering  
2 agencies in counties in which the program is located shall provide, contract for the  
3 provision of, organize, or arrange for long-term care supports for eligible children up  
4 to age 24 years, consistent with section 46.985 (1) (b) and (6) (f) of the statutes.

5 **SECTION 2813t.** 2001 Wisconsin Act 16, section 9123 (16rs) (b) 9. and 10. are  
6 repealed.”.

7 **100.** Page 1030, line 23: after “System” insert “, the department of employee  
8 trust funds, and the state of Wisconsin investment board”.

9 **101.** Page 1048, line 22: after that line insert:

10 “(hm) HMONG CULTURAL CENTER

- 11 1. *Projects financed by general fund supported*  
12 *borrowing:*

13 Hmong cultural center -- Milwaukee \$ 3,000,000

- 14 2. Totals

15 General fund supported borrowing 3,000,000

16 Total -- All sources of funds \$ 3,000,000”.

17 **102.** Page 1054, line 7: after that line insert:

18 “(7k) HMONG CULTURAL CENTER. Notwithstanding section 13.48 (36) (b) of the  
19 statutes, as created by this act, the building commission shall not make a grant to  
20 an organization for construction of the Hmong cultural center project, as enumerated  
21 in subsection (1) (hm), under section 13.48 (36) of the statutes, as created by this act,  
22 unless the department of administration has reviewed and approved plans for the  
23 project. Notwithstanding sections 16.85 (1) and 16.855 (1) of the statutes, the

1 department of administration shall not supervise any services or work or let any  
2 contract for the project. Section 16.87 of the statutes does not apply to the project.”.

3 **103.** Page 1057, line 3: after that line insert:

4 “(1x) UTILITY COSTS INCURRED BY MUNICIPALITIES IN CONNECTION WITH CERTAIN  
5 PRISONS. Before April 30, 2004, a city that was incorporated in 1889 and that is  
6 located in a county that was created in 1856 may apply to the department of  
7 corrections for reimbursement of costs, including debt service, for the period  
8 beginning on May 1, 2002, and ending on March 31, 2004, of extending utility service  
9 in connection with the construction of a prison if the construction of the prison was  
10 authorized by the building commission in September 1998. The department of  
11 corrections shall pay the city at least \$215,000 of those costs no later than June 30,  
12 2004, from the appropriation account under section 20.410 (1) (a) of the statutes.”.

13 **104.** Page 1061, line 19: after that line insert:

14 “(2x) REINSTATEMENT PRIVILEGES AND RESTORATION RIGHTS FOR CERTAIN STATE  
15 EMPLOYEES LAID OFF DURING THE 2003–05 FISCAL BIENNIUM.

16 (a) Notwithstanding section 230.31 of the statutes, if a person described under  
17 section 230.31 (1) (intro.) of the statutes is laid off during the 2003–05 fiscal  
18 biennium because the agency at which the person was last employed is eliminated  
19 or because the functions performed by the person are transferred to a different  
20 agency, the person shall have reinstatement privileges under section 230.31 (1) (a)  
21 of the statutes and restoration rights under section 230.31 (1) (b) of the statutes to  
22 the agency to which the functions previously performed by the person are  
23 transferred.

1           (b) Except as provided in paragraph (c) and notwithstanding sections 111.84  
2           (1) and (2), 111.91 (1) and (2), and 111.93 (3) of the statutes, paragraph (a) applies to  
3           state employees and the state regardless of whether the employees are  
4           nonrepresented or represented by a labor organization, as defined in section 111.81  
5           (12) of the statutes.

6           (c) For any state employee represented by a labor organization, as defined in  
7           section 111.81 (12) of the statutes, paragraph (a) applies until the day before the  
8           effective date of any act ratifying the collective bargaining agreement for the  
9           2003–05 fiscal biennium that covers that employee. Beginning on the effective date  
10          of any such act, paragraph (a) applies only if provided by the terms of the collective  
11          bargaining agreement.”.

12           **105.** Page 1069, line 12: substitute “49.688” for “49.668”.

13           **106.** Page 1074, line 2: after that line insert:

14           “(12q) GRADUATE MEDICAL EDUCATION. In each year of the 2003–05 fiscal  
15          biennium, the department of health and family services shall expend \$2,000,000 of  
16          the moneys allocated for direct graduate medical education costs from the  
17          appropriation under section 20.435 (4) (b) of the statutes, as affected by the acts of  
18          2003, on indirect graduate medical education costs.”.

19           **107.** Page 1074, line 2: after that line insert:

20           “(13k) MEDICAL ASSISTANCE DEMONSTRATION PROJECT.

21           (a) In this subsection, “facility” has the meaning given in section 49.45 (6m) (a)  
22          3. of the statutes.

23           (b) From the appropriation under section 20.435 (4) (b) of the statutes, as  
24          affected by this act, the department of health and family services shall allocate

1 \$405,100 in state fiscal year 2003–04 and \$405,500 in state fiscal year 2004–05 to  
2 provide to Milwaukee County for support of a 2–year demonstration project that  
3 involves a facility that has between 80 and 90 licensed beds and a population of  
4 residents 90% of whom are recipients of Medical Assistance and that is located in a  
5 city of the first class.”.

6 **108.** Page 1083, line 10: delete “weeds in”.

7 **109.** Page 1096, line 18: delete “84.557” and substitute “84.595”.

8 **110.** Page 1099, line 24: delete the material beginning with “20.395 (2) (fg)”  
9 and ending with “this act” on page 1100, line 1, and substitute “20.395 (2) (ev) of the  
10 statutes, as affected by this act”.

11 **111.** Page 1100, line 13: delete “20.395 (2) (fg)” and substitute “20.395 (2) (ev)”.

12 **112.** Page 1100, line 14: delete “created” and substitute “affected”.

13 **113.** Page 1110, line 23: after that line insert:

14 “(9d) SECURING FEDERAL FUNDS FOR FAITH-BASED INITIATIVE. The department of  
15 workforce development is directed to secure federal funds for the purpose of  
16 contracting with the General Baptist State Ministers’ Alliance, Wisconsin Baptist  
17 Ministers’ Alliance, Church of God and Christ Ministers’ Alliance, and Apostolic  
18 Faith Ministers’ Alliance for a faith–based initiative to create jobs and counsel  
19 families that have been impacted by gun violence. The department of workforce  
20 development shall notify the joint committee on finance by no later than December  
21 1, 2003, if state matching funds are required to secure the federal funds.”.

22 **114.** Page 1115, line 6: after that line insert:

